

Jump-starting Compliance



Noah Horowitz

Sr. Scientist

Natural Resources Defense Council

nhorowitz@nrdc.org

Observations

- We really don't know how small or big a problem non-compliance is
- We DO know:
 - ➦ Number of products being regulated
 - ➦ Stringency of MEPS and labeling regimes
 - ➦ Strain on grid in many parts of the world

Observations – We ALSO Know:

- ⬆️ Interest in reducing CO₂ emissions
- ⬆️ Supply chain changes
- ⬆️ Pool of money for rebates for EE products increasing in some countries

A Word About Supply Chains

- Manufacturers shifting away from owning their factories
- One model may be produced in 4 different factories of varying quality
- Cost pressures result in changes in component suppliers which could impact product efficiency

Bottom Line – Supply Chain

- Brand name on the box needs to maintain responsibility for compliance of their products
- Need ability to cross link model number to the factory that produced the non compliant product. Good chance that same product is being sold under multiple names and model numbers.

Potential Synergy

- Is it possible to leverage existing third party programs designed to verify product safety such as UL?
- They already have the sample in their lab for testing. (reduces costs of sample procurement and shipping)

International Cooperation

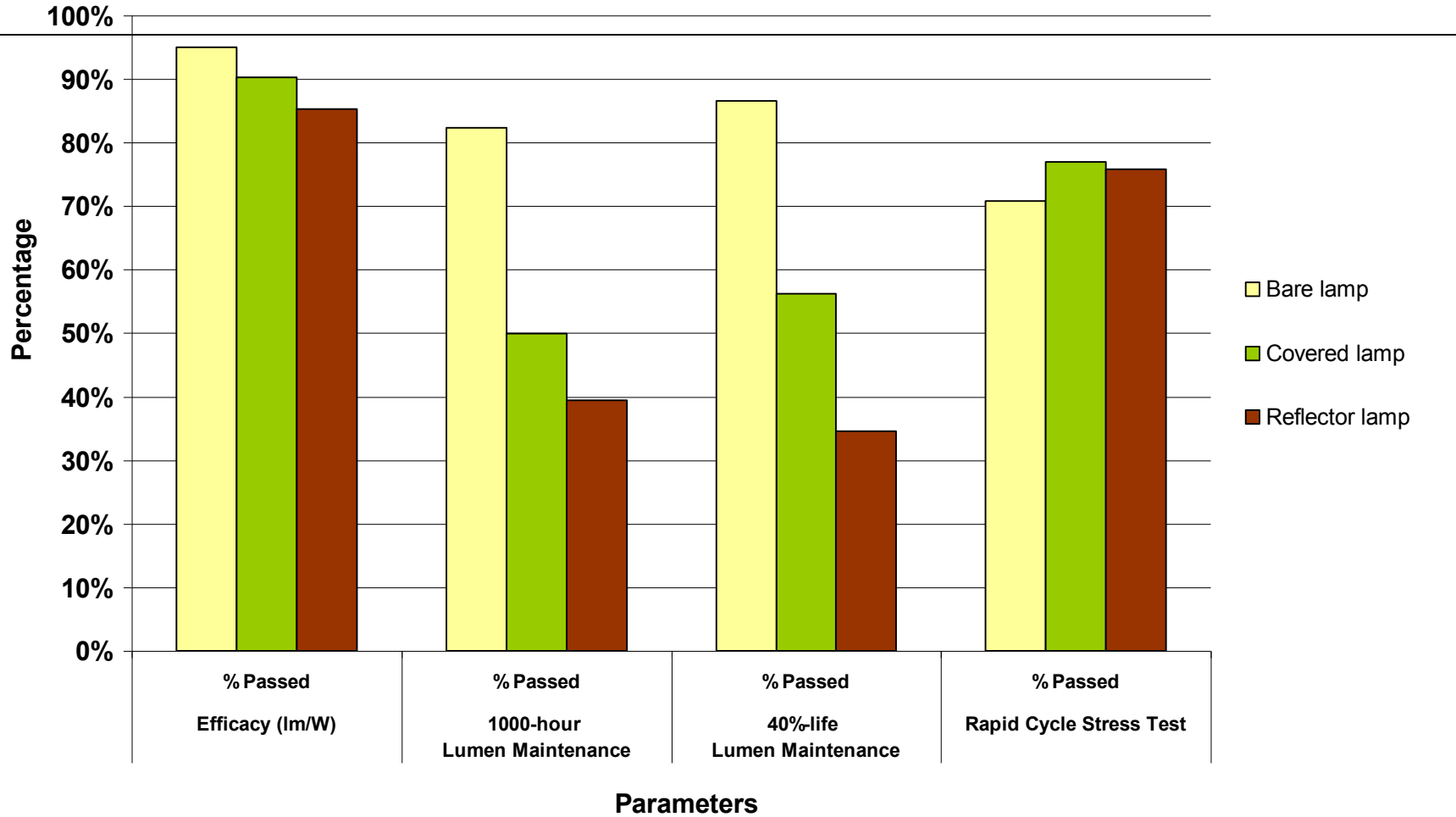
- Strive for common test method and laboratory “qualifications” wherever possible
- Share results of testing

Why Share?

- Helps focus limited resources. Target areas known to be a problem:
 - Product category (e.g. light bulbs, a/c)
 - Certain features (e.g., top-load washers, TVs > x inches, dimmable CFLs, etc.)
 - Companies with higher % of non-compliance

Percentage of Compliance with Energy Star Spec for All CFLs tested in PEARL

(Categorized by CFL bulb type)



A Word on Data Access

- Nothing confidential about the energy use of a commercially available product.
- Some believe model specific data should not be made public for models that passed check testing.
- If more palatable, can restrict access to some of the data only to regulators and others.

Potential Coordination Opportunity

- Lighting – US does CFLs, China LEDs, Europe street lights
- For globally traded products (e.g., computers, TVs, CFLs, etc.) minimize testing of the same models; leverage your budgets

Laboratories

- Goal – regardless of the location of the lab, get pretty much the same result
 1. Training
 2. Round-robin testing

Manufacturer and Retailer Outreach

- Make sure we proactively tell them the “rules” (mailings, websites, trade shows, webinars, etc.)
- Encourage industry “self policing”

Governmental Structures

- Need key components
 - Test methods
 - Qualified labs
 - Testing budgets
 - Authority to issue fines/pull product from market
- Transparency and clarity are KEY

Other Collaboration Opptys

- Create a best practices manual for interested countries to use
- Design and maintain international data base on testing and enforcement activities (by product category – who is doing what?, summary of results, raw data accessible when possible, etc.)
- Hold international testing planning meeting for interested policy makers
- Send “e-bulletin” when gross non compliance found.

Structure – WHO?

- Semi-formal “home” for ongoing international coordination and data management/access needed.

An NGO's Wish List

- **Sample Collection** – purchase verification testing samples directly from retail (“off-the-shelf”). Don’t provide opportunity for manufacturer to “hand-pick” the samples.
- **Independent Laboratories** – use private labs for both certification and check testing, not those owned/operated by manufacturers.
- **Product Selection** – Focus on big sellers, products from companies with prior violations, and cross section of products (e.g., name and off brand, range of sizes/features, etc.). Combination of targeted and random is best.

An NGO's Wish List (II)

- **Data Access**– make results publicly available, including make and model number, and overall trend data (x out of y passed, etc.).
- **Written Testing and Enforcement Protocol** – create public document that spells out key issues – sample collection, laboratories, sample size, data access, ability to request re-test, who pays, etc.
- **Collaborate with Other Countries** – share data; their data can inform priority categories and models to test.