

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

In the Matter of:

**shenzhenshi xialan keji Youxiangongsi**  
(faucets)

DOE Case Number: 2021-CW-28001  
OHA Case Number: EEE-23-0002

**ORDER**

For the U.S. Department of Energy (“DOE”):

1. On August 10, 2022, under the above-listed DOE Case Number, DOE initiated a case against shenzhenshi xialan keji Youxiangongsi (“Respondent”) to pursue a civil penalty against Respondent for knowingly distributing in commerce in the United States a faucet basic model without submitting to DOE a certification report certifying that the basic model complied with the applicable federal energy conservation standard.
2. Faucets are covered products pursuant to 42 U.S.C. § 6292(a)(16) and are subject to federal energy conservation standards set forth at 42 U.S.C. § 6295(j) and 10 C.F.R. § 430.32(o).
3. Pursuant to 10 C.F.R. § 429.12, manufacturers are required to submit to DOE a certification report certifying that each basic model of a covered product meets the applicable energy conservation standard, before distributing each basic model in commerce in the United States and annually thereafter.
4. Failure to submit a certification report for a covered product in accordance with 10 C.F.R. § 429.12 is a prohibited act pursuant to 10 C.F.R. § 429.102(a)(1) and subject to civil penalties as described in 10 C.F.R. § 429.120.
5. Pursuant to 10 C.F.R. § 429.120, each day that a manufacturer fails to submit a certification report for a basic model is a separate violation.
6. On February 9, 2023, pursuant to 10 C.F.R. § 429.124(c), DOE referred this case to an Administrative Law Judge (“ALJ”) by filing a Complaint with the DOE Office of Hearings and Appeals (“OHA”) and serving the Complaint on Respondent.<sup>1</sup>
7. On July 6, 2023, the ALJ issued an Initial Decision in which the ALJ found that Respondent violated 10 C.F.R. § 429.102(a)(1) by knowingly distributing a faucet basic

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<sup>1</sup> The ALJ subsequently assigned OHA Case Number EEE-23-0002 to this civil penalty action.

model in commerce in the United States for at least 212 days without submitting to DOE the certification report required under 10 C.F.R. § 429.12(a) and recommended that Respondent pay a civil penalty of \$106,636.

8. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce a basic model of a covered product without submitting to DOE a certification report certifying that the basic model complied with the applicable energy conservation standard. *See* 42 U.S.C. § 6302; 10 C.F.R. § 429.102(a)(1).
9. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. §§ 6303 and 6316, I **HEREBY ASSESS** a civil penalty of \$106,636 (one hundred six thousand, six hundred thirty-six dollars) **AND ORDER** that the Initial Decision attached to this Order is adopted.

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Samuel T. Walsh  
General Counsel