

(d) Authorization of appropriations

There are authorized to be appropriated to carry out this section—

(1) \$25,000,000 for fiscal year 2001; and

(2) such sums as are necessary for each fiscal year thereafter.

(Pub. L. 94-163, title II, § 273, as added Pub. L. 106-469, title VI, § 602(a), Nov. 9, 2000, 114 Stat. 2040; amended Pub. L. 109-58, title III, § 301(b)(2), Aug. 8, 2005, 119 Stat. 683.)

Editorial Notes**AMENDMENTS**

2005—Subsec. (e). Pub. L. 109-58 struck out heading and text of subsec. (e). Text read as follows: “Section 6285 of this title does not apply to this section.”

PART D—EXPIRATION**§ 6285. Repealed. Pub. L. 109-58, title III, § 301(b)(3), Aug. 8, 2005, 119 Stat. 683**

Section, Pub. L. 94-163, title II, § 281, as added Pub. L. 99-58, title I, § 104(a), July 2, 1985, 99 Stat. 104; amended Pub. L. 100-373, § 1, July 19, 1988, 102 Stat. 878; Pub. L. 101-262, § 2(c), Mar. 31, 1990, 104 Stat. 124; Pub. L. 101-360, § 2(c), Aug. 10, 1990, 104 Stat. 421; Pub. L. 101-383, § 2(3), Sept. 15, 1990, 104 Stat. 727; Pub. L. 103-406, title I, § 103, Oct. 22, 1994, 108 Stat. 4209; Pub. L. 104-306, § 1(4), Oct. 14, 1996, 110 Stat. 3810; Pub. L. 105-177, § 1(5), June 1, 1998, 112 Stat. 106; Pub. L. 106-64, § 1(3), Oct. 5, 1999, 113 Stat. 511; Pub. L. 106-469, title I, § 104(4), Nov. 9, 2000, 114 Stat. 2033; Pub. L. 108-7, div. F, title III, § 339(b)(2), Feb. 20, 2003, 117 Stat. 279, provided for the expiration of all authority under this subchapter at midnight Sept. 30, 2008.

SUBCHAPTER III—IMPROVING ENERGY EFFICIENCY**PART A—ENERGY CONSERVATION PROGRAM FOR CONSUMER PRODUCTS OTHER THAN AUTOMOBILES****Editorial Notes****CODIFICATION**

This part was, in the original, designated part B and has been redesignated as part A for purposes of codification.

§ 6291. Definitions

For purposes of this part:

(1) The term “consumer product” means any article (other than an automobile, as defined in section 32901(a)(3) of title 49) of a type—

(A) which in operation consumes, or is designed to consume, energy or, with respect to showerheads, faucets, water closets, and urinals, water; and

(B) which, to any significant extent, is distributed in commerce for personal use or consumption by individuals;

without regard to whether such article of such type is in fact distributed in commerce for personal use or consumption by an individual, except that such term includes fluorescent lamp ballasts, general service fluorescent lamps, incandescent reflector lamps, showerheads, faucets, water closets, and urinals distributed in commerce for personal or commercial use or consumption.

(2) The term “covered product” means a consumer product of a type specified in section 6292 of this title.

(3) The term “energy” means electricity, or fossil fuels. The Secretary may, by rule, include other fuels within the meaning of the term “energy” if he determines that such inclusion is necessary or appropriate to carry out the purposes of this chapter.

(4) The term “energy use” means the quantity of energy directly consumed by a consumer product at point of use, determined in accordance with test procedures under section 6293 of this title.

(5) The term “energy efficiency” means the ratio of the useful output of services from a consumer product to the energy use of such product, determined in accordance with test procedures under section 6293 of this title.

(6) The term “energy conservation standard” means—

(A) a performance standard which prescribes a minimum level of energy efficiency or a maximum quantity of energy use, or, in the case of showerheads, faucets, water closets, and urinals, water use, for a covered product, determined in accordance with test procedures prescribed under section 6293 of this title; or

(B) a design requirement for the products specified in paragraphs (6), (7), (8), (10), (15), (16), (17), and (20) of section 6292(a) of this title; and

includes any other requirements which the Secretary may prescribe under section 6295(r) of this title.

(7) The term “estimated annual operating cost” means the aggregate retail cost of the energy which is likely to be consumed annually, and in the case of showerheads, faucets, water closets, and urinals, the aggregate retail cost of water and wastewater treatment services likely to be incurred annually, in representative use of a consumer product, determined in accordance with section 6293 of this title.

(8) The term “measure of energy consumption” means energy use, energy efficiency, estimated annual operating cost, or other measure of energy consumption.

(9) The term “class of covered products” means a group of covered products, the functions or intended uses of which are similar (as determined by the Secretary).

(10) The term “manufacture” means to manufacture, produce, assemble or import.

(11) The terms “import” and “importation” mean to import into the customs territory of the United States.

(12) The term “manufacturer” means any person who manufactures a consumer product.

(13) The term “retailer” means a person to whom a consumer product is delivered or sold, if such delivery or sale is for purposes of sale or distribution in commerce to purchasers who buy such product for purposes other than resale.

(14) The term “distributor” means a person (other than a manufacturer or retailer) to whom a consumer product is delivered or sold for purposes of distribution in commerce.

(15)(A) The term “private labeler” means an owner of a brand or trademark on the label of a consumer product which bears a private label.