



<sup>8</sup> See Energy Information Administration, Office of Energy Markets and End Use, 2001 Residential Energy Consumption Survey, [http://www.eia.doe.gov/emeu/recs/ceilingfans/ceiling\\_fan.html](http://www.eia.doe.gov/emeu/recs/ceilingfans/ceiling_fan.html).

<sup>9</sup> See [http://www.eere.energy.gov/consumer/your\\_home/space\\_heating\\_cooling/index.cfm/mytopic=12355](http://www.eere.energy.gov/consumer/your_home/space_heating_cooling/index.cfm/mytopic=12355).

<sup>10</sup> See [http://www.energystar.gov/index.cfm?c=ceiling\\_](http://www.energystar.gov/index.cfm?c=ceiling_)

procedures.<sup>14</sup> As mentioned earlier in this Notice, DOE published final test procedures for ceiling fans on December 8, 2006. (71 FR 71340). EPCA 2005 directs the Commission to issue a labeling rule within 18 months after the Act's passage and also indicates that such labeling rules cannot be applied to products manufactured before January 1, 2009. (42 U.S.C. 6294(a)(2)(G)).

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<sup>14</sup> In its comments, the PRC suggested that the required test method should be international standard IEC 60879-1986 and raised additional questions about the test procedure. EPCA charges DOE with the responsibility for setting test procedures. In the case of ceiling fans, Congress has mandated that DOE base its test on the existing ENERGY STAR procedure.

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<sup>15</sup> Because airflow efficiency is the ratio of airflow (*i.e.*, fan strength) to power consumption, a less efficient model may deliver less air but, at the same time, use less electricity and thus cost less to operate. For example, a model with an efficiency rating of 100 CFM/Watt, 6,000 CFM airflow, and 60 watts power consumption will use more electricity and thus cost more to operate than a fan with a lower efficiency rating of 91 CFM/Watt, 5,000 CFM airflow, and power consumption of 55 watts.

<sup>16</sup> We have added a sentence to the reporting requirements in § 305.8(a)(1) to clarify that efficiency ratings, electricity consumption, and capacity for ceiling fans must be provided at high speed.

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<sup>17</sup> This is intended to help consumers understand that fans provide no cooling benefit in an unoccupied room.

ENERGY STAR fans could create general confusion because some models would have the FTC label and others would not. Accordingly, the Final Rule does not exempt ENERGY STAR models. Manufacturers who choose to participate in ENERGY STAR can continue to provide the ENERGY STAR performance data elsewhere on the product package in accord with the ENERGY STAR guidelines.

#### *F. Efficiency Ranges*

In its NPRM, the Commission sought comment on the range of efficiency numbers that should be used in the statement proposed on the label (e.g., “Compare: 49” to 60” ceiling fans have airflow efficiencies ranging from approximately    to    cubic feet per minute per watt at high speed.”). The Commission proposed to include two separate ranges in the Rule, one for fans with blade sizes between 36” to 48” and another for 49” to 60.” Unfortunately, the comments did not provide data that could be used to develop such ranges. The Commission staff, therefore, has reviewed data from several sources, including online information from the California Energy Commission (<http://www.energy.ca.gov/appliances/appliance/index.html>), EPA’s ENERGYSTAR program ([<sup>18</sup> The proposed rule indicated that the sample illustration in the Appendix provided “suggested” font sizes. The language in the Final Rule provides more definitive instructions for preparing the label and should help ensure that the label is consistent in appearance from product to product.](http://www.energymat.nta.fro9sp(Unforti2o9sp(Unfort82 -1., EPTwT Lmastaff,mch ranC0.0041 TwM6667 TD(F. Ef.502//)Tj(blad.prLmastaff,n cynALAppliance/grF4 . HuntaTjF Ruext amatdT*(could be usTjT*ssrgy bhavat )Tise tult nimvsitciense(eane in-9.9eotse xelop sl.94aat</a></p>
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<sup>19</sup> We note that the statute authorizes DOE to issue exemptions for certain product classes if the primary standards are not technically feasible or economically justified and to establish separate or exempted product classes for highly decorative fans for which air movement performance is a secondary design feature. (42 U.S.C. 6295(v)).

section 305.11(g)(1) (*i.e.*, airflow, electricity usage, airflow efficiency, and range information) on the website and in the catalogs. Because ceiling fans are covered products, the Final Rule amends these catalog requirements to include ceiling fans. Pursuant to the Final Rule, the required information should appear on each page that lists the covered product (see § 305.14(e)).<sup>20</sup>

#### *K. Reporting Requirements*

Consistent with EPCA (42 U.S.C. 6296), the NPRM contained certain reporting requirements for ceiling fans consistent with those applicable to other products covered by the Rule. For example, the statute requires manufacturers to submit annual reports to the FTC listing energy data for each model under current production (42 U.S.C. 6296(b)(4)).

Consistent with the proposed rule, the Final Rule will require manufacturers to submit: Information on the energy efficiency of ceiling fans, the model numbers for each basic model, the total energy consumed, the number of tests performed, and the capacity (*i.e.*, cubic feet per minute). The Rule also requires the submission of an annual report for all models under production on March 1st of each year (beginning in 2009). In addition, pursuant to section 305.8(c) of the Rule, manufacturers must submit data for new models of ceiling fans that discontinue production of a model *i.e.*

<sup>20</sup> We have also changed the language in the catalog requirement in § 305.14 to clarify that the required information must be disclosed clearly and conspicuously.

<sup>21</sup> 44 U.S.C. 3501–3520.

<sup>22</sup> The Commission's previous estimate of basic models as stated in the NPRM (1,500) has been modified to reflect ceiling fan data available from the California Energy Commission and the ENERGY STAR program.

<sup>23</sup> The Commission's previous estimate of two fan tests per model has been increased to three tests per model based on comments provided by ALA.

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<sup>24</sup>This is a 2,000 hour increase from the Commission's previous burden estimate as stated in the NPRM.

the nearest thousand (\$420,000 for procuring labels + \$500 for nominal paper and postage costs + \$1,100,000 for testing + \$750,000 for disposal costs + \$11,250 for shipping to third-party test labs).

The Regulatory Flexibility Act (“RFA”), 5 U.S.C. 601–612, requires that the Commission provide an Initial Regulatory Flexibility Analysis (“IRFA”) with a proposed Rule and a Final Regulatory Flexibility Analysis (“FRFA”), if any, with the Final Rule, unless the Commission certifies that the Rule will not have a significant economic impact on a substantial number of small entities. See 5 U.S.C. 603–605.

**§ 305.5 Determinations of estimated annual energy consumption, estimated annual operating cost, and energy efficiency rating, and of water use rate.**

(a) \* \* \*

(11) Ceiling Fans—§ 430.23.

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■ 5. Add § 305.7(l) to read as follows:

**§ 305.7 Determinations of capacity.**

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(l) *Ceiling fans.* The capacity shall be the airflow in cubic feet per minute as determined according to appendix U of 10 CFR part 430, subpart B.

■ 6. Amend § 305.8 to revise paragraphs (a)(1) and (b)(1) to read as follows:

**§ 305.8 Submission of data.**

(a)(1) Each manufacturer of a covered product (except manufacturers of fluorescent lamp ballasts, showerheads, faucets, water closets, urinals, general service fluorescent lamps, medium base

compact fluorescent lamps, or general service incandescent lamps including incandescent reflector lamps) shall submit annually to the Commission a report listing the estimated annual energy consumption (for refrigerators, refrigerator-freezers, freezers, clothes washers, dishwashers and water heaters) or the energy efficiency rating (for room air conditioners, central air conditioners, heat pumps, furnaces, ceiling fans, and pool heaters) for each basic model in current production, determined according to § 305.5 and statistically verified according to § 305.6. The report must also list, for each basic model in current production: the model numbers for each basic model; the total energy consumption, determined in accordance with § 305.5, used to calculate the estimated annual energy consumption or energy efficiency rating; the number of tests performed; and, its capacity, determined

in accordance with § 305.7. For those models that use more than one energy source or more than one cycle, each separate amount of energy consumption or energy cost, measured in accordance with § 305.5, shall be listed in the report. Appendix K illustrates a suggested reporting format. Starting serial numbers or other numbers identifying the date of manufacture of covered products shall be submitted whenever a new basic model is introduced on the market. For ceiling fans, the report shall contain the fan diameter in inches and also shall contain efficiency ratings, energy consumption, and capacity at high speed.

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(b)(1) All data required by § 305.8(a) except serial numbers shall be submitted to the Commission annually, on or before the following dates:

P. d c ca eg .	Deadli e f , da a b i i
Ref ige a . . . . .	A g. 1.
Ref ige a . -f ee e . . . . . eff. . . . .	A g. 1.
F ee e . . . . .	A g. 1.
Ce al ai c di i e . . . . .	J l 1.
Hea . . . . .	J l 1.
Di h a he . . . . .	J e 1.
Wa e hea e . . . . .	Ma . 1.
R ai c di i e . . . . .	Ma . 1.
F ace . . . . .	Ma . 1.
P l hea e . . . . .	Ma . 1.
Cl he a he . . . . .	Oc . 1.
Fl e ce la balla . . . . .	Ma . 1.
Sh e head . . . . .	Ma . 1.
Fa ce . . . . .	Ma . 1.
Wa e cl e . . . . .	Ma . 1.
U i al . . . . .	Ma . 1.
Ce ili g fa . . . . .	Ma . 1.
Fl e ce la . . . . .	Ma . 1 [S a ed].
Medi Ba e C ac Fl e ce La . . . . .	Ma . 1 [S a ed].
L ca de ce La , i cl. Reflec . La . . . . .	Ma . 1 [S a ed].

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■ 7. Revise § 305.10(a) to read as follows:

**§ 305.10 Ranges of estimated annual energy consumption and energy efficiency ratings.**

(a) The range of estimated annual energy consumption or energy efficiency ratings for each covered product (except fluorescent lamp ballasts, showerheads, faucets, water closets, urinals, or ceiling fans) shall be taken from the appropriate appendix to this rule in effect at the time the labels are affixed to the product. The Commission shall publish revised ranges annually in the *Federal Register*, if appropriate, or a statement that the specific prior ranges are still applicable for the new year. Ranges will be

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