



Department of Energy

Washington, DC 20585

October 28, 2011

VIA EMAIL

Ms. Leslie Jones
ENERGY STAR Program
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Room 62023
Washington, DC 20460

Dear Ms. Jones:

The Summit Appliance Division chest freezer model CF11ES, manufactured by Midea, was selected for testing as part of the U.S. Department of Energy's (DOE) ENERGY STAR[®] Verification Testing Pilot Program.

DOE's initial testing, performed on a unit of this model, indicated that it may not meet ENERGY STAR requirements. DOE notified Summit of the initial test results, and Summit voluntarily withdrew its model from ENERGY STAR without additional testing. DOE also notified Midea, as Midea manufactures the same basic model for distribution under a variety of other brand names and model numbers, including Midea HS-390C. Midea requested that DOE continue testing.

DOE experienced significant delays obtaining units for testing, as the additional units were backordered multiple times. Testing of three additional units of this model demonstrated that the model does not meet the ENERGY STAR requirement of 285 kWh/yr. On September 20, 2011, DOE asked Midea to provide within 20 days conclusive manufacturing or design evidence or quality assurance information on why this product should be viewed as meeting the ENERGY STAR Program's energy efficiency requirement. The notification (sent via email) was returned as undeliverable. After obtaining new contact information for Midea, DOE re-issued its request for information to Midea on October 3, 2011. Midea acknowledged receipt on October 5, 2011. More than 20 days has elapsed since Midea received the request for information, and DOE has received no additional response from Midea.

In a separate action, DOE notified Midea that DOE was opening an investigation into whether the chest freezer model HS-390C complied with the federal minimum energy efficiency standard set forth in 10 C.F.R. § 430.32(a). Pursuant to that investigation, Midea has identified the following models as the same basic model as its Midea HS-390C: Crosley CCF106,



Precision Trading Corp PFR1065M, Dayton 5NTX6, Wellington W1CF106, Summit CF11ES, and Haier America Trading HMCM1060C.

DOE has determined that Midea chest freezer basic model HS-390C and all privately labeled models within the basic model do not meet the ENERGY STAR requirements. Accordingly, DOE is referring this matter to the Environmental Protection Agency, the brand manager for ENERGY STAR. Please feel free to contact Laura Barhydt, Assistant General Counsel for Enforcement, at 202-287-5772 should you require any further information.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Lynch', with a long horizontal flourish extending to the right.

Timothy G. Lynch
Deputy General Counsel for
Litigation and Enforcement