



Republic of the Philippines

DEPARTMENT OF ENERGY

DEPARTMENT CIRCULAR NO. _____

PRESCRIBING THE MINIMUM ENERGY PERFORMANCE FOR PRODUCTS (MEPP) COVERED BY THE PHILIPPINE ENERGY LABELING PROGRAM (PELP) FOR COMPLIANCE OF IMPORTERS, MANUFACTURERS, DISTRIBUTORS AND DEALERS OF ELECTRICAL APPLIANCES AND OTHER ENERGY-CONSUMING PRODUCTS (ECP)

WHEREAS, Section 2 of Republic Act No. 7638 or the “Department of Energy (DOE) Act of 1992” states that it is the policy of the State to ensure a continuous, adequate, reliable, and economic supply of energy through, among others, judicious conservation, renewal, and efficient utilization of energy, to keep pace with the country’s growth and economic development;

WHEREAS, Republic Act No. 11285 otherwise known as “An Act Institutionalizing Energy Efficiency and Conservation, Enhancing the Efficient Use of Energy, and Granting Incentives to Energy Efficiency and Conservation Projects” or the EEC Act, as the policy direction of the government in terms of energy efficiency, conservation, sufficiency and sustainability in the country;

WHEREAS, pursuant to the EEC Act, the DOE, in consultation with concerned government agencies and entities, local government units, commercial, industrial, and transport sectors and other relevant stakeholders, issued, adopted and promulgated the EEC Act – Implementing Rules and Regulations (EEC-IRR);

WHEREAS, Section 5 of EEC Act provides that the DOE shall be the lead agency in its implementation with the responsibility for the planning, formulation, development, implementation, enforcement, and monitoring of energy management policies and other related energy efficiency and conservation plans and programs;

WHEREAS, Rule XII. Energy Efficiency Rating and Labelling Requirements of DC No. DC2019-11-0014, mandates the following:

- Section 58. Energy Efficiency Rating and Labelling System
- Section 59. Energy Efficiency Rating and Labelling for Products and Equipment.
- Section 60. Energy Labelling for Transport Vehicles
- Section 61. Examination, Testing and Verification;

WHEREAS, Rule XVII of EEC-IRR enumerated the prohibited acts and enforcement methods, administrative and criminal liabilities;

WHEREAS, the PELP Guidelines provided for the mandatory labelling of covered ECPs;

WHEREAS, on 24 August 2018 the proposed MEPP was presented to stakeholders during the “Final Presentation on the Implementing Guidelines of the Department Circular DC2016-04-0005: Directing the Compliance with the Philippine Energy Standards and Labeling Program;”

WHEREAS, conservation and efficient utilization of energy are among the major strategies of the Government to realize energy self-sufficiency and reduce environmental impacts of energy generation and utilization as instituted in the Philippine Energy Plan (PEP) and the National Energy Efficiency and Conservation Program (NEECP); and

WHEREAS, the mandatory implementation of the MEPP will lead to, among others, the promotion of energy efficient products at the point of sale, realization of energy savings and reduction of energy consumption / bills through the use of energy efficient products, elimination of energy inefficient products in the market and reduction of greenhouse gas emissions.

NOW, THEREFORE, in consideration of all the foregoing, the DOE hereby issues, adopts and promulgates the following:

Section 1. Title. This Department Circular shall be known as the “MEPP Guidelines.”

Section 2. Scope and Application. This Department Circular shall apply to all importers, manufacturers, distributors, dealers and retailers of all energy-consuming products, equipment and transport vehicles.

Section 3. Definition of Terms. For the purpose of the MEPP Guidelines, its Annexes and its PPRs, the following terms and definitions shall apply:

- a. AFETD refers to the Alternative Fuels and Energy Technology Division which be responsible in the formulation, development and updating of the MEPP, and other related policies in support of the NEECP
- b. Customers refer to manufacturers / brand owners / importers applying for compliance with MEPP requirements
- c. DOE Monitoring Team refers to a core group of personnel from the DOE and / or its authorized representatives to assist the agency in the conduct of monitoring activities as specified in the Implementing Guidelines
- d. Energy Consuming Products (ECP) refer to products that utilize any form of energy (i.e. electricity, petroleum products, renewable energy, etc.) for specific use

- e. Energy Label refers to the prescribed tag/ sticker/ marker in this Department Circular that bears the DOE logo and essential energy performance ratings (i.e. efficiency, energy consumption, etc.)
- f. Enforcement refers to an activity or operation where DOE detects violations or possible violations for the purpose of seeing to it that these comply with the provisions of this Department Circular
- g. EPMPD refers to the Energy Efficiency and Conservation Program Management and Technology Promotion Division which shall be responsible for the promotion and the Information and Education Campaign (IEC) activities related to the MEPP
- h. EPRED refers to the Energy Efficiency and Conservation Performance Regulation and Enforcement Division which shall be responsible for the development of guidelines on on-site inspections, conduct of monitoring, verification and enforcement activities in compliance with MEPP
- i. EPSMD refers to the Energy Efficiency and Conservation Public Sector Management Division which shall be responsible for the promotion and IEC activities for the public sector
- j. EUMB refers to the Energy Utilization Management Bureau
- k. Field Offices refers to the DOE Luzon, Visayas and Mindanao Field Offices which shall be responsible for market monitoring and enforcement to ensure industry players' compliance to the MEPP in coordination with the local government units and submit compliance report to EUMB
- l. Generic Models refer to a range of models similar to the base model where all have the same major physical characteristics, construction, system design, and other performance characteristics
- m. Importer refers to an entity engaged in bringing various products into the Philippines from another country or economy
- n. Institutionally-manufactured or sold products refer to products locally manufactured or imported and directly sold by the supplier to the end-user and where the products are put into service
- o. ITMS refers to Information Technology Management Services which shall provide support to EPRED in maintaining the NEECD and the online MEPP services
- p. Manufacturer refers to an entity engaged in the manufacture of air conditioners, refrigerators, lighting systems and other ECPs
- q. Monitoring refers to an activity where DOE keeps track, watches, observes or checks on the products of private entities for the purpose of seeing to it that these comply with the provisions of this Department Circular

- r. NEECD refers to the National Energy Efficiency and Conservation Database
- s. Particular Product Requirements (PPR) refers to the component of the PELP Guidelines that provides the detailed technical requirements of specific household appliances and other energy-consuming devices it covers and particularly requiring the attachment of appropriate energy label
- t. Retailer refers to an entity engaged in the sale of various ECPs

Section 4. Energy Consuming Products Covered by MEPP. Under this Department Circular, the MEPP will initially cover the following energy consuming products - room air conditioners (RACs), refrigeration units and lighting products: *Provided, That* additional ECPs shall be included within the coverage of the MEPP upon the recommendation of the EUMB: *Provided further, That* such recommendation shall be made after public consultation and coordination with DENR and DOTR for fuel economy performance labeling requirements for transport.

Section 5. Responsibility of Customers. Customers shall have the responsibility of ensuring that their products comply with the applicable MEPP and this Department Circular.

Section 6. Responsibility of Retailers. Retailers shall have, but not limited to, the following responsibilities:

- 6.1 Ensure that the ECPs covered by the MEPP and are for sale in stores comply with MEPP; and
- 6.2 Cooperate fully with the DOE Monitoring Team during the conduct of monitoring, inspection and verification activities.

Section 7. Prohibited Acts. Pursuant to the Act and the EEC-IRR, any person or entity found in violation of any of the following shall be subject to the appropriate criminal, civil and / or administrative sanction as follows:

- 7.1 Failure to comply with the MEPP;
- 7.2 Failing to provide accurate information or the provision of false or misleading information as required to be submitted under the Act and the EEC-IRR;
- 7.3 Failing to comply with issued orders of the DOE in the discharge of its enforcement powers; and
- 7.4 Violating any provisions of the Act, the EEC-IRR, codes and guidelines

Section 8. Periodic Adjustment of MEPP. The MEPP shall be reviewed by the members of the Technical Working Groups (TWG) of PELP, pursuant to Section 9 of the PELP Guidelines, within five (5) years.

The output of the TWG regarding the adjustment of the MEPP shall be endorsed to EUMB for approval of the Secretary.

The adjustment for MEPP shall always be directed towards an increase in energy efficiency or improvement in energy performance.

Section 9. Compliance Requirements. For the effective implementation, importers, manufacturers, distributors and dealers of MEPP-covered energy-consuming products shall ensure that ECPs comply with the MEPP Table in Annex A.

Section 10. Monitoring and Verification. The DOE, through the EUMB, shall conduct monitoring and verification activities in relation to MEPP. The monitoring and verification activities for MEPP shall be conducted consistent with the PELP Guidelines and PELP Implementing Guidelines.

Section 11. Penalties. Upon the determination that any person or entity has committed any of the Prohibited Acts in Section 7 of this Department Circular, the DOE may consider the following measures prior to the imposition of fines and penalties and also the appropriate administrative procedures, administrative liabilities and the criminal liabilities thereof:

- 11.1 Require an explanation supported by reports, returns and other documents to rebut the alleged commission of the prohibited act;
- 11.2 In cases where an explanation has been issued but the DOE finds a violation because of materially insufficient reports, false returns, non-submission of required documents, provide a recommendation to the said person or entity;
- 11.3 Disclose the name of the person or entity after it has received a recommendation and comply with such recommendation; and
- 11.4 Issue an order in cases where the said person or entity fails to follow or comply with the recommendation of the DOE. The failure on the part of the person or entity to comply with the order shall be a valid ground for the imposition of the administrative fines and penalties in accordance with Annex B.

Section 12. Publication. The DOE shall maintain a biannually updated list of compliant products. Non-compliant products shall be published in the DOE website within 72 hours and biannual in newspapers of wide-circulation, including the name of the Customer or Retailer and/or brand name and model, to whom the violation applies to and who failed to remedy the citation received from the DOE.

The status of the MEPP implementation shall be included in the publication of the PELP Implementation Annual Report provided under Section 15 of the PELP Guidelines.

Section 13. Information, Education and Communication Activities. Pursuant to Section 85 of the EEC IRR, the DOE shall develop and undertake a national

awareness and advocacy program covering energy efficiency and conservation and pursue partnerships with relevant stakeholders for the appreciation of this Department Circular.

Section 14. Repealing Clause. The provisions of other circulars, orders, issuances, rules and regulations, which are inconsistent with the provisions of this Department Circular are hereby repealed, amended, modified or superseded accordingly.

Section 15. Separability Clause. If for any reason, any section or provision of this Department Circular is declared unconstitutional or invalid, such parts not affected shall remain in full force and effect.

Section 16. Effectivity. This Department Circular shall take effect fifteen (15) days following its publication in at least two (2) newspapers of general circulation. Copies of this Department Circular shall be filed with the University of the Philippines Law Center - Office of the National Administrative Register.

Issued at Energy Center, Bonifacio Global City, Taguig City.

ALFONSO G. CUSI
Secretary