

FDC Date	State	City	Airport	FDC No.	Subject
10/04/02	AR	Batesville	Batesville Regional	2/0517	NDB or GPS Rwy 7, Amdt 5C
10/04/02	NH	Manchester	Manchester	2/0521	ILS Rwy 6, Orig-A
10/04/02	WA	Spokane	Spokane Intl	2/0561	ILS Rwy 3 (Cat I, II, III), Amdt 4
10/04/02	WA	Spokane	Spokane Intl	2/0562	RNAV (GPS) Rwy 3, Orig-B
10/04/02	MA	Westfield	Barnes Muni	2/0576	GPS Rwy 2, Orig
10/04/02	MA	Westfield	Barnes Muni	2/0577	GPS Rwy 20, Orig
10/04/02	MA	Westfield	Barnes Muni	2/0578	ILS Rwy 20, Amdt 5
10/04/02	MA	Westfield	Barnes Muni	2/0579	NDB Rwy 20, Amdt 15
10/04/02	MA	Westfield	Barnes Muni	2/0580	VOR Rwy 20, Amdt 20
10/04/02	MA	Westfield	Barnes Muni	2/0581	VOR Or Tacan Rwy 2, Amdt 4
10/04/02	OK	Oklahoma City	Will Rogers World	2/0587	LOC BC Rwy 35L, Amdt 10D
10/07/02	WA	Spokane	Spokane Intl	2/0626	VOR Rwy 3, Amdt 12
10/07/02	WA	Seattle	Boeing Field/King County Intl	2/0627	ILS Rwy 13R, Amdt 28A
10/07/02	WA	Seattle	Boeing Field/King County Intl	2/0627	ILS Rwy 13R, Amdt 28A
10/07/02	MS	Jackson	Hawkins Field	2/0631	NDB Rwy 16, Amdt 5

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**FEDERAL TRADE COMMISSION**

**16 CFR Part 305**

**Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")**

**AGENCY:** Federal Trade Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Trade Commission ("Commission") announces that, because ranges of comparability have not changed significantly, the current ranges of comparability for refrigerators, refrigerator-freezers, and freezers will remain in effect until further notice.

**EFFECTIVE DATE:** January 22, 2003.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, Attorney, Division of Enforcement, Federal Trade Commission, Washington, DC 20580 (202-326-2889); *hnewsome@ftc.gov*.

**SUPPLEMENTARY INFORMATION:** The rule was issued by the Commission in 1979, 44 FR 66466 (Nov. 19, 1979), in response to a directive in the Energy Policy and Conservation Act of 1975 ("EPCA").<sup>1</sup> The rule covers several categories of major household appliances including refrigerators, refrigerator-freezers, and freezers.

**I. Background**

The rule requires manufacturers of all covered appliances to disclose specific

<sup>1</sup> 42 U.S.C. 6294. The statute also requires the Department of Energy ("DOE") to develop test procedures that measure how much energy the appliances use, and to determine the representative average cost a consumer pays for the different types of energy available.

energy consumption or efficiency information (derived from the DOE test procedures) at the point of sale in the form of an "EnergyGuide" label, fact sheets (for some appliances), and in catalogs. The rule requires manufacturers to include, on labels and fact sheets, an energy consumption or efficiency figure and a "range of comparability." This range shows the highest and lowest energy consumption or efficiencies for all comparable appliance models so consumers can compare the energy consumption or efficiency of other models similar to the labeled model. The rule also requires manufacturers to include, on labels for some products, including those that are the subject of this notice, a secondary energy usage disclosure in the form of an estimated annual operating cost based on a specified DOE national average cost for the fuel the appliance uses.

Section 305.8(b) of the rule requires manufacturers, after filing an initial report, to report certain information annually to the Commission by specified dates for each product type.<sup>2</sup> These reports, which are to assist the Commission in preparing the ranges of comparability, contain the estimated annual energy consumption or energy efficiency ratings for the appliances derived from tests performed pursuant to the DOE test procedures. Because manufacturers regularly add new models to their lines, improve existing models, and drop others, the data base from which the ranges of comparability are calculated is constantly changing. To keep the required information on labels consistent with these changes, the Commission will publish new ranges if an analysis of the new information indicates that the upper or lower limits of the ranges have changed by more than 15%. Otherwise, the Commission

<sup>2</sup> Reports for refrigerators, refrigerator-freezers, and freezers are due August 1.

will publish a statement that the prior ranges remain in effect for the next year.

**II. 2002 Refrigerator Information**

The annual submissions of data for refrigerators, refrigerator-freezers, and freezers have been made and analyzed by the Commission. The ranges of comparability for the products have not changed significantly for these products.<sup>3</sup> Therefore, the current ranges for these products (16 CFR Part 305, Appendices A1 through A8 and B1 through B3) will remain in effect until further notice.<sup>4</sup>

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

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

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

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

By direction of the Commission.

**Donald S. Clark,**  
*Secretary.*

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<sup>3</sup> The Commission's analysis excluded models with energy consumption figures that do not meet the current DOE energy conservation standards. See 62 FR 23102 (April 28, 1997).

<sup>4</sup> See November 19, 2001 (66 FR 57867), November 26, 2001 (66 FR 59050), December 10, 2001 (66 FR 63749), and January 29, 2002 (67 FR 4173).