

Joint Declaration of the Transatlantic Economic Council

Washington, D.C. 17 December 2010

Product-Specific Technical Collaboration between the U.S. Department of Energy's Appliances and Commercial Equipment Standards Program and the European Commission's Ecodesign Regulatory Program for Energy-related Products

The United States (U.S.) energy efficiency and European Union (EU) Ecodesign regulatory programs have determined to initiate a technical-level collaboration to the mutual benefit of the respective programs focusing on the testing, technology, market and other issues raised during the development of regulations establishing efficiency standards for energy-related products.

A. Background

Both the U.S. and EU have large regulatory programs directed at improving the energy and environmental performance of appliances and equipment. The EU has a program governed by Directive 2009/125/EC. The U.S. has a program governed by the Energy Policy and Conservation Act of 1975. Both programs establish test methods for determining the efficiency of energy-related products and conduct technical and policy analyses that lead to the establishment and periodic updating of government-specified minimum energy efficiency performance requirements (which are referred to as "standards" under the relevant U.S. law).

B. Areas of Mutual Benefit

Both the EU and U.S. programs analyze the costs, energy savings, and other benefits of new high efficiency product technologies and designs. While regional differences exist in the features and technologies found in some products, there are also many categories of U.S. and EU energy-related products that have substantial similarities. Furthermore, both the U.S. and EU are, at times, simultaneously analyzing and updating the test methods or standards for the same categories of products. Especially at such times, both the U.S. and EU standard-setting programs could benefit from increased exchanges of technical information and improved coordination.

Coordination and information sharing between the two programs could enable more comprehensive standards policy analysis at similar or lower budget and resource levels. Additionally, the production and distribution costs of high efficiency appliances may be reduced to the extent similar technologies, product designs, and rating methods can be used and promoted in both the U.S. and EU.

Since test procedures, legal requirements, markets, and efficiency technology options may vary dramatically from product to product, the opportunities for increased collaboration and coordination are difficult to generalize. Such opportunities are best explored and pursued by the technical teams responsible for the development and analysis of product-specific regulations. Given the potential economic and program benefits, the responsible agencies within both the U.S. Government and the European Commission have determined to take a number of specific steps to increase such technical-level collaboration.

C. Planned Collaboration Activities

The two programs intend to engage in the following specific collaboration activities, in accordance with applicable laws, regulations, and policies, and subject to the availability of resources:

1. Periodically share information on regulatory schedules and plans so that overlapping schedules can be identified and, when feasible, schedules can be coordinated so as to foster increased collaboration.
2. Share product certification and testing data when feasible and of interest to both programs, and explore options for other forms for cooperation related to enforcement of minimum energy efficiency requirements.
3. Periodically compare minimum efficiency requirements and test procedures to identify regulatory gaps and underutilized energy savings potential.
4. Organize a semi-annual international program coordination by telephone or by teleconference between program management representatives to track progress and deliverables on these collaborative activities.
5. Maintain active technical-level collaboration in a minimum of three specific product areas. The three product areas for initial focus of such collaborations are:
 - a) Electric system distribution transformers (both liquid immersed and dry-type)
 - b) Commercial refrigeration equipment, including refrigerated display units and walk-in coolers and freezers
 - c) Lighting products, in particular:
 - Solid state lighting technologies, including Light Emitting Diodes (LEDs), and
 - Directional incandescent lamps or comparable replacement products.

For each product area identified, the participating collaborators plan to:

- Establish lead technical-team points of contact, and
- Organize information sharing discussions between technical teams working on active areas of collaboration at least once per quarter during periods of regulatory development and analysis.

6. The primary objectives of these technical-level collaborations are to:

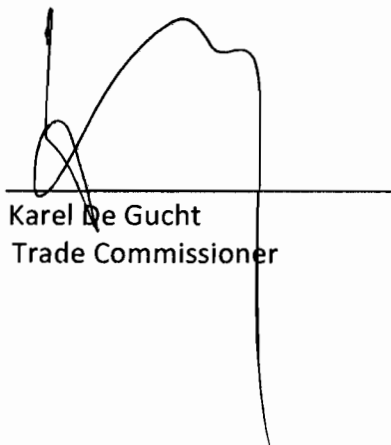
- a) Help ensure both programs have ready access to the technology, product-testing, and market and other data and analyses used to support the development and implementation of product-specific test methods and minimum energy performance requirements,
- b) Identify opportunities to harmonize U.S. and EU product test methods when such harmonization is technically feasible, legally permissible, and consistent with program and other U.S. and EU objectives. When full harmonization is not feasible, the technical teams could explore identifying and adopting test methods that are sufficiently compatible to enable the performance of products tested in one jurisdiction to be compared to products tested in other jurisdictions,
- c) Identify opportunities to work collaboratively on the development of new test procedures when adequate test procedures do not exist,
- d) Work collaboratively to support the adoption by international standards bodies of mutually agreed upon test methods, and
- e) Identify opportunities to explore harmonizing minimum energy efficiency requirements when such harmonization is feasible, legally permissible, and consistent with other program objectives, such as the achievement of the maximum reduction in energy use and emissions that is economically justified in each jurisdiction, and other U.S. and EU objectives.

FOR THE U.S. DEPARTMENT OF ENERGY:

A handwritten signature in black ink, appearing to be 'DP', written over a horizontal line.

Daniel Poneman
Deputy Secretary

FOR THE EUROPEAN COMMISSION:

A handwritten signature in black ink, appearing to be 'K De Gucht', written over a horizontal line. A long vertical line extends downwards from the signature.

Karel De Gucht
Trade Commissioner