

**REGULATION FOR AWARDING THE
ENERGY SAVING PROCEL SEAL**

(Review – IV)

August 09th, 2013



PROCEL / ELETROBRAS

PFD – DEPARTMENT OF ENERGY EFFICIENCY DEVELOPMENT



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1. Purpose of Procel Seal

Energy Saving Procel Seal, henceforth named Procel Seal, was established by Presidential Decree on December 8th, 1993. It is a product developed and provided by the National Electricity Conservation Program – Procel, coordinated by the Ministry of Mines and Energy and implemented by Eletrobras.

The main purpose of Procel Seal is to identify the products that present the best energy efficiency levels in a given equipment category, encouraging the consumer market to acquire and use more efficient products.

This goal is accomplished in two ways: by affixing the Procel Seal to all manufactured/imported units, in order to guide the consumer in the purchase, and by Procel website (www.eletrobras.com/procel), which is periodically updated, indicating all products awarded with Procel Seal in the current year.

Besides energy efficiency, Procel may require additional criteria for awarding the Procel Seal to ensure the best energy performance of equipment and/or to comply with environmental requirements.

Thus, Procel Seal appears as an important tool to manage electricity waste, encouraging manufacturers to the constant evolution of the energy performance of their equipment. Each year, new equipment categories are included, encouraging more and more the supply of better quality and energy-efficient goods, contributing to the culture building, in consumers, of a permanent concern about the efficient use of energy and its environmental impacts.

2. Scope of Procel Seal

Procel Seal has its granting directed to equipment that presents the best energy efficiency ratings and complies with environmental requirements, preferably members of the Brazilian Labeling Program - PBE, coordinated by the National Institute of Metrology, Quality, and Technology - Inmetro.

If it deems necessary, Procel may award the Procel Seal to a line of equipment that is not covered by PBE, since there is a prior adjustment between Procel and class entities.

The established criteria for awarding the Procel Seal, whether for a new category or for the occasion of its review, must be in such a way that only a quarter of the products in each category is awarded with Procel Seal (in accordance with item 4 of this regulation).

3. Adhesion to the program of awarding the Procel Seal

The adhesion to the program of awarding the Procel Seal is voluntary; however, the manufacturer/importer undertakes to use the Procel Seal in all units of all models for which it was given permission to use the Seal, according to the provisions contained in other items of this regulation.

4. Technical criteria required for authorizing the use of Procel Seal

Each equipment has its own specificities and, for this reason, the criteria established by Procel for the authorization to use the Procel Seal can vary according to its category, and these specific criteria are in the document Criteria for Awarding the Energy Saving Procel Seal, which is complementary to this regulation and is available on Procel website: www.eletrobras.com/procel.

Preferably every four years Procel will promote the review of technical criteria required for awarding the Procel Seal, thus contributing to a continuous process of technological development and reduction of electric energy consumption in the country. If possible, these reviews must happen concurrently to the Program of Goals of the Energy Efficiency Law and the PBE.

In order to allow the manufacturers/importers to suit any changes in the criteria required for awarding the Procel Seal, Procel undertakes to set any changes in these criteria between **12 (twelve) and 18 (eighteen) months** prior to its entry into force.

5. Authorizing the use of Procel Seal

In general, the use of Procel Seal must be preceded by the following actions:

- a) the requesting company must submit the signed statement to Procel (model in Annex I) on paper by mail, whereby the manufacturer/importer declares to be aware and disposed to obey the provisions contained in this regulation;
- b) for each equipment model/family competing for the Procel Seal, the manufacturer/importer must submit to Procel, via email or on paper, a request for using the Procel Seal (model in Annex II), in which it will declare the list of models for which it requests authorization; and
- c) compliance with the technical criteria required for authorizing the use of Procel Seal, described in item 4.

After completing the previous steps, Procel will provide the inclusion of the model approved in the list of equipment awarded with Procel Seal, which is published on Procel website: www.eletrobras.com/procel.

Only after publication, the model will be authorized to use the Procel Seal. At its sole discretion, Procel may authorize in advance the use of Procel Seal, through communication to the email address of the company concerned.

The costs of performance tests are the responsibility of the requesting company and the payments must be made to the lab authorized by Procel, according to the lab's instructions.

Procel undertakes not to disseminate any information concerning the characteristics of the used materials and the manufacturing process of the products subject to labeling, including with regard to the performed tests or even the quantity produced, except in case of prior authorization from the manufacturer/importer.

The use of Procel Seal does not transfer any responsibility from the company to Procel.

6. Changes in products

Any changes made by the manufacturer/importer in the equipment that generate modifications in its characteristics (related to criteria required for awarding the Procel Seal) must be reported in writing to Procel.

At its discretion, Procel may request the manufacturer/importer to prove by tests in designated labs that the changes made did not affect the equipment performance.

If the changes cause the equipment to present a performance inferior to the criteria required for obtaining the Procel Seal, the manufacturer/importer will immediately suspend the use of Procel Seal in the modified equipment.

7. Re-evaluation of product characteristics

The process of re-evaluating the product characteristics aims to verify if the characteristics of awarded products remain valid after the initial granting period.

The adopted procedures for re-evaluating the characteristics are specific for each equipment category and they are included in their respective document on specific criteria, available on Procel website (www.eletrobras.com/procel).

The manufacturer/importer must immediately send to Procel, or authorize the designated lab to do so, the respective test report. This document can be sent by email.

The model approved in the re-evaluation stage may remain using the Procel Seal, since Procel receives the respective test report.

The model reproved in the re-evaluation stage will have its name immediately removed from the Procel website and will lose the permission to use the Procel Seal.

8. Extraordinary re-evaluation of product characteristics

In order to ensure the permanent suitability of products to specifications, or in case of complaints, Procel reserves the right to test the equipment awarded with the Procel Seal, at any time, to check its conformity, according to the following procedures:

- a) products will be collected on the production line or on the market by a team composed of Procel representatives and will be tested in one of the reference labs designated by Procel;
- b) the results of these tests will be presented to Inmetro for taking the appropriate actions;
- c) the criteria for approval and disapproval of the model under inspection will follow the rules established in item 7;
- d) the expenses related to this regulation item will be the responsibility of Procel; and
- e) if the product is not found in the production and/or in the market, a total of 72h (seventy-two hours) will be granted to the manufacturer/importer to indicate where and when it can be found; otherwise, the authorization to use the Procel Seal on the product may be canceled.

9. Sanctions and penalties

The manufacturer/importer will be notified by Procel when not complying with the conditions established in this regulation. So it must clarify or meet the required conditions within the deadline specified in the notification.

If the conditions established in the notification are not met, the manufacturer/importer will be subject to - at the discretion of the Program coordination - at least one of the following penalties:

1. cancellation of authorization to use the Seal for a product;
2. cancellation of authorization to use the Seal for a whole category; and

3. suspension of use of the Seal so that the manufacturer/importer can be prevented from trying to get the Procel Seal for a period of two (2) years in its respective category. In case of recurrence, the manufacturer/importer will be prevented from participating in any category for a period of two (2) years.

The cancellation or suspension of authorization will be confirmed by Procel through an official document, indicating the condition in which this measure was performed.

The cancellation or suspension of authorization will not exempt the authorized company from being subjected to other measures, including the legal context, depending on the seriousness of the facts.

10. Commission of technical analysis

In order to examine issues related to the Program for Awarding the Energy Saving Procel Seal, Procel may convene the Commission of Technical Analysis of Procel Seal, constituted by the Executive Secretariat of Procel.

The Commission of Technical Analysis of Procel Seal is composed by the following entities:

- a) Procel, as a Coordinator;
- b) Inmetro;
- c) Representative(s) of Test Labs;
- d) Representative(s) of Consumers; and
- e) Associations of national manufacturers and importers of products awarded with Procel Seal, currently being:
 - **ABINEE** - Brazilian Electrical and Electronics Industry Association;
 - **ELETROS** - National Association of Manufacturers of Electrical and Electronics Products;
 - **ABRAVA** - Brazilian Association of Refrigeration, Air Conditioning, Ventilation, and Heating;
 - **ABILUX** - Brazilian Lighting Industry Association;
 - **ABILUMI** - Brazilian Association of Importers of Lighting Products;

- **ABILAMP** - Brazilian Association of Importers of Lamps.

At the discretion of the Executive Secretariat of Procel, other entities may be invited to attend the meetings of the Commission.

11. Ways of applying Procel Seal

The manufacturer/importer of the equipment awarded with the Procel Seal must necessarily attach the Procel Seal to all manufactured/imported units, its use being prohibited for other not awarded products.

The use of the Procel Seal in an awarded product can not be interrupted or suspended by the manufacturer/importer during the concession duration, unless the manufacturer/importer requests the cancellation of the authorization granted by Procel, or has lost the authorization of its use according to the provisions in item 6 of this regulation, or promotes proper justification of temporary discontinuance of use of the Seal.

The standard model of Procel Seal to be used by the manufacturer/importer of the awarded equipment will be sent by Procel after the authorization of its use and must be reproduced in strict compliance with the Visual Identity Handbook of Procel Seal¹, any changes in its appearance and proportion being expressly prohibited.

Sizes, positions, and ways of affixing the Procel Seal, suitable for each product line, are detailed in the Visual Identity Handbook of Procel Seal.

The Procel Seal must be attached to each product, at the factory or at the storage facilities (imported products), according to the provisions of the Visual Identity Handbook of Procel Seal.

¹ Visual Identity Handbook of Procel Seal - document prepared by Procel, which contains the correct application of the Energy Saving Procel Seal on equipment, minimal formats, colors etc.

12. Regarding the disclosure of Procel Seal

The mention of the Energy Saving Procel Seal, in word or figurative form, used in any promotional material of the equipment awarded with Procel Seal, by any means, must follow the provisions of the Visual Identity Handbook of Procel Seal.

Any changes in the Visual Identity Handbook of Procel Seal will be notified by Procel to manufacturers/importers, so that they may change their advertising and promotional materials in a timely manner.

It is strictly forbidden to associate the Procel Seal to non-awarded equipment.

It is expressly forbidden any derogatory, abusive, false or misleading advertising involving the Procel Seal.

The awarded equipment is available on Procel website: www.eletrobras.com/procel.

13. General provisions

By making use of Procel Seal in their products, the manufacturer/importer will be agreeing to the terms listed in the Regulation for Awarding the Energy Saving Procel Seal.

Annex I
STATEMENT

By the present and in the best form of law, the company _____
_____, located at (street
address) _____, in the city of
_____, state of _____, registered in National
Register of Legal Entities - CNPJ of the Ministry of Finance, under number
_____, State Registration _____,
by its legal representative, Mr. (Ms.) _____,
Registration of Individual - CPF _____, in compliance with the
powers conferred on it and established in its Social Contract, in order to obtain the
authorization to use the **Energy Saving Procel Seal** in its line of commercialized
products, from the Centrais Elétricas Brasileiras S.A. - Eletrobras (Brazilian Electric
Power Company), as the Executive Secretariat of the National Electricity Conservation
Program - Procel, declares that it is aware of the obligation to comply with the
provisions contained in the Regulation for Awarding the Energy Saving Procel Seal and
its subsequent reviews, under penalty of the sanctions provided in the Regulation,
independently and without prejudice of applicable civil and penal sanctions, in case of
non-compliance.

City: _____

Date: _____

Representative signature

Job position/function

Attach summarized copy of the Social Contract with representative.

Send this filled and signed Statement to:

Centrais Elétricas Brasileiras S.A. - ELETROBRAS

Division of Studies and Efficient Equipment - PFDE

National Electricity Conservation Program - PROCEL

Address: Av. Rio Branco, 53 / 20º andar - Centro - Rio de Janeiro - RJ

Zip code: 20090-004

www.eletrobras.com/procel

procel@eletrobras.com

NOTE: Keep the PROCEL team updated about the company's and the representative's data.

Annex II

Request for granting the use of Procel Seal

Company:

Representative:

| Product Category: | | | | | |
|-------------------|------|--------------|-------|-------------|-------------|
| Brand | Code | Registration | Model | Test Report | Report Date |
| | | | | | |
| | | | | | |
| | | | | | |

Considering the energy performance achieved by product(s) above, attested by the attached test report(s), we request authorization to use the Energy Saving Procel Seal on this (these) product(s), according to the rules in force in its respective regulation.

City: _____

Date: _____

Representative signature

Send this filled Annex and Test Report to e-mail: procel@eletrobras.com