

**BEFORE THE
U.S. DEPARTMENT OF ENERGY
Washington, D.C. 20585**

In the Matter of:

**The Electrical Design, Development and
Implementation Company d/b/a Teddico**
(metal halide lamp fixtures)

Case Number: 2012-SE-5409

Issued: November 20, 2012

NOTICE OF NONCOMPLIANCE DETERMINATION

Metal halide lamp fixtures are covered products subject to federal energy conservation standards as described in 42 U.S.C. §§ 6292(a)(19), 6295(hh) and 10 C.F.R. § 431.326. Manufacturers and private labelers are prohibited from distributing covered products or equipment that do not comply with the applicable conservation standards. 10 C.F.R. § 429.102(a)(6); 42 U.S.C. § 6302(a)(5).

The Electrical Design, Development and Implementation Company d/b/a Teddico (“Teddico”) notified the U.S. Department of Energy (“DOE”) that Teddico had manufactured¹ and distributed in commerce the following magnetic probe-start metal halide lamp fixtures (“the Teddico Basic Models”), each of which has a ballast efficiency of less than 94%:

Basic Model Number	Ballast Efficiency
FL175MH	85%
IFL250MH	86%
IFL400MH	89%
LFL250MH	86%
LFL400MH	89%
VR175MH	85%
WK400MH	89%
WP175MH	85%
WP250MH	86%
WP400MH	89%
WPFC175MH	85%
WPSL175MH	85%
WPSL250MH	86%

¹ “Manufacture” means to manufacture, produce, assemble or import. 42 U.S.C. § 6291(16).

FINDINGS

Accordingly, DOE finds that the Teddico Basic Models do not comply with the applicable federal energy conservation standard that became effective January 1, 2009, requiring that magnetic probe-start ballasts in metal halide lamp fixtures have a minimum ballast efficiency of 94%.

MANDATORY ACTIONS BY TEDDICO

In light of the above finding, Teddico must take the following steps in accordance with 10 C.F.R. § 429.114(a):

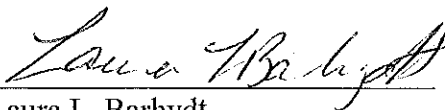
- (1) Immediately cease distribution in commerce in the United States of all units of the Teddico Basic Models manufactured on or after January 1, 2009;
- (2) Provide immediate written notification of this noncompliance determination to all persons in the United States to whom Teddico has distributed units of any of the Teddico Basic Models; and
- (3) Provide to DOE within 15 calendar days of the date of this Notice a copy of the written notification required by paragraph (2) and a list of the parties Teddico notified.

Teddico has provided to DOE information regarding the distribution in commerce in the U.S. of the Teddico Basic Models. Because Teddico has already provided information related to the acquisition, ordering, and sale of the Teddico Basic Models, Teddico need not take further steps to provide additional information on this subject.

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should Teddico fail to take the required step described above, this letter serves as notice that DOE may seek civil penalties as authorized under 10 C.F.R. § 429.114(c). The distribution of any units of a noncompliant basic model may result in DOE seeking all appropriate legal remedies available under Federal law, including injunctive relief and civil penalties with respect to each unit of the basic model distributed in violation of Federal law.

Teddico may modify the Teddico Basic Models in such manner as to make them comply with the applicable standard. Such a modified basic model shall then be treated as a new basic model and must be certified in accordance with the provisions of 10 C.F.R. Part 429, except that in addition to satisfying all requirements of this part, any models within the basic model must be assigned new model numbers and the manufacturer shall also maintain, and provide upon request to DOE, records that demonstrate that modifications have been made to all units of the new basic model(s) prior to distribution in commerce in the United States.



Laura L. Barhydt
Assistant General Counsel for
Enforcement