

**§ 305.10**

**16 CFR Ch. I (1–1–14 Edition)**

each basic model. In lieu of submitting the required information to the Commission as required by this section, manufacturers may submit such information to the Department of Energy via the Compliance and Certification Management System (CCMS) at <https://regulations.doe.gov/ccms> as provided by 10 CFR 429.12.

(3) This section does not require reports for televisions and general service light-emitting diode (LED or OLED) lamps.

(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:

Product category	Deadline for data submission
Refrigerators .....	Aug. 1.
Refrigerators-freezers .....	Aug. 1.
Freezers .....	Aug. 1.
Central air conditioners .....	July 1.
Heat pumps .....	July 1.
Dishwashers .....	June 1.
Water heaters .....	May 1.
Room air conditioners .....	July 1.
Furnaces .....	May 1.
Pool heaters .....	May 1.
Clothes washers .....	Oct. 1.
Fluorescent lamp ballasts .....	Mar. 1.
Showerheads .....	Mar. 1.
Faucets .....	Mar. 1.
Water closets .....	Mar. 1.
Ceiling fans .....	Mar. 1.
Urinals .....	Mar. 1.
Metal halide lamp fixtures .....	Sept. 1.
General service fluorescent lamps .....	Mar. 1.
Medium base compact fluorescent lamps.	Mar. 1.
General service incandescent lamps ....	Mar. 1.

(2) All revisions to such data (both additions to and deletions from the preceding data) shall be submitted to the Commission as part of the next annual report period.

(c) All information required by paragraph (a) of this section must be submitted for new models prior to any distribution of such model. Models subject to design or retrofit alterations which change the data contained in any annual report shall be reported in the manner required for new models. Mod-

els which are discontinued shall be reported in the next annual report.

[52 FR 46894, Dec. 10, 1987, as amended at 54 FR 28035, July 5, 1989; 59 FR 54965, Oct. 25, 1993; 59 FR 49564, Sept. 28, 1994; 59 FR 67527, Dec. 29, 1994; 60 FR 14210, Mar. 16, 1995; 67 FR 35008, May 17, 2002; 68 FR 8449, Feb. 21, 2003; 73 FR 63067, Oct. 23, 2008; 75 FR 41714, July 19, 2010; 76 FR 1050, Jan. 6, 2011; 78 FR 2208, Jan. 10, 2013]

**§305.10 Ranges of comparability on the required labels.**

(a) *Range of estimated annual energy costs or energy efficiency ratings.* The range of estimated annual operating costs or energy efficiency ratings for each covered product (except fluorescent lamp ballasts, metal halide lamp fixtures, lamps, showerheads, faucets, water closets, urinals, ceiling fans, or televisions) shall be taken from the appropriate appendix to this part in effect at the time the labels are affixed to the product. The Commission shall publish revised ranges in the FEDERAL REGISTER in 2017. When the ranges are revised, all information disseminated after 90 days following the publication of the revision shall conform to the revised ranges. Products that have been labeled prior to the effective date of a modification under this section need not be relabeled.

(b) *Representative average unit energy cost.* The Representative Average Unit Energy Cost figures to be used on labels as required by §305.11 are listed in appendix K to this part, except the electricity and gas cost to be used on labels for refrigerators, refrigerator-freezers, and freezers distributed before September 15, 2014, and labels for clothes washers distributed before March 7, 2015, shall be 10.65 cents per kWh and 1.218 dollars per therm. The Commission shall publish revised Representative Average Unit Energy Cost figures in the FEDERAL REGISTER in 2017. When the cost figures are revised, all information disseminated after 90 days following the publication of the revision shall conform to the new cost figure.

(c) *Operating Costs or Efficiency Ratings Outside Current Range.* When the estimated annual operating cost or energy efficiency rating of a given model of a covered product falls outside the limits of the current range for that

product, which could result from the introduction of a new or changed model, the manufacturer shall:

(1) Omit placement of such product on the scale that appears as required by §§ 305.11 and 305.12 of this part, and

(2) Add one of the two sentences below, as appropriate, in the space just below the scale on the label, as follows:

The estimated yearly operating cost of this model was not available at the time the range was published.

The energy efficiency rating of this model was not available at the time the range was published.

[72 FR 49967, Aug. 29, 2007, as amended at 73 FR 63067, Oct. 23, 2008; 76 FR 1050, Jan. 6, 2011; 78 FR 43981, July 23, 2013]

#### REQUIRED DISCLOSURES

##### § 305.11 Labeling for refrigerators, refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters, room air conditioners, and pool heaters.

(a) *Layout.* All energy labels for refrigerators, refrigerator-freezers, freezers, dishwashers, clothes washers, water heaters, pool heaters, and room air conditioners shall use one size, similar colors, and typefaces with consistent positioning of headline, copy, and charts to maintain uniformity for immediate consumer recognition and readability. Trim size dimensions for all labels shall be as follows: width must be between 5¼ inches and 5½ inches (13.34 cm. and 13.97 cm.); length must be between 7⅝ inches (18.78 cm.) and 7⅞ (19.34 cm.). Copy is to be set between 27 picas and 29 picas and copy page should be centered (right to left and top to bottom). Depth is variable but should follow closely the prototype labels appearing at the end of this part illustrating the basis layout. All positioning, spacing, type sizes, and line widths should be similar to and consistent with the prototype and sample labels in appendix L.

(b) *Type style and setting.* The Arial series typeface or equivalent shall be used exclusively on the label. Specific sizes and faces to be used are indicated on the prototype labels. No hyphenation should be used in setting headline or copy text. Positioning and spacing should follow the prototypes closely. Generally, text must be set flush

left with two points leading except where otherwise indicated. See the prototype labels for specific directions.

(c) *Colors.* The basic colors of all labels covered by this section shall be process yellow or equivalent and process black. The label shall be printed full bleed process yellow. All type and graphics shall be print process black.

(d) *Label types.* The labels must be affixed to the product in the form of an adhesive label or a hang tag as follows:

(1) *Adhesive labels.* All adhesive labels should be applied so they can be easily removed without the use of tools or liquids, other than water, but should be applied with an adhesive with an adhesion capacity sufficient to prevent their dislodgment during normal handling throughout the chain of distribution to the retailer or consumer. The paper stock for pressure-sensitive or other adhesive labels shall have a basic weight of not less than 58 pounds per 500 sheets (25"x38") or equivalent, exclusive of the release liner and adhesive. A minimum peel adhesion capacity for the adhesive of 12 ounces per square inch is suggested, but not required if the adhesive can otherwise meet the above standard.

(2) *Hang tags.* Labels may be affixed to the product in the form of a hang tag using string or similar material. The paper stock for hang tags shall have a basic weight of not less than 110 pounds per 500 sheets (25½"x30½" index). When materials are used to attach the hang tags to appliance products, the materials shall be of sufficient strength to insure that if gradual pressure is applied to the hang tag by pulling it away from where it is affixed to the product, the hang tag will tear before the material used to affix the hang tag to the product breaks.

(e) *Placement—*(1) *Adhesive labels.* Manufacturers shall affix adhesive labels to the covered products in such a position that it is easily read by a consumer examining the product. The label should be generally located on the upper-right-front corner of the product's front exterior. However, some other prominent location may be used as long as the label will not become dislodged during normal handling throughout the chain of distribution to the retailer or consumer. The top of