

**FEDERAL TRADE COMMISSION**

**16 CFR Part 305**

**[3084-AB15]**

**ENERGY LABELING RULE**

**AGENCY:** Federal Trade Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Federal Trade Commission (“FTC” or “Commission”) proposes routine updates to comparability range information on EnergyGuide labels for televisions, refrigerators and freezers, dishwashers, water heaters, room air conditioners (ranges only), clothes washers, furnaces, and pool heaters in the Energy Labeling Rule (“Rule”). The proposed amendments also contain a minor, clarifying change to requirements for determining room air conditioner capacity.

**DATES:** Comments must be received by [INSERT DATE 45 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER].

**ADDRESSES:** Interested parties may file a comment online or on paper, by following the instructions in the Request for Comment part of the **SUPPLEMENTARY**

**INFORMATION** section below. Write “Range Updates (16 CFR Part 305) (Matter No. R611004)” on your comment, and file your comment online at

<https://www.regulations.gov/>, by following the instructions on the web-based form. If you prefer to file your comment on paper, mail or deliver your comment to the following address: Federal Trade Commission, Office of the Secretary, Room H-113 (Annex B), 600 Pennsylvania Avenue, NW, Washington, DC 20580.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, (202) 326-2889, Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Washington, DC 20580.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Commission issued the Energy Labeling Rule (“Rule”) in 1979,<sup>1</sup> pursuant to the Energy Policy and Conservation Act of 1975 (“EPCA”).<sup>2</sup> The Rule requires energy labeling for major home appliances and other consumer products to help consumers compare competing models. It also contains labeling requirements for refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, furnaces, central air conditioners, heat pumps, plumbing products, lighting products, ceiling fans, and televisions.

The Rule requires manufacturers to attach yellow EnergyGuide labels to many covered products and prohibits retailers from removing these labels or rendering them illegible. In addition, it directs sellers, including retailers, to post label information on websites and in paper catalogs from which consumers can order products. EnergyGuide labels for most covered products contain three key disclosures: estimated annual energy cost, a product’s energy consumption or energy efficiency rating as determined by DOE test procedures, and a comparability range displaying the highest and lowest energy costs or efficiency ratings for all similar models. For cost calculations, the Rule specifies

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<sup>1</sup> 44 FR 66466 (Nov. 19, 1979).

<sup>2</sup> 42 U.S.C. 6294. EPCA also requires the Department of Energy (DOE) to develop test procedures that measure how much energy appliances use, and to determine the representative average cost a consumer pays for different types of energy.

national average costs for applicable energy sources (*e.g.*, electricity, natural gas, oil) based on DOE estimates. Under the Rule, the Commission periodically updates comparability range and annual energy cost information based on manufacturer data submitted pursuant to the Rule's reporting requirements. The Rule sets a five-year schedule for updating range of comparability and annual energy cost information.<sup>3</sup> Pursuant to that schedule the Commission proposes the following amendments.

## **II. Proposed Amendments**

As discussed below, the Commission proposes to update comparability ranges and national average energy cost figures (Appendix K1 and K2) for several product categories consistent with the Rule's five-year schedule. The proposed amendments also update section 305.10 to clarify that manufacturers must determine capacity for room air conditioners using current DOE requirements.

### **A. Comparability Range and Energy Cost Revisions**

In accordance with the Rule's five-year schedule for comparability range updates (section 305.12), this Notice proposes revisions to the comparability range and energy cost information in the Rule's appendices for televisions, refrigerators and freezers, dishwashers, water heaters, room air conditioners (ranges only), clothes washers, furnaces, and pool heaters.<sup>4</sup> In addition, the Commission proposes updating the average energy cost figures manufacturers must use to calculate a model's estimated energy cost for the label based on national average cost figures published by DOE.<sup>5</sup> Specifically, the

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<sup>3</sup> 16 CFR 305.12.

<sup>4</sup> 16 CFR 305.12. The capacity categories in the Room Air Conditioner table (Appendix E) have been slightly adjusted to reflect changes in the size distribution in DOE current model data.

<sup>5</sup> 87 FR 12681 (March 7, 2022) (DOE notice for "Representative Average Unit Costs of

proposed amendments update the energy cost tables in Appendix K1 and K2.<sup>6</sup> This Notice also contains proposed conforming changes to the sample labels in the Rule’s appendices to reflect the new range and cost information.

Pursuant to 305.12, manufacturers must begin using this information on new product labels within 90 days after publication of a final notice announcing updated ranges for specific products.<sup>7</sup> Manufacturers do not have to relabel products labeled prior to the effective date of the changes. For room air conditioners, the Commission proposes setting an October 1, 2022 effective date for those ranges because this label must appear on product boxes, and such package changes can require additional planning and coordination. The proposed October date coincides with the annual production cycle (*i.e.*, the cooling season) for those products.

The Commission does not propose amending range and cost information for central air conditioner and portable air conditioner labels because the Commission recently updated those ranges.<sup>8</sup> Additionally, the Commission does not propose changing the cost figure for room air conditioner labels because such a change would make room air conditioner labels inconsistent with cost information on portable air

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Energy”). Fuel costs in the FTC tables in Appendix K1 and K2 are rounded to the nearest cent.

<sup>6</sup> Applicable energy cost figures for televisions appear in section 305.25.

<sup>7</sup> Under EPCA (42 USC 6294(c)(1)(B)), manufacturers must use updated range data beginning 60 days after final ranges are published unless the Commission provides for a later date. Section 305.12(b) has a period of 90 days.

<sup>8</sup> See 86 FR 9274 (Feb. 12, 2021) (portable air conditioners); 86 FR 57985 (Oct. 20, 2021) (central air conditioners). Because the amendments in those notices are scheduled to become effective on October 1, 2022 and January 1, 2023—after the likely effective date for the amendments proposed in this Notice—the Commission will make technical, conforming changes to the instructions in those notices as necessary to ensure consistency (*e.g.*, Appendices E and K).

conditioners, a similar product category. Accordingly, the electricity cost figure (¢13/kWh) for those two categories appear in Appendix K2 and has been used to create the room air conditioner ranges (Appendix E) in the proposed amendments.

### **B. Capacity Determinations for Room Air Conditioners**

Finally, the proposed amendments update section 305.10 to clarify that manufacturers must determine capacity for room air conditioners using current DOE requirements. Specifically, the amendment eliminates obsolete text related to rounding and updates references to existing DOE requirements for capacity determinations. The Commission proposes making the change effective on October 1, 2022 to coincide with the effective date of the Commission’s previously published requirements for EnergyGuide labels for portable air conditioners.<sup>9</sup>

### **III. Request for Comment**

The Commission seeks comment on the amendments proposed in this Notice. You can file a comment online or on paper. For the Commission to consider your comment, we must receive it on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. Write “Range Updates, Matter R611004” on your comment. Your comment—including your name and your state—will be placed on the public record of this proceeding, including, to the extent practicable, on the website <https://www.regulations.gov>.

Because of the public health emergency in response to the COVID-19 outbreak and the agency’s heightened security screening, postal mail addressed to the Commission will be subject to delay. We strongly encourage you to submit your comments online

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<sup>9</sup> 86 FR 9274 (Feb. 12, 2022).

through the <https://www.regulations.gov> website. To ensure the Commission considers your online comment, please follow the instructions on the web-based form.

If you file your comment on paper, write “Energy Label Ranges, Matter R611004” on your comment and on the envelope, and mail your comment to the following address: Federal Trade Commission, Office of the Secretary, 600 Pennsylvania Avenue NW, Suite CC-5610 (Annex B), Washington, DC 20580, or deliver your comment by courier or overnight service to the following address: Federal Trade Commission, Office of the Secretary, Constitution Center, 400 7th Street SW, 5th Floor, Suite 5610 (Annex B), Washington, DC 20024.

Because your comment will be placed on the public record, you are solely responsible for making sure your comment does not include any sensitive or confidential information. Your comment should not contain sensitive personal information, such as your or anyone else’s Social Security number; date of birth; driver’s license number or other state identification number or foreign country equivalent; passport number; financial account number; or credit or debit card number. You are also solely responsible for making sure your comment does not include any sensitive health information, such as medical records or other individually identifiable health information. In addition, your comment should not include any “[t]rade secret or any commercial or financial information which . . . is privileged or confidential”—as provided in Section 6(f) of the FTC Act, 15 U.S.C. 46(f), and FTC Rule 4.10(a)(2), 16 CFR 4.10(a)(2)—including competitively sensitive information such as costs, sales statistics, inventories, formulas, patterns, devices, manufacturing processes, or customer names.

Comments containing material for which confidential treatment is requested must

be filed in paper form, must be clearly labeled “Confidential,” and must comply with FTC Rule 4.9(c), 16 CFR 4.9(c). In particular, the written request for confidential treatment that accompanies the comment must include the factual and legal basis for the request and must identify the specific portions of the comment to be withheld from the public record. *See* FTC Rule 4.9(c). Your comment will be kept confidential only if the General Counsel grants your request in accordance with the law and the public interest. Once your comment has been posted publicly at [www.regulations.gov](http://www.regulations.gov)—as legally required by FTC Rule 4.9(b), 16 CFR 4.9(b)—we cannot redact or remove your comment, unless you submit a confidentiality request that meets the requirements for such treatment under FTC Rule 4.9(c), and the General Counsel grants that request.

Visit the FTC website to read this document and the news release describing it. The FTC Act and other laws the Commission administers permit the collection of public comments to consider and use in this proceeding as appropriate. The Commission will consider all timely and responsive public comments it receives on or before [INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. For information on the Commission’s privacy policy, including routine uses permitted by the Privacy Act, see <https://www.ftc.gov/siteinformation/privacypolicy>.

Because written comments appear adequate to present the views of all interested parties, the Commission has not scheduled an opportunity for presentation of oral comments regarding these proposed amendments. Interested parties may request an opportunity to present views orally. If such a request is made, the Commission will publish a document in the Federal Register stating the time and place for such oral presentation(s) and describing the procedures that will be followed. Interested parties

who wish to present oral views must submit a request, on or before [INSERT DATE 45 DAYS AFTER PUBLICATION IN FEDERAL REGISTER], in the form of a written comment that describes the issues on which the party wishes to speak. If no oral presentations are scheduled, the Commission will base its decision on the written rulemaking record.

#### **IV. Paperwork Reduction Act**

The current Rule contains recordkeeping, disclosure, testing, and reporting requirements that constitute information collection requirements as defined by 5 CFR 1320.3(c), the definitional provision within the Office of Management and Budget (OMB) regulations that implement the Paperwork Reduction Act (PRA). OMB has approved the Rule's existing information collection requirements through February 29, 2024 (OMB Control No. 3084-0069). The proposed amendments do not change the substance or frequency of the recordkeeping, disclosure, or reporting requirements and, therefore, do not require further OMB clearance.

#### **V. Regulatory Flexibility Act**

The Regulatory Flexibility Act ("RFA"), 5 U.S.C. 601-612, requires that the Commission conduct an analysis of the anticipated economic impact of the proposed amendment on small entities. The RFA requires that the Commission provide an Initial Regulatory Flexibility Analysis ("IRFA") with a rule unless the Commission certifies that the rule will not have a significant economic impact on a substantial number of small entities. 5 U.S.C. 605. The proposed amendments merely implements routine updates to comparability range information and other minor clarifications. The proposed amendments do not significantly change the substance or frequency of the Rule's

recordkeeping, disclosure, or reporting requirements. Thus, the amendments will not have a “significant economic impact on a substantial number of small entities.” 5 U.S.C. 605. The Commission has concluded, therefore, that a regulatory flexibility analysis is not necessary, and certifies, under Section 605 of the Regulatory Flexibility Act (5 U.S.C. 605(b)), that the proposed amendments will not have a significant economic impact on a substantial number of small entities.

#### **List of Subjects in 16 CFR Part 305**

Advertising, Energy conservation, Household appliances, Labeling, Reporting and recordkeeping requirements.

For the reasons stated above, the Commission proposes to amend part 305 of title 16 of the Code of Federal Regulations as follows:

#### **PART 305--ENERGY AND WATER USE LABELING FOR CONSUMER PRODUCTS UNDER THE ENERGY POLICY AND CONSERVATION ACT (“ENERGY LABELING RULE”)**

1. The authority citation for Part 305 continues to read as follows:

**AUTHORITY:** 42 U.S.C. 6294.

2. In § 305.10, revise paragraph (f) to read as follows:

#### **§ 305.10 Determinations of capacity.**

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(f) *Room air conditioners and portable air conditioners.* The capacity for room air conditioners and portable air conditioners shall be determined according to 10 CFR part 430, subpart B, with rounding determined in accordance with 10 CFR part 430.

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3. In section 305.25, revise paragraphs (f)(4) and (f)(5) to read as follows:

**§ 305.25 Television labeling.**

\* \* \* \* \*

(f) \* \* \*

(4) Estimated annual energy costs determined in accordance with this part and based on a usage rate of 5 hours in on mode and 19 hours in standby (sleep) mode per day and an electricity cost rate of 14 cents per kWh.

(5) The applicable ranges of comparability for estimated annual energy costs based on the labeled product's diagonal screen size, according to the following table:

	<b>Annual Energy Cost Ranges for Televisions</b>	
<b>Screen Size (diagonal)</b>	<b>Low</b>	<b>High</b>
16 - 20" (16.0 to 20.49")	\$5	\$6
21 - 23" (20.5 to 23.49")	\$4	\$9
24 - 29" (23.5 to 29.49")	\$3	\$10
30 - 34" (29.5 to 34.49")	\$5	\$16
35 - 39" (34.5 to 39.49")	\$9	\$17
40 - 44" (39.5 to 44.49")	\$7	\$28
45 - 49" (44.5 to 49.49")	\$8	\$34
50 - 54" (49.5 to 54.49")	\$10	\$37
55 - 59" (54.5 to 59.49")	\$9	\$47
60 - 64" (59.5 to 64.49")	\$13	\$37
65 - 69" (64.5 to 69.49")	\$13	\$101
69.5" or greater	\$7	\$160

\* \* \* \* \*

4. Revise Appendices A1 through A9 to Part 305 to read as follows:

**APPENDIX A1 TO PART 305 – REFRIGERATORS WITH AUTOMATIC DEFROST**

<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range Information</b>	
	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	\$20	\$45
<b>10.5 to 12.4.....</b>	\$28	\$40
<b>12.5 to 14.4.....</b>	\$33	\$47
<b>14.5 to 16.4.....</b>	\$33	\$46
<b>16.5 to 18.4.....</b>	\$38	\$52
<b>18.5 to 20.4.....</b>	\$42	\$50
<b>20.5 to 22.4.....</b>	\$35	\$57
<b>22.5 to 24.4.....</b>	\$51	\$59
<b>24.5 to 26.4.....</b>	(*)	(*)
<b>26.5 to 28.4.....</b>	(*)	(*)
<b>28.5 and over.....</b>	(*)	(*)

**APPENDIX A2 TO PART 305 – REFRIGERATORS AND REFRIGERATOR-FREEZERS WITH MANUAL DEFROST**

<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range Information</b>	
	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	\$11	\$46
<b>10.5 to 12.4.....</b>	(*)	(*)
<b>12.5 to 14.4.....</b>	(*)	(*)
<b>14.5 to 16.4.....</b>	(*)	(*)
<b>16.5 to 18.4.....</b>	(*)	(*)
<b>18.5 to 20.4.....</b>	(*)	(*)
<b>20.5 to 22.4.....</b>	(*)	(*)
<b>22.5 to 24.4.....</b>	(*)	(*)
<b>24.5 to 26.4.....</b>	(*)	(*)
<b>26.5 to 28.4.....</b>	(*)	(*)
<b>28.5 and over.....</b>	(*)	(*)

**APPENDIX A3 TO PART 305 –REFRIGERATOR-FREEZERS WITH PARTIAL  
AUTOMATIC DEFROST**

<b>MANUFACTURER'S RATED TOTAL REFRIGERATED VOLUME IN CUBIC FEET</b>	<b>Range Information</b>	
	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	\$27	\$55
<b>10.5 to 12.4.....</b>	(*)	(*)
<b>12.5 to 14.4.....</b>	(*)	(*)
<b>14.5 to 16.4.....</b>	(*)	(*)
<b>16.5 to 18.4.....</b>	\$53	\$53
<b>18.5 to 20.4.....</b>	\$48	\$55
<b>20.5 to 22.4.....</b>	(*)	(*)
<b>22.5 to 24.4.....</b>	(*)	(*)
<b>24.5 to 26.4.....</b>	(*)	(*)
<b>26.5 to 28.4.....</b>	(*)	(*)
<b>28.5 and over.....</b>	(*)	(*)

**APPENDIX A4 TO PART 305 – REFRIGERATOR-FREEZERS WITH AUTOMATIC DEFROST WITH TOP-MOUNTED FREEZER NO THROUGH-THE-DOOR ICE**

<b>Range Information</b>		
<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	\$40	\$62
<b>10.5 to 12.4.....</b>	\$43	\$61
<b>12.5 to 14.4.....</b>	\$44	\$64
<b>14.5 to 16.4.....</b>	\$45	\$66
<b>16.5 to 18.4.....</b>	\$49	\$70
<b>18.5 to 20.4.....</b>	\$48	\$72
<b>20.5 to 22.4.....</b>	\$51	\$76
<b>22.5 to 24.4.....</b>	\$58	\$78
<b>24.5 to 26.4.....</b>	\$66	\$81
<b>26.5 to 28.4.....</b>	(*)	(*)
<b>28.5 and over.....</b>	(*)	(*)

**APPENDIX A5 TO PART 305 –REFRIGERATOR-FREEZERS WITH AUTOMATED DEFROST WITH SIDE-MOUNTED FREEZER NO THROUGH-THE-DOOR ICE**

<b>Range Information</b>		
<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>

Less than 10.5.....	\$54	\$82
10.5 to 12.4.....	(*)	(*)
12.5 to 14.4.....	\$39	\$40
14.5 to 16.4.....	\$49	\$65
16.5 to 18.4.....	\$69	\$70
18.5 to 20.4.....	\$66	\$70
20.5 to 22.4.....	\$70	\$101
22.5 to 24.4.....	\$78	\$105
24.5 to 26.4.....	\$80	\$109
26.5 to 28.4.....	\$91	\$113
28.5 and over.....	\$84	\$118

**APPENDIX A6 TO PART 305 – REFRIGERATOR-FREEZERS WITH AUTOMATIC DEFROST WITH BOTTOM-MOUNTED FREEZER WITHOUT NO THROUGH-THE-DOOR ICE**

Manufacturer's Rated Total Refrigerated Volume in Cubic feet	Range Information	
	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Less than 10.5.....	\$42	\$73
10.5 to 12.4.....	\$47	\$79
12.5 to 14.4.....	\$50	\$77
14.5 to 16.4.....	\$53	\$85
16.5 to 18.4.....	\$60	\$86
18.5 to 20.4.....	\$60	\$91
20.5 to 22.4.....	\$62	\$94
22.5 to 24.4.....	\$65	\$98
24.5 to 26.4.....	\$74	\$96
26.5 to 28.4.....	\$67	\$95
28.5 and over.....	\$91	\$101

**APPENDIX A7 TO PART 305 – REFRIGERATOR-FREEZERS WITH AUTOMATIC DEFROST WITH BOTTOM-MOUNTED FREEZER WITH THROUGH-THE-DOOR ICE SERVICE**

**Range Information**

<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	(*)	(*)
<b>10.5 to 12.4.....</b>	(*)	(*)
<b>12.5 to 14.4.....</b>	(*)	(*)
<b>14.5 to 16.4.....</b>	(*)	(*)
<b>16.5 to 18.4.....</b>	\$80	\$90
<b>18.5 to 20.4.....</b>	\$83	\$98
<b>20.5 to 22.4.....</b>	\$91	\$103
<b>22.5 to 24.4.....</b>	\$77	\$106
<b>24.5 to 26.4.....</b>	\$89	\$109
<b>26.5 to 28.4.....</b>	\$83	\$112
<b>28.5 and over.....</b>	\$90	\$113

**APPENDIX A8 TO PART 305 – REFRIGERATOR-FREEZERS WITH AUTOMATIC DEFROST WITH SIDE-MOUNTED FREEZER WITH THROUGH-THE-DOOR ICE SERVICE**

**Range Information**

<b>Manufacturer's Rated Total Refrigerated Volume in Cubic feet</b>	<b>Range of Estimated Annual Operating Costs (Dollars/Year)</b>	
	<b>Low</b>	<b>High</b>
<b>Less than 10.5.....</b>	(*)	(*)
<b>10.5 to 12.4.....</b>	(*)	(*)
<b>12.5 to 14.4.....</b>	(*)	(*)
<b>14.5 to 16.4.....</b>	(*)	(*)
<b>16.5 to 18.4.....</b>	\$87	\$88

18.5 to 20.4.....	\$78	\$110
20.5 to 22.4.....	\$72	\$109
22.5 to 24.4.....	\$76	\$115
24.5 to 26.4.....	\$81	\$116
26.5 to 28.4.....	\$89	\$122
28.5 and over.....	\$104	\$124

**APPENDIX A9 TO PART 305 – ALL REFRIGERATORS AND REFRIGERATOR-FREEZERS**

**Range Information**

Manufacturer's Rated Total Refrigerated Volume in Cubic feet	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Less than 10.5.....	\$11	\$82
10.5 to 12.4.....	\$28	\$79
12.5 to 14.4.....	\$33	\$77
14.5 to 16.4.....	\$33	\$84
16.5 to 18.4.....	\$38	\$90
18.5 to 20.4.....	\$42	\$110
20.5 to 22.4.....	\$35	\$109
22.5 to 24.4.....	\$51	\$115
24.5 to 26.4.....	\$66	\$116
26.5 to 28.4.....	\$67	\$122
28.5 and over.....	\$84	\$124

5. Revise Appendices B1 through B3 to Part 305 to read as follows:

**APPENDIX B1 TO PART 305 – UPRIGHT FREEZERS WITH MANUAL DEFROST**

**Range Information**

Manufacturer's Rated Total Refrigerated Volume in Cubic feet	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Less than 5.5.....	\$18	\$43
5.5 to 7.4 .....	\$35	\$47

7.5 to 9.4 .....	\$34	\$40
9.5 to 11.4.....	\$36	\$36
11.5 to 13.4.....	(*)	(*)
13.5 to 15.4.....	\$42	\$47
15.5 to 17.4.....	\$49	\$51
17.5 to 19.4.....	(*)	(*)
19.5 to 21.4.....	\$49	\$56
21.5 to 23.4.....	(*)	(*)
23.5 to 25.4.....	(*)	(*)
25.5 to 27.4.....	(*)	(*)
27.5 to 29.4.....	(*)	(*)
29.5 and over.....	(*)	(*)

## APPENDIX B2 TO PART 305 – UPRIGHT FREEZERS WITH AUTOMATIC DEFROST

### Range Information

Manufacturer's Rated Total Refrigerated Volume in Cubic feet	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Less than 5.5.....	\$37	\$63
5.5 to 7.4 .....	(*)	(*)
7.5 to 9.4 .....	\$44	\$69
9.5 to 11.4.....	\$44	\$67.20
11.5 to 13.4.....	\$54	\$79
13.5 to 15.4.....	\$54	\$85
15.5 to 17.4.....	\$58	\$89
17.5 to 19.4.....	\$62	\$84
19.5 to 21.4.....	\$63	\$91
21.5 to 23.4.....	\$101	\$104
23.5 to 25.4.....	(*)	(*)
25.5 to 27.4.....	(*)	(*)
27.5 to 29.4.....	(*)	(*)
29.5 and over.....	(*)	(*)

## APPENDIX B3 TO PART 305 – CHEST FREEZERS AND ALL OTHER FREEZERS

### Range Information

Manufacturer's Rated Total Refrigerated Volume in Cubic feet	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Less than 5.5.....	\$19	\$32
5.5 to 7.4 .....	\$31	\$36
7.5 to 9.4 .....	\$27	\$37
9.5 to 11.4.....	\$28	\$35
11.5 to 13.4.....	\$35	\$38
13.5 to 15.4.....	\$39	\$42
15.5 to 17.4.....	\$38	\$46
17.5 to 19.4.....	\$46	\$47
19.5 to 21.4.....	\$50	\$53
21.5 to 23.4.....	\$48	\$55
23.5 to 25.4.....	\$59	\$59
25.5 to 27.4.....	(*)	(*)
27.5 to 29.4.....	(*)	(*)
29.5 and over.....	(*)	(*)

6. Revise Appendices C1 and C2 to Part 305 to read as follows:

### APPENDIX C1 TO PART 305 – COMPACT DISHWASHERS

### Range Information

“Compact” includes countertop dishwasher models with a capacity of fewer than eight (8) place settings. Place settings shall be in accordance with Appendix C to 10 CFR part 430, subpart B. Load patterns shall conform to the operating normal for the model being tested.

Capacity	Range of Estimated Annual Energy Costs (Dollars/Year)	
	Low	High
Compact	\$14	\$32

## APPENDIX C2 TO PART 305--STANDARD DISHWASHERS

### Range Information

“Standard” includes dishwasher models with a capacity of eight (8) or more place settings. Place settings shall be in accordance with Appendix C to 10 CFR part 430, subpart B. Load patterns shall conform to the operating normal for the model being tested.

Capacity	Range of Estimated Annual Energy Costs (Dollars/Year)	
	Low	High
Standard	\$28	\$43

7. Revise Appendices D1 through D5 to Part 305 to read as follows:

## APPENDIX D1 TO PART 305 – WATER HEATERS – GAS

### Range Information

CAPACITY (First Hour Rating in gallons)	Range of Estimated Annual Energy Costs (Dollars/Year)			
	Natural Gas (\$/year)		Propane (\$/year)	
	Low	High	Low	High
“Very Small” - less than 18 ...	*	*	*	*
“Low” - 18 to 50.9 .....	\$162	\$172	*	*
“Medium” - 51 to 74.9 .....	\$227	\$300	\$460	\$606
“High” - over 75 .....	\$227	\$336	\$460	\$679

## APPENDIX D2 TO PART 305 – WATER HEATERS ELECTRIC

### Range Information

CAPACITY	Range of Estimated Annual Energy Costs (Dollars/Year)	
FIRST HOUR RATING	LOW	HIGH
“Very Small” - less than 18 ...	*	*
“Low” - 18 to 50.9 .....	\$90	\$357
“Medium” - 51 to 74.9 .....	\$154	\$630
“High” - over 75 .....	\$173	\$747

### APPENDIX D3 TO PART 305 – WATER HEATERS - OIL

#### Range Information

CAPACITY	Range of Estimated Annual Energy Costs (Dollars/Year)	
FIRST HOUR RATING	LOW	HIGH
“Very Small” - less than 18 ...	*	*
“Low” - 18 to 50.9 .....	*	*
“Medium” - 51 to 74.9 .....	*	*
“High” - over 75 .....	\$625	\$686

### APPENDIX D4 TO PART 305--WATER HEATERS- INSTANTANEOUS-GAS

#### Range Information

CAPACITY	Range of Estimated Annual Energy Costs (Dollars/Year)			
Capacity (maximum flow rate); gallons per minute (gpm)	Natural Gas (\$/year)		Propane (\$/year)	
	LOW	HIGH	LOW	HIGH
“Very Small” - less than 1.6 .....	\$24	\$30	\$50	\$61
“Low” - 1.7 to 2.7 .....	*	*	*	*
“Medium” – 2.8 to 3.9 .....	\$183	\$216	\$370	\$437
“High” - over 4.0 .....	\$210	\$253	\$427	\$511

## APPENDIX D5 TO PART 305 - WATER HEATERS – INSTANTANEOUS - ELECTRIC

### Range Information

CAPACITY	Range of Estimated Annual Energy Costs (Dollars/Year)	
Capacity (maximum flow rate); gallons per minute (gpm)	LOW	HIGH
“Very Small” - less than 1.6 .....	\$82	\$90
“Low” - 1.7 to 2.7 .....	*	*
“Medium” – 2.8 to 3.9 .....	*	*
“High” - over 4.0 .....	*	*

8. Appendix E to Part 305 is revised to read as follows:

## APPENDIX E1 TO PART 305 - ROOM AIR CONDITIONERS

### Range Information

Manufacturer’s rated cooling capacity in Btu’s/hr	Range of Estimated Annual Energy Costs (Dollars/Year)	
	LOW	HIGH

Without Reverse Cycle and with Louvered Sides:		
Less than 6,000 Btu . . . . .	\$40	\$46
6,000 to 7,999 Btu . . . . .	\$47	\$69
8,000 to 13,999 Btu . . . . .	\$49	\$121
14,000 to 19,999 Btu . . . . .	\$91	\$169
20,000 to 27,999 Btu . . . . .	\$147	\$287
28,000 and more Btu . . . . .	\$275	\$380
Without Reverse Cycle and without Louvered Sides:		
Less than 8,000 Btu . . . . .	*	*
8,000 to 10,999 Btu. . . . .	\$73	\$102
11,000 to 13,999 Btu . . . . .	\$107	\$140
14,000 to 19,999 Btu . . . . .	\$144	\$162
20,000 and more Btu . . . . .	*	*
With Reverse Cycle and with Louvered Sides . . . . .	\$79	\$230
With Reverse Cycle, without Louvered Sides . . . . .	\$81	\$117

9. Revise Appendices F1 and F2 to Part 305 to read as follows:

## APPENDIX F1 TO PART 305 – STANDARD CLOTHES WASHERS

### Range Information

“Standard” includes all household clothes washers with a tub capacity of 1.6 cu. ft. or more.

Capacity	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Standard	\$33	\$137

## APPENDIX F2 TO PART 305 – COMPACT CLOTHES WASHERS

### Range Information

“Compact” includes all household clothes washers with a tub capacity of less than 1.6 cu. ft.

Capacity	Range of Estimated Annual Operating Costs (Dollars/Year)	
	Low	High
Compact	\$25	\$47

10. Revise Appendices G1 through G8 to Part 305 to read as follows:

## APPENDIX G1 TO PART 305 – FURNACES - GAS

Furnace Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Non-Weatherized Gas Furnaces – All Capacities.....	80.0	99.0
Weatherized Gas Furnaces - All Capacities .....	81.0	95.0

## APPENDIX G2 TO PART 305 – FURNACES - ELECTRIC

Furnace Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Electric Furnaces – All Capacities .....	100.0	100.0

## APPENDIX G3 TO PART 305- FURNACES - OIL

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Non-Weatherized Oil Furnaces – All Capacities.....	83.0	96.7
Weatherized Oil Furnaces – All Capacities .....	*	*

#### APPENDIX G4 TO PART 305 - MOBILE HOME FURNACES - GAS

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Mobile Home Gas Furnaces – All Capacities .....	80.0	97.3

#### APPENDIX G5 TO PART 305 - MOBILE HOME FURNACES - OIL

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Mobile Home Oil Furnaces – All Capacities .....	80.0	87.0

#### APPENDIX G6 TO PART 305 - BOILERS (GAS)

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High

Gas Boilers (except steam) – All Capacities .....	84	96.4
Gas Boilers (steam) – All Capacities .....	82	83.4

#### APPENDIX G7 TO PART 305 - BOILERS (OIL)

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Oil Boilers – All Capacities .....	85	88.2

#### APPENDIX G8 TO PART 305 - BOILERS (ELECTRIC)

Type	Range of annual fuel utilization efficiencies (AFUEs)	
	Low	High
Electric Boilers – All Capacities .....	100	100

11. Revise Appendices J1 and J2 to read as follows:

#### APPENDIX J1 TO PART 305 - POOL HEATERS - GAS

##### Range Information

Manufacturer's rated heating capacities	Range of Thermal Efficiencies (percent)			
	Natural Gas		Propane	
	Low	High	Low	High

<b>All capacities .....</b>	82.0	95.0	82.0	95.0
-----------------------------	------	------	------	------

## APPENDIX J2 TO PART 305 - POOL HEATERS-OIL

### Range Information

<b>Manufacturer's rated heating capacities</b>	<b>Range of Thermal Efficiencies (percent)</b>	
	<b>Low</b>	<b>High</b>
<b>All capacities .....</b>	*	*

12. Revise Appendices K1 and K2 to read as follows:

## APPENDIX K1 TO PART 305--REPRESENTATIVE AVERAGE UNIT ENERGY COSTS FOR REFRIGERATORS, REFRIGERATOR-FREEZERS, FREEZERS, CLOTHES WASHERS, DISHWASHERS, AND WATER HEATER LABELS

This Table contains the representative unit energy costs that must be utilized to calculate estimated annual energy cost disclosures required under this Part for refrigerators, refrigerator-freezers, freezers, clothes washers, dishwashers, and water heaters. This Table is based on information published by the U.S. Department of Energy in 2022.

<b>Type of Energy</b>	<b>In Commonly Used Terms</b>	<b>As required by DOE test procedure</b>
<b>Electricity</b>	¢14/kWh <sup>1,2</sup>	\$.1400/kWh
<b>Natural Gas</b>	\$1.21/therm <sup>3</sup> \$12.6/MCF <sup>5,6</sup>	\$0.00001209/Btu <sup>4</sup>
<b>No. 2 heating oil</b>	\$3.45/gallon <sup>7</sup>	\$0.00002511/Btu
<b>Propane</b>	\$2.23/gallon <sup>8</sup>	\$0.00002446/Btu
<b>Kerosene</b>	\$4.01/gallon <sup>9</sup>	\$0.00002973/Btu

- 
- 1 kWh stands for kiloWatt hour.  
 2 1 kWh = 3,412 Btu.  
 3 1 therm = 100,000 Btu. Natural gas prices include taxes.  
 4 Btu stands for British thermal unit.  
 5 MCF stands for 1,000 cubic feet.  
 6 For the purposes of this table, 1 cubic foot of natural gas has an energy equivalence of 1,039 Btu.  
 7 For the purposes of this table, one gallon of No. 2 heating oil has an energy equivalence of 13,738 Btu.  
 8 For the purposes of this table, one gallon of liquid propane has an energy equivalence of 91,333 Btu.  
 9 For the purposes of this table, one gallon of kerosene has an energy equivalence of 135,000 Btu.

**APPENDIX K2 TO PART 305--REPRESENTATIVE AVERAGE UNIT ENERGY COSTS FOR ROOM AIR CONDITIONER AND PORTABLE AIR CONDITIONER LABELS**

This Table contains the representative unit energy costs that must be utilized to calculate estimated annual energy cost disclosures required under this Part for room air conditioners and portable air conditioners. This Table is based on information published by the U.S. Department of Energy in 2017.

Type of Energy	In Commonly Used Terms	As required by DOE test procedure
Electricity	¢13/kWh <sup>1</sup>	\$.1300/kWh

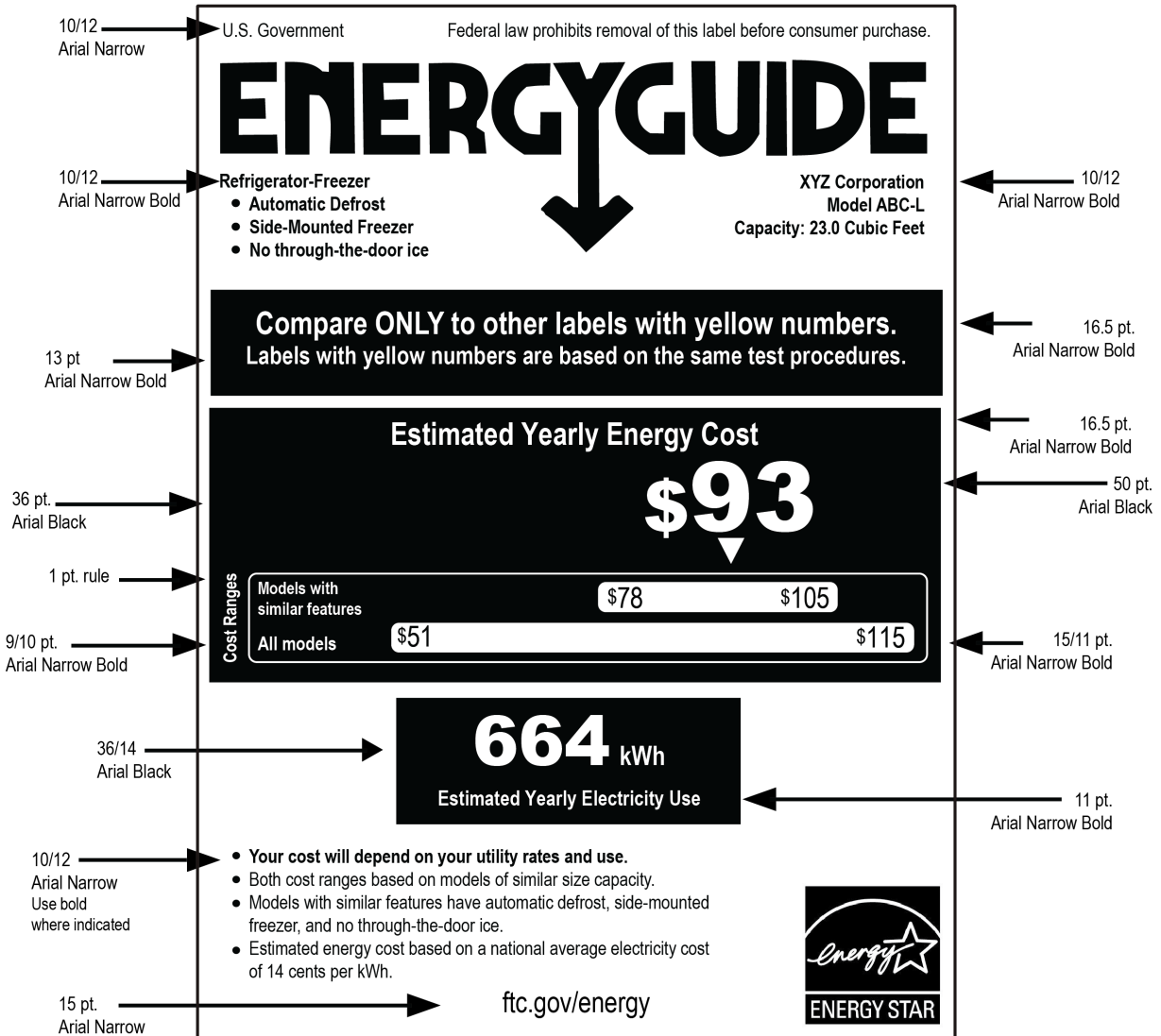
---

1 kWh stands for kilowatt hour.

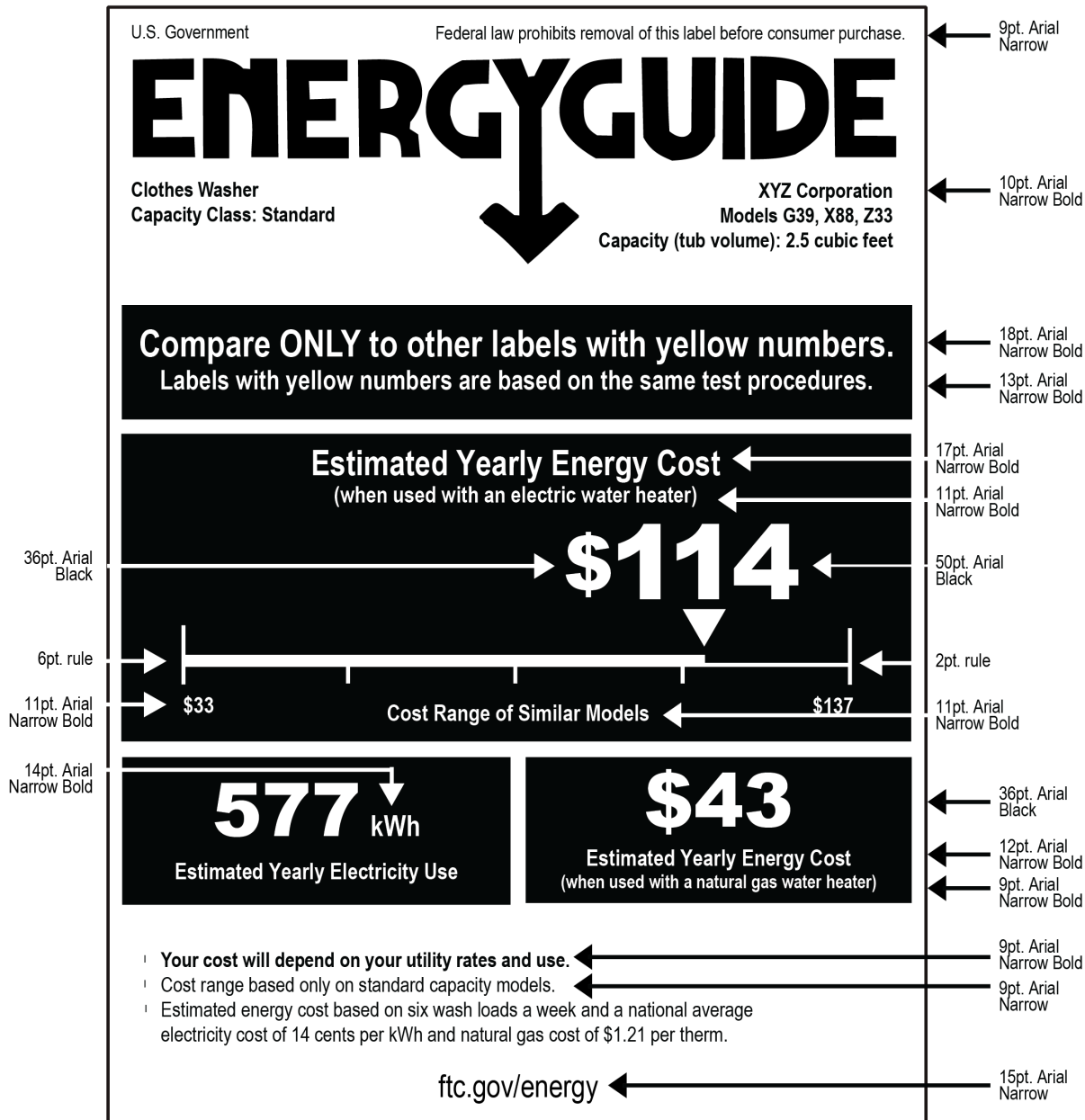
\* \* \* \* \*

15. In Appendix L, revise prototype labels 1, 2, 8, 9, 10, and sample labels 1, 2, 3, 4, 5, 6, 9, 9A, 14, 15, and 16 to read as follows:

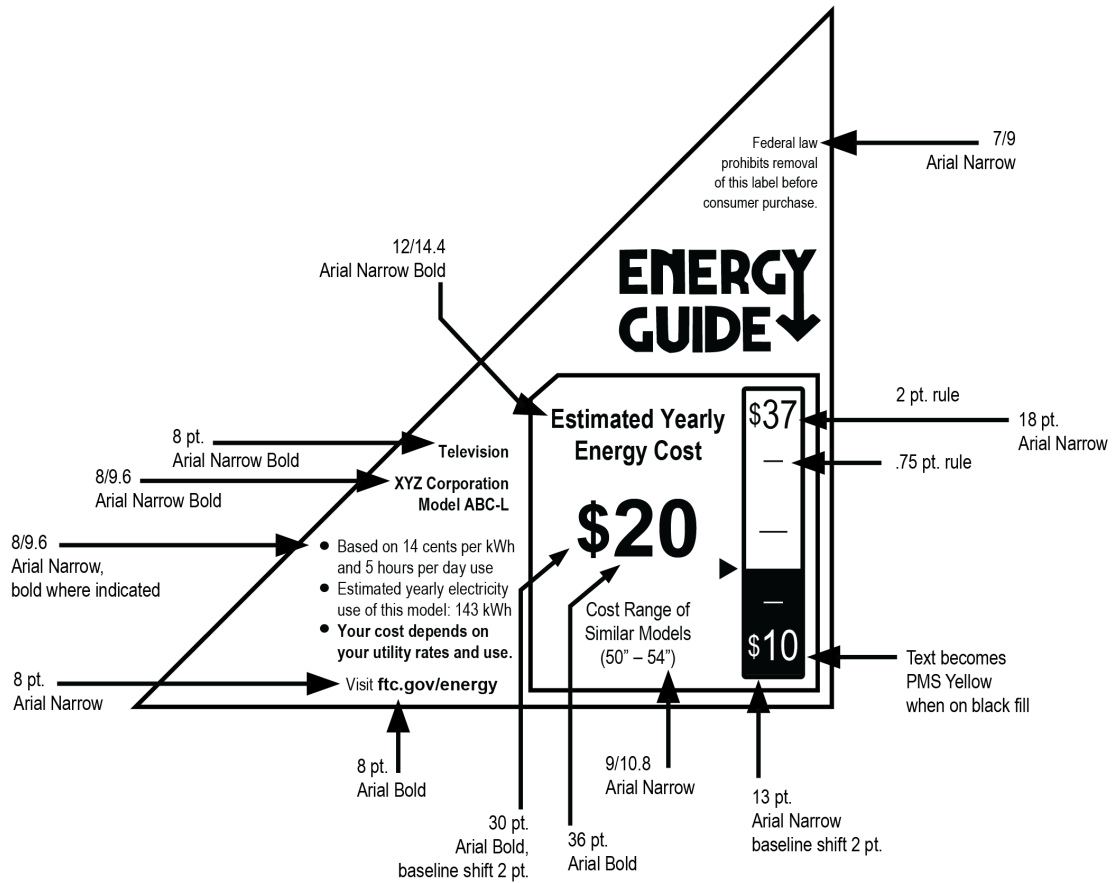
\* \* \* \* \*



Prototype Label 1 – Refrigerator-Freezer



Prototype Label 2 – Clothes Washer

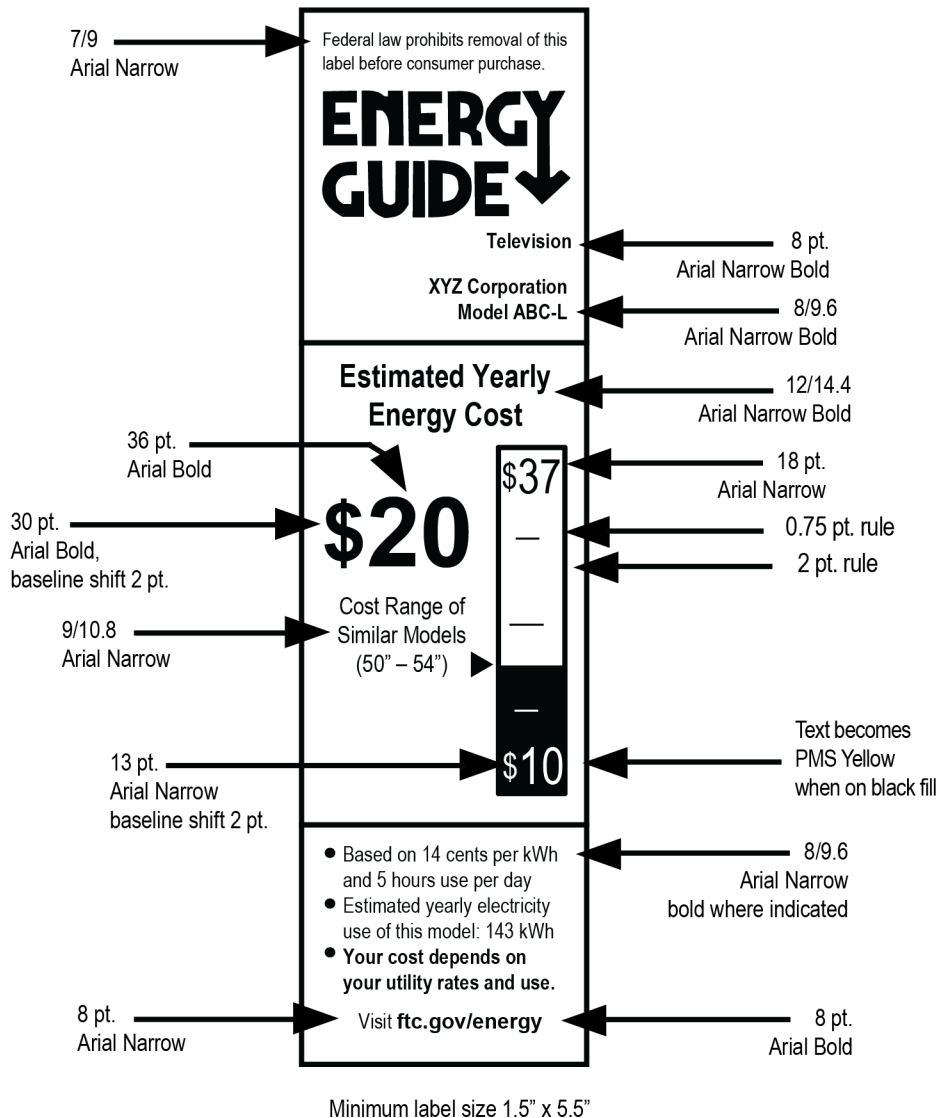


Minimum label size right angle triangle 4.5" x 4.5"

\* Typeface is Arial Narrow and Arial or equivalent type style. Type sizes shown are minimum allowable. Use bold or heavy typeface where indicated. Type is black printed on process yellow or equivalent color background. Energy Star logo, if applicable, must be at least 0.36" wide.

## Prototype Label 8 – Triangular Television Label





\* Typeface is Arial Narrow and Arial or equivalent type style. Type sizes shown are minimum allowable. Use bold or heavy typeface where indicated. Type is black printed on process yellow or equivalent color background. Energy Star logo, if applicable, must be at least 0.36" wide.

Prototype Label 10 – Vertical Rectangular Television Label

U.S. Government

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# ENERGYGUIDE

## Refrigerator-Freezer

- Automatic Defrost
- Side-Mounted Freezer
- No through-the-door ice

XYZ Corporation

Model ABC-L

Capacity: 23.0 Cubic Feet



**Compare ONLY to other labels with yellow numbers.**  
Labels with yellow numbers are based on the same test procedures.

## Estimated Yearly Energy Cost

**\$93**

Cost Ranges

Models with  
similar features

\$78

\$105

All models

\$51

\$115

**664** kWh

Estimated Yearly Electricity Use

- Your cost will depend on your utility rates and use.
- Both cost ranges based on models of similar size capacity.
- Models with similar features have automatic defrost, side-mounted freezer, and no through-the-door ice.
- Estimated energy cost based on a national average electricity cost of 14 cents per kWh.

[ftc.gov/energy](http://ftc.gov/energy)



Sample Label 1 – Refrigerator-Freezer

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

Clothes Washer  
Capacity Class: Standard

XYZ Corporation  
Models G39, X88, Z33  
Capacity (tub volume): 2.5 cubic feet



**Compare ONLY to other labels with yellow numbers.**  
Labels with yellow numbers are based on the same test procedures.

## Estimated Yearly Energy Cost (when used with an electric water heater)

**\$114**



Cost Range of Similar Models

**577** kWh

Estimated Yearly Electricity Use

**\$43**

Estimated Yearly Energy Cost  
(when used with a natural gas water heater)

- Your cost will depend on your utility rates and use.
- Cost range based only on standard capacity models.
- Estimated energy cost based on six wash loads a week and a national average electricity cost of 14 cents per kWh and natural gas cost of \$1.21 per therm.

[ftc.gov/energy](http://ftc.gov/energy)

Sample Label 2 – Clothes Washer

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

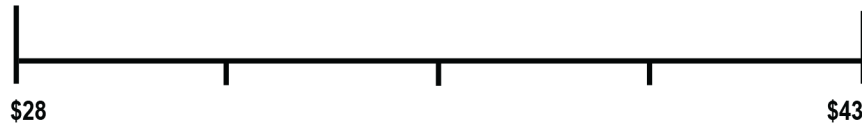
Dishwasher  
Capacity: Standard

XYZ Corporation  
Models G39, X88, Z33



## Estimated Yearly Energy Cost (when used with an electric water heater)

**\$21**



Cost Range of Similar Models

The estimated yearly energy cost of this model was not available at the time the range was published.

**150** kWh

Estimated Yearly Electricity Use

**\$13**

Estimated Yearly Energy Cost  
(when used with a natural gas water heater)

**Your cost will depend on your utility rates and use.**

- Cost range based only on standard capacity models.
- Estimated energy cost based on four wash loads a week and a national average electricity cost of 14 cents per kWh and natural gas cost of \$1.21 per therm.
- For more information, visit [www.ftc.gov/energy](http://www.ftc.gov/energy).



Sample Label 3 – Dishwasher

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

Room Air Conditioner  
Without Reverse Cycle  
With Louvered Sides

XYZ Corporation  
Model 12X4  
Capacity: 11,000 BTUs



## Estimated Yearly Energy Cost

**\$78**



Cost Range of Similar Models

**15.0**

Combined Energy Efficiency Ratio

Your cost will depend on your utility rates and use.

- Cost range based only on models of similar capacity without reverse cycle with louvered sides.
- Estimated energy cost based on a national average electricity cost of 13 cents per kWh and a seasonal use of 8 hours a day over a 3 month period.
- For more information, visit [www.ftc.gov/energy](http://www.ftc.gov/energy).

Sample Label 4 – Room Air Conditioner

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

Water Heater - Natural Gas

Tank Size (Storage Capacity): 80 gallons

XYZ Corporation

Model XXXXXXX



## Estimated Yearly Energy Cost

**\$291**



Cost Range of Similar Models

## First Hour Rating

(How much hot water you get in the first hour of use)

very small	low	<b>medium</b> 70 Gallons	high
------------	-----	-----------------------------	------

- Your cost will depend on your utility rates and use.
- Cost range based only on models fueled by natural gas with a medium first hour rating (51-75 gallons).
- Estimated energy cost based on a national average natural gas cost of \$1.21 per therm.
- Estimated yearly energy use: 186 therms.

[ftc.gov/energy](http://ftc.gov/energy)

Sample Label 5 – Water Heater

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

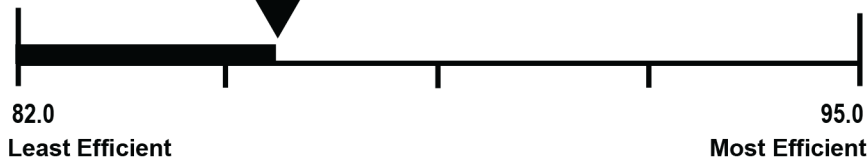
Pool Heater  
Natural Gas

ABC Corporation  
Model 14287



## Thermal Efficiency

**86.0**



- Efficiency range based only on models fueled by natural gas.
- For more information, visit [www.ftc.gov/energy](http://www.ftc.gov/energy).

Sample Label 6 – Pool Heater

\* \* \* \* \*

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

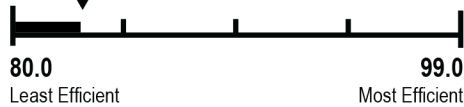
Furnace  
Non-weatherized  
Natural Gas

XYZ Corporation  
Model TJ81



Efficiency Rating (AFUE)\*

82.9



Range of Similar Models

\* Annual Fuel Utilization Efficiency

For energy cost info, visit  
[productinfo.energy.gov](http://productinfo.energy.gov)

Sample Label 9 – Non-weatherized Gas Furnace

U.S. Government

Federal law prohibits removal of this label before consumer purchase.

# ENERGYGUIDE

Furnace  
Non-weatherized  
Natural Gas

XYZ Corporation  
Model 5XC4



Efficiency Rating (AFUE)\*

92.8



Range of Similar Models

\* Annual Fuel Utilization Efficiency

For energy cost info, visit  
[productinfo.energy.gov](http://productinfo.energy.gov)



## QUALIFIED ONLY IN

**U.S. SOUTH:** AL, AZ, AR,  
CA, DC, DE, FL, GA, HI,  
KY, LA, MD, MS, NV, NM,  
NC, OK, SC, TN, TX, VA



Sample Label 9A – Non-weatherized Gas Furnace (ENERGY STAR certified)

\* \* \* \* \*

Federal law  
prohibits removal  
of this label before  
consumer purchase.

## ENERGY GUIDE

Television  
XYZ Corporation  
Model ABC-L

- Based on 14 cents per kWh and 5 hours per day use
- Estimated yearly electricity use of this model: 143 kWh
- **Your cost depends on your utility rates and use.**

Visit [ftc.gov/energy](http://ftc.gov/energy)

Estimated Yearly  
Energy Cost

**\$20**

Cost Range of  
Similar Models  
(50" – 54")

\$37  
—  
—  
—  
\$10

Federal law  
prohibits removal  
of this label before  
consumer purchase.

## ENERGY GUIDE

Television  
XYZ Corporation  
Model ABC-L

- Based on 14 cents per kWh and 5 hours per day use
- Estimated yearly electricity use of this model: 72 kWh
- **Your cost depends on your utility rates and use.**



Visit [ftc.gov/energy](http://ftc.gov/energy)

Estimated Yearly  
Energy Cost

**\$10**

Cost Range of  
Similar Models  
(50" – 54")

\$37  
—  
—  
—  
\$10

Sample Label 14 – Triangular Television Labels

Federal law prohibits removal of this label before consumer purchase.

**ENERGY GUIDE** ↓

Television

XYZ Corporation  
Model ABC-L

**Estimated Yearly Energy Cost**

**\$20**

Cost Range of Similar Models (50" – 54") ▶

\$37  
—  
—  
—  
\$10

- Based on 14 cents per kWh and 5 hours use per day
- Estimated yearly electricity use of this model: 143 kWh
- **Your cost depends on your utility rates and use.**

Visit [ftc.gov/energy](http://ftc.gov/energy)

Federal law prohibits removal of this label before consumer purchase.

**ENERGY GUIDE** ↓

Television


XYZ Corporation  
Model ABC-L

**Estimated Yearly Energy Cost**

**\$10**

Cost Range of Similar Models (50" – 54") ▶

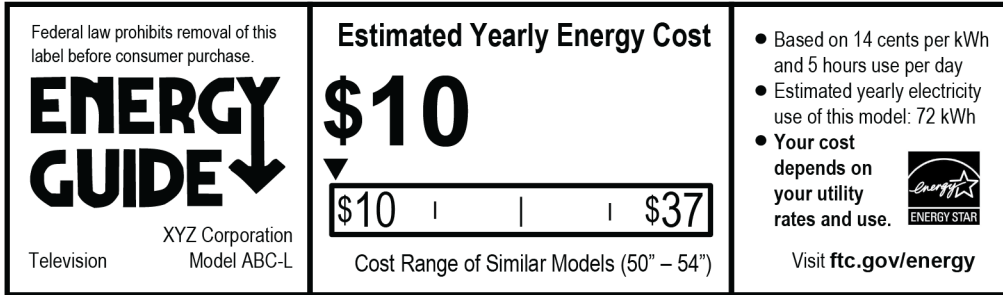
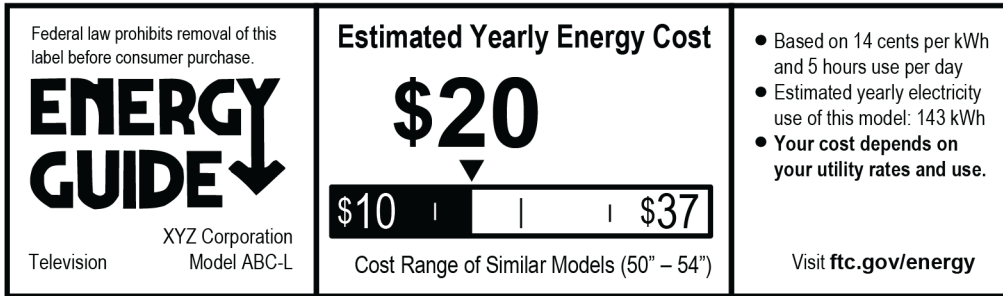
\$37  
—  
—  
—  
\$10

 ENERGY STAR

- Based on 14 cents per kWh and 5 hours use per day
- Estimated yearly electricity use of this model: 72 kWh
- **Your cost depends on your utility rates and use.**

Visit [ftc.gov/energy](http://ftc.gov/energy)

## Sample Label 15 – Vertical Television Labels



## Sample Label 16 – Horizontal Television Labels

\* \* \* \* \*

By direction of the Commission.

April J. Tabor,  
Secretary