

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

In the Matter of:)
)
Zoe Industries, Inc.) Case Number: 2011-SW-2912
(Showerheads))
)
)

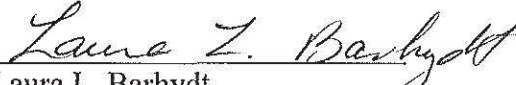
NOTICE OF ALLOWANCE TO RESUME DISTRIBUTION

Issued: January 25, 2012

In the event that the Department of Energy (“DOE”) determines that a basic model is not compliant with the applicable conservation standards, a manufacturer of the basic model may be allowed to resume distribution if the manufacturer modifies the basic model in such a manner as to make it comply with the applicable standards. *See* 10 C.F.R. § 429.114(d).

On September 28, 2011, DOE issued a Notice of Noncompliance Determination to Zoe Industries, Inc. (“Zoe”) based on DOE testing, which had demonstrated that a Giessdorf eight-jet basic model showerhead, SKU 150043 (“model 150043”), manufactured by Giessdorf Plumbing, Inc. and imported by Zoe Industries, Inc. (“Zoe”), failed to meet the applicable standards. Zoe has modified this basic model and has provided test results from an independent, third-party lab indicating that the modified basic model complies with the applicable standards. Zoe has also indicated that, once it receives a Notice of Allowance from DOE to distribute the modified basic model as a new basic model, it will resume distribution under the model number “150043-N.”

Based on the test results provided, DOE has determined that the modified basic model appears to comply with the applicable standards. As Zoe has certified the new basic model in accordance with 10 C.F.R. § 429.12, and has assigned a new model number to the new basic model, the company may distribute basic model 150043-N. Zoe must continue to comply with all applicable provisions of 10 C.F.R. Part 429 and must also maintain records that demonstrate that, prior to distribution in commerce, modifications have been made to all units. Unmodified units of model 150043 may not be distributed in commerce in the U.S.



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