



September 29, 2008

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

**Subject: Lamp Labeling, Project Number P084206**

Dear Mr. Newsome,

The National Electrical Manufacturers Association (NEMA) appreciates the opportunity to submit comments on the Federal Trade Commission's (FTC) Lamp Labeling Rule, Project Number P084206.

NEMA is the trade association of choice for the electrical manufacturing industry. Founded in 1926 and headquartered near Washington, D.C., its approximately 450 member companies manufacture products used in the generation, transmission and distribution, control and end-use of electricity, including the lamps included within this rulemaking.

**Mandatory Federal Labeling** – We believe that the Watts, Lumens and Life required on the current label should be required on the package. If mandated, Lumens should be displayed first. This will educate customers on brightness of the lamps, and as stated during the workshop, watts are not an effective or accurate descriptor of light output.

**Optional Federal Labeling** – Manufacturers should have the option of including the following information. However, if any of the following are included, the FTC should apply calculation rules, so that products from different manufacturers can be fairly compared across the country.

- a. **Lumens Per Watt (LPW)** – Divide the Lumens shown on the package by the Watts shown on the package.
- b. **Operating Costs Per Year** – Using: The wattage listed on the package, 3 hours per day operation, and an average US electric rate in cents per kWh, to be determined by the FTC, calculate the expected operating costs per year. The FTC should update the average US electric rate wherever there is a significant change in electric rates, or, at least every 5 years.
- c. **Color Temperature** – Consistent with current ENERGY STAR requirements.

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- d. **Operating Costs over lamp life** – Using: The wattage listed on the package, the lamp life listed on the package, and an average US electric rate in cents per kWh, to be determined by the FTC, calculate the expected operating costs over the lamp life. The FTC should update the average US electric rate wherever there is a significant change in electric rates, or, at least every 5 years.
- e. **Life in Years** - Set a maximum life-in-years rating by calculating life in years using the requirements in the EPA CFL ENERGY STAR® specification for estimating expected hours of operation per year at 3 hours per day. Divide the lamp life rating on the package by the expected operating hours per year based on 3 hours per day. Calculation shall be rounded down to the nearest number of years. Number of years claimed can be no greater than the calculated result.
- f. **Energy Savings Per Year** – This is dependent on the comparison lamp chosen. If an energy savings comparison is made on an annual basis, both products would have to be evaluated using the rules of Operating Costs per year.
- g. **Energy Saving over lamp Life** - This is dependent on the comparison lamp chosen. If an energy savings comparison is made on a lifetime basis, both products would have to be evaluated using the rules of Operating Costs per lifetime.

**Label Location** – There is no industry consensus as to where these labels should be placed. If mandated, it is important to note that packaging real estate is sparse and many companies have markets in Canada and Mexico, which require bi- and tri-lingual text.

**Energy Star Labels** – The Energy Star labeling requirements must be considered, so that the same information is not required to be listed multiple times in different formats. Failure to incorporate the two sets of requirements will add unnecessary complication and increase consumer confusion. Therefore, it is vital that new mandates are harmonized with Energy Star requirements.

**State Mandated Labeling** – The FTC can address State Mandated labeling requirements for these products such as the Vermont mandated mercury-labeling requirement for Compact Fluorescent Lamps.

**Comparison Issues** – The issue of product comparisons is complicated.

- a. Individual companies have a variety of ways to compare their products with alternative products and will continue to employ a variety of marketing techniques. It is difficult to mandate a specific approach that will stand the test of time. Comparing a product to a standard 60-watt incandescent lamp today makes sense, but it may not make sense in the future.
- b. The ENERGY STAR® specification does require product comparisons to be fair. If a company compares its product to an alternative product it has to have a reasonably similar lumen output. For example, a CFL product marketed to replace a 60-watt incandescent product must have a minimum lumen output of 800 lumens. In the future there will be many different technologies with different light outputs, and therefore there will be many different possible comparison products. Under this situation, a general approach is viewed as best. If one product is compared to another product on energy savings, it must have a light output at least within 10% of the most typical version of the comparison product. If an energy savings comparison is made on an annual basis, both products would have to be evaluated using the rules of Operating Costs per year, or, if over lamp life time, using the rules for Operating Costs per lifetime.

- c. Additional comparison ideas will be developed by individual marketing departments within certain guidelines such as maximum size of wattage equivalency labels, etc., but should not be mandated. New marketing approaches will have to be developed.
- d. Additional marketing ideas, such as using a 5-Star label to convey energy efficiency will have little consumer understanding and should not be used for many reasons. First, it will be confused with the ENERGY STAR® Label which is an energy efficiency label. Second, it will be confused with the consumer reports rating system, which is a measure of value and quality and not energy efficiency. Third, the annual energy operating costs will already convey the energy efficiency of the product.

**Testing** – When measuring applicable performance attributes required for FTC labeling and other commercial claims, the industry, including NEMA Lamp Section members, use test methods and procedures developed, adopted and published by IESNA. These procedures have been previously accepted by FTC for test methods and are referenced under 305.(b) of the current Rule. These test methods remain the accepted test method procedures within the industry and should be maintained by FTC in any revised Rule. These test methods are also used to comply with certain aspects of EPCA and are also used by NVLAP when accrediting lighting test and measurement laboratories. FTC should leave all current testing requirements in place; no changes are needed.

**Consumer Research** – The FTC should research consumers' perception and understanding of brightness and how this is related to lumens or wattage. FTC should also evaluate nomenclature to get a good idea of what terms consumers understand and what they don't understand. The FTC can also evaluate consumers' understanding of lamp color. While names of colors can be tested for understanding, individual companies should have the ability to develop unique marketing names for products.

Some queries that can be posed to focus groups are:

- Have they ever mistakenly purchased a lamp that was too bright? If so, how did they remedy the situation?
- What method of lamp selection do consumers use now relative to their lighting comfort needs? Why?
- Will customers shop for efficiency or lamp cost in the future? What motivates them today?
- Inquire of consumer's basic understanding of: wattage, lumens, LPW, color temperature, color rendering, etc...
- How strongly does the consumer equate the traditional wattage number to lamp brightness?

Thank you for the consideration of these comments, and we look forward to working with you as this rulemaking progresses. If you have any questions or comments, please do not hesitate to contact Dain Hansen of NEMA Government Relations at (703) 841-3221 or [dain.hansen@NEMA.org](mailto:dain.hansen@NEMA.org).

Sincerely,

Kyle Pitsor  
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