

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

In the Matter of:

Norman Lamps, Inc.
(general service lamps)

Case Number: 2024-SE-57011

Issued: April 30, 2024

**AMENDED NOTICE
OF NONCOMPLIANCE DETERMINATION**

General service lamps (“GSLs”) are covered products subject to federal energy conservation standards. *See* 42 U.S.C. § 6295(a)(1), 6295(i)(6), 10 C.F.R. § 430.32(dd). Effective July 25, 2022, the sale of any general service lamp that does not meet a minimum efficacy standard of 45 lumens per watt (“lm/W”) is prohibited. 10 C.F.R. § 430.32(dd).

On February 16, 2024, the U.S. Department of Energy (“DOE”) issued a Notice of Noncompliance Determination (“NND”) finding that nineteen basic models of lamps manufactured by Norman Lamps, Inc. (“Norman”) qualified as GSLs that did meet the minimum efficacy standard of 45 lm/W. Based on information provided by Norman in response to the NND, DOE withdraws the February 16, 2024 NND and issues this Amended Notice of Noncompliance Determination.

FINDINGS

The DOE has determined based on materials available on the website, www.normanlamps.com, and information provided by Norman, that beginning on November 1, 2022, Norman manufactured¹ the following basic models of GSLs (collectively referred to as the “subject models”) that do not comply with the applicable energy conservation standard of at least 45 lm/W:

1. PFA-90PAR38/HAL/FL30
2. 60BT15/HAL/CL
3. PFA-60ETC

NOTICE

Distribution in commerce² of a covered product that does not meet the applicable energy

¹ “Manufacture” means to manufacture, produce, assemble, or import. 42 U.S.C. § 6291(10).

² “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).

conservation standards is a violation subject to civil penalty, regardless of the issuance of this Notice.

MANDATORY ACTION

In light of the above findings, Norman must immediately cease distribution in commerce of all units of the subject models and any other basic models that do not comply with the applicable energy conservation standards.

Additionally, within 30 calendar days of the date of this Notice, Norman must provide to DOE records sufficient to show the number of units of the subject models that Norman has manufactured from (a) November 1, 2022, through December 31, 2022; and (b) January 1, 2023, through present. 10 C.F.R. § 429.114(a).³ Records provided to DOE must also include, separately, the number of units of the subject models that remain in Norman's inventory.

If you claim that any of the information sought by this Notice constitutes confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or is protected from disclosure pursuant to 18 U.S.C. § 1905, you must (1) provide one complete and full copy and one copy with the confidential information deleted and (2) submit supporting information together with the materials that are the subject of the confidentiality request. *See* 10 C.F.R. § 429.7. Failure to adhere to these procedures will result in a rejection of your request for confidential treatment.

CONSEQUENCES FOR CONTINUING TO DISTRIBUTE THE BASIC MODELS

If Norman continues distributing any units of the subject model or any other basic models that do not comply with the applicable energy conservation standards, DOE may seek a judicial order to restrain further distribution and may assess a higher civil penalty for units sold after the date of this Notice. If, however, Norman provides DOE with a satisfactory statement within that 30-day period detailing the steps that Norman will take to ensure that units of the noncompliant basic models will no longer be sold in commerce, 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.

Teresa Williams
Trial Attorney

³ On February 22, 2024, Norman provided responsive information regarding number of units manufactured of the subject models. DOE will consider this information to satisfy the mandatory action listed in this notice. However, if Norman has any updated information regarding the number of units manufactured, please provide updated information within 30 calendar days.