

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

In the Matter of:

X-S Merchandise LLC,
Respondent

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) Case Number: 2023-SE-57002
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ORDER

For the U.S. Department of Energy:

1. On January 22, 2024, under the above listed case number, the U.S. Department of Energy (“DOE”) issued to X-S Merchandise, LLC a Notice of Proposed Civil Penalty to X-S Merchandise Inc. (“Respondent”) to pursue a civil penalty for knowingly selling in the United States general service lamps that failed to meet the applicable energy conservation standard.
2. The models identified in the Notices of Noncompliance Determination DOE issued to Respondent (the “basic models”) are general service lamps that Respondent sold in the United States on or after July 25, 2022.
3. The minimum permissible efficacy for a general service lamp sold in the United States starting July 25, 2022, is 45 lumens/watt (“lm/W”). *See* 10 C.F.R. § 430.32(dd).
4. Respondent admitted the basic models do not comply with the minimum 45 lm/W standard.
5. On or after July 25, 2022, Respondent sold in the United States multiple units of the basic models.
6. Accordingly, Respondent knowingly sold multiple units of new covered products which were not in conformity with an applicable energy conservation standard.
7. Based on the information above, I find that Respondent knowingly committed Prohibited Acts by selling in the United States multiple units of a new covered product 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) and 430.32(dd).

8. Accordingly, pursuant to 10 C.F.R. § 429.120 and 42 U.S.C. § 6303, I HEREBY ASSESS a civil penalty of \$271,500, **ORDER** Respondent to pay the assessed civil penalty according to the terms of the Settlement Agreement, **AND ORDER** that the Settlement Agreement attached to this Order is adopted.

Samuel T. Walsh
General Counsel