

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

In the Matter of:

**Visual Comfort & Co.**  
(large-diameter ceiling fans)

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DOE Case No.: 2024-CE-32009  
OHA Case No.: EEE-24-0007

**ORDER**

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

1. On October 18, 2023, under the above-listed case number, DOE issued a Notice of Proposed Civil Penalty to Visual Comfort & Co. (“Respondent”) to pursue a civil penalty against Respondent for knowingly distributing in commerce large-diameter ceiling fan basic models without submitting to DOE a report certifying that those basic models comply with the applicable energy conservation standards.
2. Ceiling fans are covered products pursuant to 42 U.S.C. §§ 6292(a)(20) and 6295(ff), and 10 C.F.R. § 430.32, that are subject to the energy conservation standards at 10 C.F.R. § 430.32(s).
3. Pursuant to 10 C.F.R. § 429.12, a manufacturer must submit to DOE a report certifying that each basic model of a covered product meets the applicable energy conservation standards, before distributing each basic model in commerce and annually thereafter.
4. Failure to submit a certification report for a basic model of 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 January 17, 2024, 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 March 20, 2024, DOE and Respondent executed a Settlement Agreement, in which Respondent admitted the following:

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<sup>1</sup> OHA subsequently assigned OHA Case Number EEE-24-0007 to this civil penalty action.

- a. Respondent has manufactured<sup>2</sup> large-diameter ceiling fans, including the following basic models: Loft 96”, Maverick Grand 99”, and Maverick Grand 88” (collectively, “the basic models”);
  - b. Respondent has distributed the basic models in commerce;<sup>3</sup> and
  - c. Respondent knowingly failed to submit a certification report for the basic models before distributing them in commerce, in violation of 10 C.F.R. §§ 429.12 and 429.102(a)(1).
8. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by manufacturing and distributing in commerce basic models of a covered product without submitting to DOE a certification report certifying that those basic models comply with the applicable energy conservation standards. *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 \$40,000 **AND ORDER** that the Settlement Agreement attached to this Order is adopted.<sup>4</sup>

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Samuel T. Walsh  
General Counsel

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<sup>2</sup> “Manufacture” means to manufacture, produce, assemble, or import. 42 U.S.C. § 6291(10).

<sup>3</sup> “Distribute in Commerce” or “Distribution in Commerce” means to sell in commerce, to import, to introduce or deliver for introduction into commerce, or to hold for sale or distribution after introduction into commerce. 42 U.S.C. § 6291(16).

<sup>4</sup> DOE acknowledges that DOE received Respondent’s \$40,000 civil penalty payment on June 12, 2024.