

## **Enforcement Policy Statement – GSLs Marketed Exclusively for the Health and Care of Reptiles, Amphibians, and Other Small Animals**

Issued: May 6, 2025

On January 21, 2025, President Trump issued Executive Order 14154, titled “Unleashing American Energy.” Section 3 of the Executive Order provides, “It is the policy of the United States ... to safeguard the American people’s freedom to choose from a variety of goods and appliances, including but not limited to lightbulbs, ... and to promote market competition and innovation within the manufacturing and appliance industries.” Further, Section 7, paragraph (c) reads, “All agencies shall assess whether enforcement discretion of authorities and regulations can be utilized to advance the policy outlined in section 2 of this order.”

Pursuant to Executive Order 14154, the U.S. Department of Energy (DOE) announces that effective immediately it will not take enforcement actions against any seller of noncompliant general service lamps (GSL), where such GSLs are marketed and sold exclusively for use in the care of reptiles, amphibians, or other small animals. Any other sale of non-compliant GSLs is subject to the discretionary enforcement powers of DOE.

### Background:

In 2007, Congress enacted the Energy Independence and Security Act, which directed DOE to promulgate regulations to set an energy conservation standard for GSLs of no less than 45 lumens per watt (lm/W) and to prohibit sales of GSLs that fail to meet this minimum standard. 42 U.S.C. § 6295(i)(6)(A)(v).

In 2016, DOE initiated rulemaking to implement the Congressional mandate. At multiple points during the rulemaking process, DOE sought input from the public concerning the GSL definition, potential exclusions from the definition, and any other relevant information. *See, e.g.*, 81 Fed. Reg. 14528 (Mar. 17, 2016); 82 Fed. Reg. 7276 (Jan. 19, 2017); 84 Fed. Reg. 3120 (Feb. 11, 2019); 84 Fed. Reg. 46661 (Sept. 5, 2019); 86 Fed. Reg. 28001 (May 25, 2021); 86 Fed. Reg. 46611 (Aug. 19, 2021). DOE did not receive any comments related to lamps used only for the health and care of reptiles, amphibians, or other small animals.

In May 2022, DOE issued a final rule defining a GSL as:

a lamp that has an ANSI base; is able to operate at a voltage of 12 volts or 24 volts, at or between 100 to 130 volts, at or between 220 to 240 volts, or of 277 volts for integrated lamps (as defined in this section), or is able to operate at any voltage for non-integrated lamps (as defined in this section); has an initial lumen output of greater than or equal to 310 lumens (or 232 lumens for modified spectrum general service incandescent lamps) and less than or equal to 3,300 lumens; is not a light fixture; is not an LED downlight retrofit kit; and is used in general lighting applications. General service lamps include, but are not limited to, general service incandescent lamps, compact fluorescent lamps,

general service light-emitting diode lamps, and general service organic light emitting diode lamps ... . 87 Fed. Reg. 27451-01 (May 9, 2022); *codified* at 10 C.F.R. § 430.2.

In the final rule, in compliance with the Congressional mandate, DOE adopted the 45 lm/W standard and prohibited the sale of GSLs that do not meet that standard, with an effective date of July 25, 2022. 87 Fed. Reg. 27439-01 (May 9, 2022). To provide industry additional time to come into compliance with the new standard, DOE adopted a delayed and progressive enforcement program through August 1, 2023.

As DOE initiated enforcement actions for sales of noncompliant GSLs, veterinarian and zoo organizations, along with concerned reptile owners, reached out to DOE expressing concern over the sales ban, which they claimed prevents them from obtaining lamps used for the health and care of their reptiles, amphibians, and other small animals. These groups indicated that they regularly use certain lamps, which meet the GSL definition but fail to meet the standard, for the lamps' infra-red and heating properties, which foster the growth and development of reptiles, amphibians, and other small animals. These groups have requested that DOE exempt from the GSL sales prohibition any lamp marketed and sold solely for use for the care of reptiles, amphibians, or other small animals.

Consistent with Executive Order 14154, DOE is exercising its enforcement discretion and will not take enforcement actions against any seller of a GSL that fails to meet the 45 lm/W GSL standard, where such GSLs are marketed and sold exclusively for use in the care of reptiles, amphibians, or other small animals. This policy will provide additional consumer choice for those caring for reptiles, amphibians, or other small animals. Further, this enforcement policy will allow DOE to take in additional information, data, and comments to inform any future Agency action on this issue. DOE encourages pet owners, zoos, and other caretakers of reptiles, amphibians, or other small animals to identify and transition to compliant GSL substitutes.

#### Scope:

This policy is specific to lamps marketed exclusively for animal health and care applications. The sale of any other non-compliant GSLs is subject to enforcement action at DOE's discretion.

#### Application:

DOE will withhold enforcement of the statutory GSL sales prohibition for lamps that are marketed exclusively for animal health and care purposes. DOE may take enforcement action against sellers of any other noncompliant GSLs at DOE's discretion. In addition, DOE reserves its discretion to consider new facts, including any significant increase in sales of GSLs under this policy, and may modify, expand, or rescind this policy accordingly. To be given enforcement leniency under this policy, a manufacturer or retailer must affix to all such lamps the following warning label:

This lamp is only available for purchase under DOE's limited Enforcement Policy for GSLs Marketed Exclusively for Animal Health and Care. The purchaser is advised to consider suitable, available substitutes.

Disclaimer:

This policy does not create or remove any rights or duties and does not affect any other aspect of EPCA or DOE regulations. This policy statement is not a final agency action, has no legally binding effect on persons or entities outside the federal government, and may be rescinded or modified in DOE's complete discretion. Accordingly, it is not intended to, does not, and may not be relied upon to, create any rights, substantive or procedural, enforceable at law by any party in any matter.