



Hampton Newsome  
Federal Trade Commission  
600 Pennsylvania Ave., NW  
Washington, DC 20580

November 15, 2010

**Re: October 27, 2010 Petition from NEMA to Delay or Repeal FTC Lighting51Tf.25140TD.0004Tc(October)TJ**

new evidence, demonstrating that its members are wholly unable to meet the time frame it originally suggested would be feasible with respect to at least some products. In fact, NEMA's petition indicates the opposite: "Lamp manufacturers are prepared to be fully compliant with the new labeling rules for all LED products and new halogen incandescent types ... *with no exceptions or delays.*" NEMA Petition (Oct. 27, 2010) at 4 (emphasis added).

**2) FTC should**

FTC has already considered and largely rejected exemptions for the incandescent lamps covered by EISA and DOE efficiency standards. 75 Fed. Reg. at 41699. FTC did tailor the rule to exempt those bulbs that will be phased out within six months of the effective date of the labeling rule. *Id.* In deciding that it would not grant further exemptions, FTC concluded, “[b]ecause these bulbs will remain in production for more than a year after the effective date of the final amendments, and because Congress has identified them as inefficient, applying the new labeling requirements to the bulbs will provide benefits to consumers that outweigh any additional cost to industry.” *Id.*

NEMA has presented no evidence to rebut that conclusion.

Respectfully submitted,

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