

**20 September 2010**

*Sent electronically through FTC website, per Federal Register instructions*

Hampton Newsome  
Federal Trade Commission,  
Office of the Secretary,  
Room H-135 (Annex N),  
600 Pennsylvania Avenue, N.W.,  
Washington, DC 20580

**RIN NUMBER 3084- AB03**

**SUBJECT: 16 CFR Part 305: Appliance Labeling Rule**

Mr. Newsome:

On behalf of OSRAM SYLVANIA, one of the largest manufacturers of electric lamps in the U.S., we appreciate the opportunity to submit comments on the Federal Trade Commission's (FTC) Lamp Labeling Rule.

Many of our comments have already been incorporated into those sent today by the National Electrical Manufacturers Association (NEMA), which is the trade association representing the majority of U.S. lamp manufacturers. However, we believe that one of the FTC's questions – the question regarding wattage equivalency – is of such high importance that we have chosen to re-state our position in this separate letter.

**Question 7: Should the FTC establish standards for watt equivalency claims?**

COMMENT: We have seen misleading if not fraudulent statements about certain lamps, and in particular, some of the new LED "60-watt equivalent lamps." For example, some lamps that tout equivalency to 60 watts produce fewer than 300 lumens. Without some action, deceptive advertising will continue to mislead the consumer. We see only two options for eliminating this concern: 1) the FTC disallows wattage equivalency and any implications of wattage equivalency (e.g., a large "60" without the metric) from appearing anywhere on the package (or bulb), thereby eliminating the temptation for certain manufacturers to use wattage equivalency as a deceptive labeling practice, or 2) FTC establishes standards for wattage equivalency claims and couples this with restrictions on the prominence of this information, either by size or placement, so that lumens remain the dominant metric.

We prefer option #1, if this is within FTC authority. We believe the benefits of this approach would be to wean the public from comparisons to an older, nearly obsolete technology, necessitating careful consumer comparison of lumen outputs amongst technology alternatives. This approach would complement the FTC's interest in promoting consumer awareness of lumen output by requiring it be prominently displayed on the bulb and package, and it would be easy to enforce.

If it is not within FTC authority to disallow certain types of claims on packaging (including wattage equivalency) we would recommend using Energy Star standards as the basis for wattage equivalency claims for CFL and LED technologies, since Energy Star is a known and robust standard that has been accepted in the market place. In conjunction with such standards, we recommend that FTC also reduce the prominence of any wattage equivalency claims by using size and placement requirements for this information.

We thank you for the opportunity to comment on the FTC's nine specific questions about this rulemaking. Later this month, we will put forward additional suggestions that were not covered by the topics of those nine questions.

Best regards,

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