email: ; phone: 781–238–7779; fax: 781–238–7199.

(2) Refer to Mandatory Continuing Airworthiness Information AD 2012–0117, dated July 3, 2012, for related information.

Issued in Burlington, Massachusetts, on December 31, 2012.

**Kevin Dickert,**

[FR Doc. 2013–00130 Filed 1–9–13; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

## Federal Aviation Administration

## 14 CFR Part 71

**[Docket No. FAA–2012–0750; Airspace Docket No. 11–AWP–4]**

**RIN 2120–AA66**

## Establishment of VOR Federal Airway V–629; Las Vegas, NV

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action establishes VHF omnidirectional range (VOR) Federal airway V–629, near Las Vegas, NV, to supplement the existing routes structure for aircraft navigating in an area of marginal radar coverage. This action enhances the safety and efficiency of the National Airspace System.

**DATES:** Effective date 0901 UTC, March 7, 2013. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Paul Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

**SUPPLEMENTARY INFORMATION:** **Federal Register** a notice of proposed rulemaking (NPRM) to establish V–629 near Las Vegas, NV. (77 FR 54859). Interested parties were invited to participate in this rulemaking effort by submitting written comments on this proposal to the FAA. No comments were received. **The Rule** 14 CFR) part 71 629, near Las Vegas, NV, to supplement the existing route structure and provide positive course guidance for aircraft navigating in an area of marginal radar coverage. a) of FAA Order 7400.9W signed August 8, 2012 and effective September 15, 2012, which is incorporated by reference in 14 CFR 71.1. The VOR Federal airway listed in this document will be published subsequently in the Order. body of technical regulations for which frequent and routine amendments are necessary to keep them operationally

[1] 42 U.S.C. 6291 .

[2]

through harmonization of DOE and FTC reporting and testing rules, enhance retailer Web site and paper catalog disclosures, update product definitions for refrigerators and freezers, clarify the Rule's enforcement and penalty provisions, change the Rule's title, and correct a few technical errors. Below, we discuss the comments received and the Commission's final decision on these issues.

*:* In the NPRM, the Commission proposed to streamline current reporting requirements by allowing manufacturers to submit FTC-required data through a DOE database and by harmonizing FTC reporting rules with DOE requirements. The Commission also proposed to clarify FTC testing requirements for mandatory label disclosures.[13]

Specifically, the Commission proposed to allow manufacturers to meet FTC reporting requirements by using DOE's new web-based tool for energy reporting (the ''Compliance and Certification Management System'' (CCMS)).[14] Under current rules, manufacturers of each covered product must submit one report to DOE[15] and another, largely duplicative submission to the FTC. Under the proposal, manufacturers would send their reports only to DOE. Once manufacturers upload their data to DOE's database, the FTC would obtain the information from DOE and place it on the Commission's public record.[16]

The Commission also proposed to harmonize FTC reporting requirements with DOE certification rules. To achieve this goal, the FTC Rule would require the same report content as DOE. However, for ceiling fans, the FTC would continue to maintain separate reporting requirements because DOE's test procedures for these products are not mandatory.

In addition, the Commission proposed to clarify the DOE testing requirements that manufacturers must use to determine energy information for FTC labels. The current FTC Rule calls for adherence to applicable DOE test procedures generally, but does not mention several specific DOE testing requirements such as sampling rules, testing accreditation (for light bulbs), and testing waiver procedures. The proposed amendments specify that manufacturers must test their products in accordance with all of these DOE testing requirements.[17]

*:* Commenters supported the proposal to harmonize FTC reporting and testing regulations with DOE.[18] For example, the Association of Home Appliance Manufacturers (AHAM) explained that the change ''would go a long way to minimize the burdens associated with this dual reporting.'' Similarly, the Air-Conditioning, Heating, and Refrigeration Institute (AHRI) observed that existing duplicative reporting requirements do not ''provide any benefit to consumers while considerably increasing the regulatory burden on manufacturers.'' No comments opposed the proposals. Commenters also urged the Commission to consider three specific issues related to reporting and testing.

First, some industry members raised concerns about the disparate scope of FTC and DOE reporting requirements.[19] They noted that the FTC's proposal, consistent with its current rule, requires annual reporting for models that are ''currently in production.'' In contrast, DOE reporting covers all models currently ''offered for sale,'' a broader category.[20] These comments preferred the FTC's approach and urged the Commission to maintain its coverage. They explained that DOE's approach requires manufacturers to keep track of information outside their control because manufacturers generally maintain records based on the models in current production, not on whether retailers offer them for sale, and manufacturers do not always know how long retailers will offer discontinued models for sale.

Second, industry commenters urged the FTC to recognize recent DOE rules allowing manufacturers to report energy ratings that are more conservative than tested ratings. Some manufacturers follow this practice to ensure that, given slight variations from unit to unit, their representations do not overstate the efficiency of their products. DOE has explained that ''the tested performance of the model(s) must be at least as good as the certified rating, after applying the appropriate sampling plan.''[21] Consistent with this policy, DOE sampling regulations state that reported energy consumption values ''shall be greater than or equal to the higher of'' the value generated by the sampling procedures.[22]

Third, some industry commenters (*e.g.*, AHAM and Bradford White) noted that several manufacturers currently submit certification reports to DOE and FTC through voluntary industry certification programs, such as one currently administered by AHRI for heating and cooling equipment. These comments urged the Commission to continue allowing this type of reporting, to minimize the burden on manufacturers.

*:* After considering the comments, the Commission amends the Rule as proposed to harmonize its reporting and testing requirements with DOE.[23] These changes streamline reporting for manufacturers and ensure that all required product data is submitted to a single location.[24] In addition, the amendments will ensure that manufacturers develop the content of energy disclosures for the FTC labels based on DOE-required testing provisions.

Consistent with the proposal and existing rule, the final rule continues to require reporting for all models in current production and all models discontinued during the previous reporting year.[25] DOE currently requires reporting for all models available for sale (not just those in current production). The Commission's amendments should not materially change the scope or burden of reporting to DOE's database because FTC's coverage is not as broad as DOE's.

In addition, the Commission concurs with recent DOE guidance allowing manufacturers to rate models more conservatively than their tested

[13] The Rule's reporting requirements do not apply to televisions and LED (light-emitting diode) light bulbs. 76 FR 1038, 1040 n.28 (Jan. 6, 2011).

[14] 75 FR 27183 (May 14, 2010).

[15] *See* 10 CFR part 430; 42 U.S.C. 6296.

[16] *See* 16 CFR 4.9(b)(10)(xii).

[17] Unless otherwise specified in the Rule, the Commission did not propose to require compliance with any DOE testing provisions that DOE does not require for certification. This will ensure that the FTC does not inadvertently impose additional testing requirements. The Commission also proposed to eliminate various references to recommended Illuminating Engineering Society (IES) test procedures for incandescent and compact fluorescent lamps now superseded by specific DOE testing requirements.

[18] *See, e.g.*, Alliance, AHAM, National Electrical Manufacturers Association (NEMA), Energy and Consumer Organization Commenters.

[19] AHAM, Alliance Laundry Systems, Whirlpool, and BSH Home Appliances.

[20] 10 CFR 429.12(f).

[21] *See* 76 FR 12422, 12429 (Mar. 7, 2011).

[22] 10 CFR 429.14(a)(2)(i).

[23] The final rule contains a non-substantive change to the language in section 305.5(a) to reflect recent changes in the location of DOE testing and sampling provisions in 10 CFR Parts 429 and 430.

[24] The final amendments do not eliminate direct reporting to the FTC altogether, because EPCA requires manufacturers to submit annual reports to the FTC containing ''relevant data respecting energy consumption and water use developed in accordance with'' applicable DOE test procedures. 42 U.S.C. 6296(b)(4).

[25] Consistent with the current FTC Rule (305.8) and as required by EPCA (42 U.S.C. 6296(b)), the final rule contains a technical correction indicating that ceiling fan reports must contain a ''starting serial number, date code or other means of identifying the date of manufacture (date of manufacture information must be included with only the first submission for each basic model).''

[26] 10 CFR 429.12(g).

[27] The Rule's definition of ''catalog'' encompasses both print and online formats. The current rule defines ''catalog'' as ''printed material, including material disseminated over the Internet, which contains the terms of sale, retail price, and instructions for ordering, from which a retail consumer can order a covered product.'' 16 CFR 305.2(h).

[28] 76 FR 1038 (Jan. 6, 2011) (television labels).

[29] Pacific Gas and Electric Company (PG&E), Southern California Edison, and consolidated comments from efficiency and consumer groups.

[30] The consolidated comments from consumer and efficiency organizations acknowledged that the proposed icon, with its explanatory text, was preferable to the icon currently required for televisions, which contains no such text. However, these organizations argued that any link allowed by the Rule should display the model's estimated annual operating cost, to provide this important information even if consumers do not click on the link to the full label.

[31] PG&E, Southern California Edison, and consolidated consumer and efficiency organizations comments.

[32] Whirlpool noted that it already posts labels for its products online.

[33] NEMA indicated that there was no consensus among its members on this proposal.

[34]

[36] Generally, a private labeler purchases products from a manufacturer and markets those products under its own brand name. EPCA defines a private

comments suggesting the hyperlink icon should disclose the model's specific estimated energy cost. It is not clear whether any benefits associated with such a disclosure would justify the significant burden this requirement would impose on retailers.

*P :* The amendments require manufacturers to make images of their EnergyGuide and Lighting Facts labels available on a Web site for linking and downloading by both paper catalogs and Web sites.[44] As discussed in the NPRM and the comments, this requirement will assist retailers in complying with the Rule and help ensure consumers can view the labels when they are shopping online. In particular, it will provide retail sellers with easy access to the labels for the products they offer for sale, even if they do not handle the labeled products directly. It will also eliminate the need for these retailers to affirmatively request labels from various manufacturers for each individual product sold on their Web sites and catalogs. The Commission does not expect that the amendments, which are consistent with current television label rules,[45] will impose undue burden because industry members have already created labels under Rule and should have them readily available for posting on Web sites.

Under the final rule, the labels must remain available online for six months after the manufacturer ceases to produce the model, instead of two years as proposed in the NPRM. The Commission agrees with commenters that the proposed two-year period could create a significant burden for manufacturers unmatched by the potential benefits for online retailers and ultimately, consumers. Specifically, given periodic FTC-required label updates, the two-year retention period could force manufacturers to revise labels for obsolete products.[46] At the same time, there is no clear evidence that online retailers have a strong need for labels from models discontinued for six months or more. Should the six-month period prove to be insufficient to provide needed labels to retailers in the future, the Commission may revisit the issue.[47]

The new posting requirement applies to manufacturers, not private labelers.[48] Manufacturers must ensure that the labels are available on a publicly accessible site. However, nothing prohibits manufacturers from arranging with private labelers to post the labels on the private labelers' Web sites.[49] The Rule does not mandate that manufacturers post labels for the products they produce on their own sites. Other labeling responsibilities under the Rule have applied to both manufacturers and their private labelers for decades.[50] Accordingly, the Commission does not expect that this new online label disclosure requirement should unduly complicate coordination between manufacturers and private labelers.[51]

*P :* Consistent with the recent television labeling requirements, the final rule staggers the compliance dates for these new requirements. Specifically, manufacturers must make their labels available online by July 15, 2013. In turn, online retailers must begin displaying labels for the covered products they sell by January 15, 2014. These compliance dates should provide industry members adequate time to comply with the new requirements.

*P :* Finally, for paper catalogs, the Rule continues to allow an abbreviated text disclosure in lieu of the full label. Due to the space and cost constraints involved with paper catalogs, inclusion of the entire label may be impractical.[52] No comments opposed this approach.

The Commission amends the Rule's refrigerator definitions to match DOE regulations. On December 16, 2010,[53] DOE issued revised definitions for the terms ''electric refrigerator'' and ''electric refrigerator-freezer.'' In the NPRM, the Commission proposed to conform its own definitions for these terms to ensure consistency. No comments opposed the proposal. AHAM and BSH supported the changes, explaining that they would provide consistency and clarity for regulated parties and consumers.[54]

*P*

Consistent with the NPRM, the final rule clarifies the penalty assessments for several non-labeling violations listed in section 305.4(b). These violations include refusal to allow access to records, refusal to submit required data reports, refusal to permit FTC officials to observe testing, refusal to supply units for testing, failure to disclose required energy information in Web sites and paper catalogs, and failure of manufacturers to make labels available online.[55] The current Rule does not specify the method (*e.g.*, per day) for assessing penalties for these non-labeling violations.[56] The amendments clarify that these violations are subject to civil penalties calculated on a per-model, per-day basis. The per-model, per-day basis is consistent with EPCA's enforcement provisions as well as DOE enforcement guidance for the same and

[44] The amendments also include language conforming to the Rule's prohibited acts section (305.4) indicating that a manufacturer's failure to post labels online is subject to civil penalties. See 42 U.S.C. 6296(a), 6302(a)(4). The new requirements stem from EPCA's mandate, in the statute's catalog-related provision, that manufacturers ''provide'' a label and from the Commission's general authority to dictate the manner in which labels are displayed. 42 U.S.C. 6294(c)(3) & 6296(a).

[45] 76 FR 1038.

[46] The six-month period is also consistent with EPCA's provisions directing manufacturers to change labels and other energy representations 180 days after DOE amends its test procedures for specific products. 42 U.S.C. 6293(c).

[47] As specified in section 305.6, the final rule does not apply to models discontinued prior to the effective date.

[48] EPCA states that ''Each manufacturer of a covered product to which a rule under section 6294 of this title applies shall provide a label which meets, and is displayed in accordance with, the requirements of such rule.'' 42 U.S.C. 6296(a). The definition of ''manufacturer'' under EPCA includes importer. 42 U.S.C. 6291(10)–(12).

[49] DOE follows a similar approach to its certification requirements by allowing manufacturers to arrange with third parties, including private labelers, to display product labels on Web sites. See 76 FR 12422, 12427 (Mar. 7, 2011). In addition, though FTC reporting requirements apply solely to manufacturers, the FTC accepts submissions through third parties. See 16 CFR 305.8.

[50] See 16 CFR 305.4(a).

[51] A.O. Smith also argued that many retailers do not use manufacturer Web sites to obtain labels. Nothing in the final rule prohibits manufacturers from also providing labels to their retail partners through means other than the Web site. Nevertheless, the requirement will ensure that labels are available online for those that do use manufacturer Web sites.

[52] Consistent with the NPRM, the amendments also state that, if paper catalogs display more than one covered product model on a page, the seller may disclose the utility rates or usage assumptions underlying the energy information (*e.g.*, 10.65 cents per kWh, 8 cycles per week) only once per page for each type of product (*e.g.*, a single footnote for all refrigerators advertised on the page), rather than repeating the information for each advertised model. The disclosure must be clear and conspicuous. In addition, the final rule language covers heating and cooling equipment disclosures, text inadvertently omitted from the proposed language.

[53] 75 FR 78810.

[54] The consolidated comments from consumer and energy organizations also supported the proposal.

[55] 16 CFR 305.4(b); 42 U.S.C. 6296(b)(2),(4) and 6303(a)(3) (data reports and records access), 6296(b)(5) (testing access), 6296(b)(3) (units for testing), and 6296(a) (catalog sales and manufacturer responsibilities).

[56] In contrast, the current rule specifies the basis for labeling violations. Specifically, consistent with EPCA (42 U.S.C. 6303(a)), section 305.4(a) states that labeling violations are assessed on a -basis.

similar provisions.[57] For example, a manufacturer's refusal to submit required reports accrues a fine of up to $110 per day for each model subject to the reporting requirements. In addition, a Web site seller's failure to post required label information accrues a fine of up to $110 per day for each model on the Web site lacking the disclosure. No comments opposed the proposal.[58]

As proposed in the NPRM, the Commission shortens the Rule's title. When originally promulgated in 1979, the Rule applied only to appliances. Subsequently, the Commission expanded the Rule to include lighting, plumbing, and consumer electronics. Accordingly, the Commission proposed to change the Rule's title from ''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'')'' to ''Part 305—Energy And Water Use Labeling For Consumer Products Under The Energy Policy and Conservation Act (''Energy Labeling Rule'').'' No comments opposed this proposal.

As proposed in the NPRM, the final amendments to § 305.12 allow a wider version of the ENERGY STAR logo on heating and cooling equipment. This minor, non-substantive change accommodates new ENERGY STAR logos developed by the Environmental Protection Agency for these products. No comments opposed this proposal.

The final amendments also contain four minor, technical corrections or clarifications for television labeling, rule language regarding room air conditioner capacity, terminology related to the ENERGY STAR program, and three-way bulb labeling. First, as noted in the NPRM,[59] the amendments clarify that manufacturers of televisions with screen sizes of nine inches or less (measured diagonally) may print or affix the EnergyGuide label on the product package.[60] Second, the amendments correct the room air conditioner range table in Appendix E to indicate that the applicable room air conditioner capacity for labeling purposes is ''Btu per hour,'' not ''Btu per year.'' Third, in rule sections related to the ENERGY STAR program, the final rule changes the term ''qualified'' to ''certified'' to reflect the terminology currently employed by the ENERGY STAR program.[61] Fourth, the amendments change the Rule language for labeling bulbs that operate at multiple, separate light levels (*e.g.*, ''3-way'' bulbs) to clarify that such

[57] See 42 U.S.C. 6302, 6303; 16 CFR 305.4(a); and DOE ''Guidance on the Imposition of Civil Penalties for Violations of EPCA Conservation Standards and Certification Obligations,'' http://www.gc.energy.gov/documents/Publications/Publications_5_7_2010_Publications_%282%29.pdf.

[58] The consolidated consumer and efficiency organizations comments specifically supported the proposal, noting that any other interpretation would lead to absurd results.

[59] 77 FR 15303.

[60] The **Federal Register** notice accompanying the television labeling amendments to the Rule stated that televisions smaller than nine inches may be labeled on the box rather than on the screen. However, the final rule language did not reflect this. See 76 FR at 1044.

[61] Though the Commission did not seek comment on these minor changes to Appendix E and the ENERGY STAR-related language, these amendments involve minor, technical corrections to the background information in the Rule. Accordingly, the Commission finds good cause that public comment for these technical, procedural amendments is impractical and unnecessary (5 U.S.C. 553(b)(A)(B) and (d)).

[62] The Commission proposed this amendment in an August 1, 2011 notice related to light bulb labeling (76 FR 45715). No comments opposed the change.

[63] 44 U.S.C. 3501 *et seq.*

[64] For reporting requirements, the amendments allow manufacturers to submit data to the DOE in lieu of the FTC. This will not affect the PRA burden because the Rule, as directed by the EPCA, will continue to require reporting to the FTC, even if manufacturers may fulfill that requirement by reporting to the DOE.

[65] This is an FTC staff estimate based on data submitted by manufacturers to the FTC pursuant to the current Rule.

[66] This estimate is based on FTC staff's general knowledge of industry practices.

[67] Unlike retail Web sites that already have established Web pages for the products they offer, some manufacturers may have to create new Web pages for posting these requirements. Accordingly, the burden estimate for manufacturers is higher (five minutes per model) than that for catalog sellers (one minute per model).

[68] See U.S. Department of Labor, ''Occupational Employment and Wages—May 2011'', issued March 27, 2012, Table 1 at p.13 (mean hourly wages), available at http://www.bls.gov/oes/current/oes_nat.htm#13-0000. 03272012.

[69] This assumption is conservative because the number of incremental additions to the catalog and their frequency is likely to be much lower after initial start-up efforts have been completed.

[70] 5 U.S.C. 603–605.

impact of implementing the amendments will be significant. The Commission plans to provide businesses with ample time to implement the requirements. In addition, the Commission does not expect that the requirements specified in the final amendments will have a significant impact on affected entities.

Although the Commission certified under the RFA that the amendments would not, if promulgated, have a significant impact on a substantial number of small entities, the Commission has determined, nonetheless, that it is appropriate to publish an FRFA in order to explain the impact of the amendments on small entities as follows:

. [illegible]

The Commission initiated this rulemaking to reduce the Rule's reporting burdens, increase the availability of energy labels to consumers while minimizing burdens on industry, and generally improve existing requirements.

. [illegible]

The Commission did not receive any comments specifically related to the impact of the final amendments on small businesses. Comments that involve impacts on all entities are discussed above.

. [illegible]

Under the Small Business Size Standards issued by the Small Business Administration, the standards for various affected entities are as follows: refrigerator manufacturers—up to 1,000 employees; other appliance manufacturers—up to 500 employees; appliances stores—up to $10 million in annual receipts; television stores—up to $25.5 million in annual receipts, and light bulb manufacturers—up to 1,000 employees. The Commission estimates that fewer than 600 entities subject to the proposed Rule's requirements qualify as small businesses.

. P [illegible]

The Commission recognizes that the proposed changes will involve some burdens on affected entities. However, the amendments should not have a significant impact on small entities. Online sellers would have to make changes to ensure their Web sites provide the full EnergyGuide or Lighting Facts label. However, the Commission has provided them with ample time to incorporate the changes into their normal Web site updates. There should be minimal capital costs associated with the amendments. As estimated above, the proposed Rule imposes new requirements on fewer than 600 small businesses. The changes are likely to be made by graphic designers.

. [illegible]

The Commission has not identified any other federal statutes, rules, or policies that would duplicate, overlap, or conflict with the proposed Rule. In fact, the proposed amendments should reduce duplication between FTC and DOE reporting requirements.

. [illegible]

The Commission sought comment and information on the need, if any, for alternative compliance methods that would reduce the economic impact of the Rule on such small entities. In particular, the Commission sought comments on whether it should delay the Rule's effective date to provide additional time for small business compliance and whether to reduce the amount of information catalog sellers must provide. The Commission did not receive any comments on those specific issues. However, to minimize the impacts on manufacturers and retailers in posting the required labels, the Commission has set the effective date for the new catalog requirements at January 15, 2014.

**Final Rule**

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

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

For the reasons discussed above, the Commission amends part 305 of title 16, Code of Federal Regulations, as follows:

## PART 305—ENERGY AND WATER USE LABELING FOR CONSUMER

cents per kWh. For more information, visit . . /.''

(B) Room air conditioners and water heaters. The capacity of the model determined in accordance with § 305.7, the estimated annual operating cost determined in accordance with § 305.5 and appendix K of this Part, and a disclosure stating ''Your operating costs will depend on your utility rates and use. The estimated operating cost is based on a [electricity, natural gas, propane, or oil] cost of [$ ____ per kWh, therm, or gallon]. For more information, visit . . /.''

(C) Clothes washers and dishwashers. The capacity of the model for clothes washers determined in accordance with § 305.7 and the estimated annual operating cost for clothes washers and dishwashers determined in accordance with § 305.5 and appendix K, and a disclosure stating ''Your energy cost depends on your utility rates and use. The estimated cost is based on [4 washloads a week for dishwashers, or 8 washloads a week for clothes washers] and __ cents per kWh for electricity and $__ per therm for natural gas. For more information, visit . . /.''

(D) General service fluorescent lamps or general service lamps. All the information concerning that lamp required by § 305.15 of this part to be disclosed on the lamp's package, and, for general service lamps, a disclosure stating ''Your energy cost depends on your utility rates and use. The estimated cost and life is based on 11 cents per kWh and 3 hours of use per day. For more information, visit . . /.'' For the ''Light Appearance'' disclosure required by § 305.15(b)(3)(iv), the catalog need only disclose the lamp's correlated color temperature in Kelvin (e.g., 2700 K). General service fluorescent lamps or incandescent reflector lamps must also include a capital letter ''E'' printed within a circle and the statement described in § 305.15(d)(1).

(E) Ceiling fans. All the information required by § 305.13.

(F) Televisions. The estimated annual operating cost determined in accordance with § 305.5 and a disclosure stating ''Your energy cost depends on your utility rates and use. The estimated cost is based on 11 cents per kWh and 5 hours of use per day. For more information, visit . . /.''

(G) Central air conditioners, heat pumps, and furnaces (including boilers), and pool heaters. The capacity of the model determined in accordance with § 305.7 and the energy efficiency or thermal efficiency ratings determined in accordance with § 305.5 on each page that lists the covered product.

(ii) Products not required to bear EnergyGuide or Lighting Facts labels. All paper catalogs advertising covered products not required by this Part to bear labels with specific design characteristics illustrated in appendix L (showerheads, faucets, water closets, urinals, fluorescent lamp ballasts, and metal halide lamp fixtures) must make a text disclosure for each covered product identical to those required for Internet disclosures under § 305.20(a)(1)(ii).

(2) . The required disclosures, whether text, label image, or icon, must appear clearly and conspicuously on each page that contains a detailed description of the covered product and its price. If a catalog displays an image of the full label, the size of the label may be altered to accommodate the catalog's design, as long as the label remains clear and conspicuous to consumers. For text disclosures made pursuant to § 305.20(b)(1)(i) and (ii), the required disclosure may be displayed once per page per type of product if the catalog offers multiple covered products of the same type on a page, as long as the disclosure remains clear and conspicuous.

**Appendix E to Part 305 [Amended]**

■ 13. In Appendix E, revise the column heading ''Manufacturer's rated cooling capacity in Btu's/yr'' in the teable to read ''Manufacturer's rated cooling capacity in Btu's/hr.''

**Appendix L to Part 305 [Amended]**

**Appendix L to Par. Slida cLbear lnded] d**