

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

In the Matter of:

Weihai Power Electronics Co., Ltd.
(external power supplies)

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Case Number: 2019-SE-37026

Issued: July 23, 2019

NOTICE OF NONCOMPLIANCE DETERMINATION

External power supplies are covered products subject to federal energy conservation standards. 42 U.S.C. § 6295(u) and 10 C.F.R. § 430.32(w). Manufacturers and private labelers are prohibited from distributing covered products in the United States that do not comply with applicable federal energy conservation standards. 10 C.F.R. § 429.102(a)(6); 42 U.S.C. § 6302(a)(5).

TESTING

In response to a Request for Data issued by DOE on June 1, 2016, Accuvview, Inc. submitted to DOE reports of testing by BTL, Inc. (“BTL”) of three units each of Weihai Power Electronics Co., LTD. (“Weihai”) brand external power supply individual models HAS042123-E1, HAS042123-E2, HAS042123-E3, HAS042123-E5, HAS042123-E6, and HAS042123-EH (collectively “the basic model”). BTL’s testing in accordance with applicable DOE test procedures (Appendix Z to Subpart B of Part 430) demonstrates that the basic model is not in compliance with the applicable energy conservation standard.

The basic model belongs to the product class “Single Voltage External AC-DC Power Supply, Basic-Voltage.” 10 C.F.R. § 430.32(w)(1)(ii). The maximum no-load mode power consumption for this product class for units with a nameplate output power greater than 1W and less than or equal to 49W is 0.100W. The three units that BTL tested had no-load power consumptions of 0.124W, 0.120 W, and 0.124 W, respectively.

FINDINGS

Based on the facts stated above, DOE has determined that the basic model (including each individual model within the basic model) does not comply with the applicable energy conservation standard.

MANDATORY ACTIONS BY WEIHAI POWER ELECTRONICS CO., LTD.

On September 1, 2017, Weihai represented to DOE that Weihai is not currently distributing in commerce any of models HAS042123-E1, HAS042123-E2, HAS042123-E3, HAS042123-E5, HAS042123-E6, or HAS042123-EH in the United States. Weihai must, within 30 calendar days of the date of this Notice, provide to DOE records sufficient to show the number of units of the basic model that Weihai sold to customers in the United States in the past five years. *See* 10 C.F.R. § 429.114(a).

CONSEQUENCES FOR FAILURE TO COMPLY WITH THIS NOTICE

Should Weihai distribute in the United States any units of the basic model, this letter serves as notice that DOE may seek a judicial order within 30 calendar days to restrain further distribution. If, however, Weihai provides DOE with a satisfactory statement within that 30-day period detailing the steps that Weihai will take to ensure that units of the noncompliant basic model will no longer be distributed in commerce in the United States, DOE may elect to defer seeking such an order until a more appropriate time, if needed.

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.

_____/S/_____
Laura L. Barhydt
Assistant General Counsel
for Enforcement