

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

In the Matter of:

ASKO Distribution North America, LLC
(dishwasher)

Case Number: 2023-CE-19001

ORDER

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

1. On November 28, 2022, under the above-listed case number, DOE initiated a case against Gorenje gospodinjski aparati d.o.o. (for imports by ASKO Distribution North America, LLC or otherwise) (“Respondent”) to pursue a civil penalty for knowingly distributing in commerce in the United States various basic models of dishwashers without submitting to DOE a certification report certifying that those basic models complied with the applicable energy conservation standards.
2. Dishwasher are covered products as defined by 42 U.S.C. § 6291(1) and 10 C.F.R. § 430.2;
3. Pursuant to 10 C.F.R. § 429.12, manufacturers are required to submit to DOE a certification report certifying that each basic model 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 covered equipment 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. Respondent admitted the following:
 - a. Respondent has manufactured dishwashers, including basic models DBI664*, DBI652*, and DBI675*;
 - b. Respondent has distributed in commerce in the United States for at least 365 days, and continues to distribute, basic models DBI664*, DBI652*, and DBI675*; and

- c. Respondent knowingly failed to submit a certification report and compliance statement for basic models DBI664*, DBI652*, and DBI675* before distributing those basic models in commerce in the United States, and/or annually thereafter, in violation of 10 C.F.R. § 429.12;
 - d. Knowing failure to submit a certification report as required by 10 C.F.R. Part 429 is a prohibited act pursuant to 10 C.F.R. § 429.102(a)(1) and subject to a civil penalty of \$503 per day per basic model, as described in 10 C.F.R. § 429.120;
7. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce basic models of covered equipment without submitting to DOE a certification report certifying that those basic models complied with the applicable energy conservation standards. *See* 42 U.S.C. § 6302; 10 C.F.R. §§ 429.102(a)(1).
8. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. §§ 6303 and 6316, I **HEREBY ASSESS** a civil penalty of \$40,000 **AND ORDER** that the Settlement Agreement attached to this Order is adopted.

Samuel T. Walsh
General Counsel