



## European-American Business Council

*"Investment ~ Innovation ~ Integration"*

July 27, 2010

Dr. Michael Froman  
Deputy Assistant to the President  
Deputy National Security Advisor  
International Economic Affairs

Commissioner Karel De Gucht  
European Commission  
DG Trade

**Re: Impact of proposed changes to the US ENERGY STAR program on Trans-Atlantic convergence and mutual recognition of energy-efficiency standards for information technology equipment**

Dear Dr. Froman, Commissioner De Gucht,

The European-American Business Council (EABC) is an association of 72 multinational companies based in the United States and Europe. EABC advances public policy views that support unrestricted trade and investment between the US and the European Union, promote a healthy, open and productive business environment between the two regions, and provide a platform for discussion and exchange of ideas for business leaders in Europe and in the United States.

EABC members call your attention to the US–EU agreement of 2006 on the coordination of energy-efficiency labeling programs for office equipment (ENERGY STAR). The existing coordination on ENERGY STAR is an excellent example of proactive Trans-Atlantic regulatory cooperation in rulemaking and enforcement. To date it has avoided costly divergent regulatory approaches between the two blocks. The ENERGY STAR label is not only recognized in the US and the EU, but also in other major markets around the world.

Manufacturers benefit from a single set of energy efficiency labeling criteria and consumers, in both the private and public sectors, recognize the Energy Star label as proof of conformance with such standards. Redundant testing, re-certification and labeling requirements in multiple markets are avoided. Businesses also avoid unnecessary costs thanks to the alignment of public purchasing requirements on ENERGY STAR. These benefits have also promoted the increasing recognition of ENERGY STAR worldwide as the standard of choice.

EABC is keen to see the US and the EU renew their bilateral cooperation agreement on ENERGY STAR which expires in 2011. We are concerned that this model program of Trans-Atlantic cooperation may be jeopardized if modifications to the US branch of the program currently proposed by the US EPA are not discussed and agreed to with EU authorities before implementation in the coming months. Of particular concern are EPA's recent changes with respect to testing and verification which, if adopted in their latest proposed form, could jeopardize the renewal of the bilateral cooperation agreement.

Industry has long been a strong supporter of the ENERGY STAR program. As a globally recognized standard for energy efficient IT products and a successful example of Trans-Atlantic cooperation to avoid costly divergence in standards, we seek your assistance in ensuring that before the EPA adopts any changes in the testing and verification provisions of the ENERGY STAR program, it consults and reaches agreement with counterparts in the European Commission.

EABC and its members appreciate your assistance and are available to provide further details as needed.

Sincerely,



Michael C. Maibach  
EABC President & CEO  
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CC: Ambassador William Kennard, US Mission to the European Union  
Ambassador Miriam E. Sapiro, Deputy U.S. Trade Representative  
The Honorable Robert Hormats, Under Secretary of State for Economic Affairs  
Mr. Günther Oettinger, Commissioner for Energy  
Mr. David O'Sullivan, Director General, DG Trade  
Mr. Michael Fitzpatrick, Office of Management and Budget  
Mr. Heinz Zourek, Director General for Enterprise & Industry