

From: Donald C Plunkett [mailto:donplunkett@gmail.com]
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To: Certification@energystar.gov; ESTARVerificationTesting@ee.doe.gov
Cc: luminaires@energystar.gov
Subject: (EPA & DOE) Verification Testing Sample Size

The EPA and DOE Energy Star verification testing program is an unfair trade practice that burdens small independent US manufacturers while **benefiting large importing multinationals**. The large multinational Energy Star Partners, independently or through manufacturing associations, expend "millions" of dollars lobbying the EPA and other government agencies (ref: Lobbying Reports via Lobbying Disclosure Act of 1995) to influence Energy Star programs toward their own interests. Not to mention the DOE has awarded millions of dollars in Recovery Act Funds to some of the largest of such firms such as General Electric, Honeywell and Philips Electronics and not to one small business enterprise.

Their political influence makes it increasingly difficult for smaller competitors to comply with sampling, testing, certification, and verification. Smaller independent US firms have the most difficulty complying with the increasingly burdensome procedures. These TBTs (Technical Barriers to Trade) also undermine the competitiveness of locally based women and minority owned businesses in America. The larger multinational firms that are influencing legislation in their favor **import the vast majority of their goods from overseas**. This directly increases the carbon footprint through inefficient production in many of their contract factories, and increased shipping energy costs. Not to mention that once US jobs are shifted overseas.

Energy Star standards and specifications should continue to evolve, yet through the earlier and proven effective system of industry wide self-policing (along with random testing by the DOE). This is affordable by both large and small firms, those with and without lobbying dollars and Government Relations Departments.

Also of note, the testing of pre-production samples does not ensure that full production runs will comply with Energy Star specifications, particularly when they are imported from contract factories. The original voluntary compliance system that was self-policed via thousands of competitors was both equitable and efficient, as it weeded out violators with accuracy, fairness and precision.

Regards,

Don Plunkett, Ph.D., Principal

United Lighting Inc.

Adjunct Professor of International Management

City University of New York, and Manhattanville College