

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

In the Matter of:)
)
US Restaurant Group Inc.,) Case Number: 2024-CE-53003
d/b/a USR Brands)
(panels for walk-in coolers and freezers))

ORDER

For the U.S. Department of Energy:

1. On September 17, 2024, under the above listed case number, the U.S. Department of Energy (“DOE”) issued a Notice of Proposed Civil Penalty to US Restaurant Group Inc., d/b/a USR Brands, (“Respondent”) to pursue a civil penalty against Respondent for knowingly distributing in commerce panels for walk-in freezers that failed to meet the applicable energy conservation standard.
2. Basic model 100mm (the “basic model”) is a panel for walk-in freezers that Respondent manufactured on or after January 1, 2009.
3. Panels for walk-in coolers and walk-in freezers are covered equipment pursuant to 10 C.F.R. §§ 431.2 and 431.302.
4. Panels for walk-in coolers and walk-in freezers, manufactured on or after January 1, 2009, must contain wall, ceiling, and door insulation of at least R-25 for coolers and R-32 for freezers. *See* 10 C.F.R. § 431.306(a).
5. Respondent admitted that the basic model does not have wall, ceiling, and door insulation of at least R-32.
6. Between September 11, 2019, and September 11, 2024, Respondent distributed in commerce multiple units of the basic model.
7. Distribution in commerce of any new covered equipment that does not comply with an applicable energy conservation standard is a prohibited act pursuant to 10 C.F.R. § 429.102(a)(6) and subject to civil penalties as described in 10 C.F.R. § 429.120.
8. Pursuant to 10 C.F.R. § 429.120, each unit of covered equipment distributed in violation of 10 C.F.R. § 429.102(a)(6) is a separate violation.
9. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce multiple units of new covered equipment that were not in conformity with the applicable energy conservation standard. *See* 42 U.S.C. § 6302; 10 C.F.R. §§ 429.102(a)(6), 431.306(a).

10. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. §§ 6303 and 6316, I **HEREBY ASSESS** a civil penalty of \$15,000, **ORDER** Respondent to pay the assessed civil penalty in full within 30 calendar days, **AND ORDER** that the Settlement Agreement attached to this Order is adopted.

Samuel T. Walsh
General Counsel