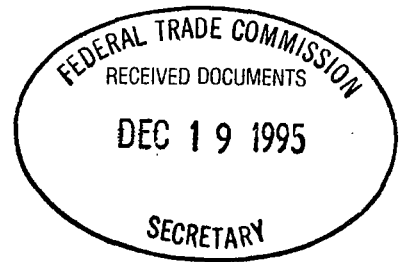




Bureau of
Consumer Protection

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580



December 15, 1995

James H. Sneed, Esq.
McDermott, Will & Emery
1850 "K" Street, N.W.
Washington, D.C. 20006-2296

Re: File No. 942-3205
Labeling and Disclosure Practices of Sun Frost

Dear Mr. Sneed:

The Commission has conducted an investigation involving possible violation, by Sun Frost, of the Commission's Appliance Labeling Rule, 16 C.F.R. Part 305, Section 323(c) of the Energy Policy and Conservation Act of 1975 ("EPCA"), 42 U.S.C. § 6293, and Section 5 of the Federal Trade Commission Act, 15 U.S.C. § 45. Specifically, the investigation examined whether Sun Frost's disclosure of energy usage or capacity information was based on test procedures specified by the Department of Energy ("DOE") under section 323 of EPCA, 42 U.S.C. § 6293. The staff understands from your correspondence on this matter that, in revised product literature, Sun Frost will describe the energy consumption of its products with figures derived according to the appropriate DOE test procedure.

Upon further review of this matter, it now appears that no further action is warranted at this time. Accordingly, the investigation has been closed. This action is not to be construed as a determination that a violation may not have occurred, just as the pendency of an investigation should not be construed as a determination that a violation has occurred. The Commission reserves the right to take such further action as the public interest may require.

Sincerely,

Elaine D. Kolish
Acting Associate Director
for Enforcement