U.S. Department of Energy

1000 Independence Ave, SW
Washington, DC 20585

In the Matter of:	)	
	)	
Fuzhou Sunlight Lighting Electrical Appliance Company, Ltd.	)	Case Number: 2010-SE-1402
	)	

Issued: August 10, 2010

NOTICE OF ALLOWANCE TO RESUME DISTRIBUTION

Manufacturers of certain covered products which have been determined by the Department of Energy (DOE) to be non-compliant with the applicable energy conservation standard may be allowed to resume distribution, per 10 CFR § 430.70 (a)(6)(v), if additional testing results supplied by the manufacturer results in a determination of compliance. On June 16, 2010, DOE issued a Notice of Non-Compliance Determination based on test results submitted by Westinghouse Lighting Corporation showing that certain models were noncompliant. The models are manufactured by Fuzhou and privately labeled by Westinghouse. Fuzhou later admitted that the original test results were based on testing that was not performed in accordance with DOE regulations. Fuzhou has now conducted the testing required by DOE regulations and has submitted complete test data, which DOE has reviewed closely.

FINDINGS

Based on the new test data, DOE has now determined that product codes 0521100, 0528400, 0351700, 0521300, 0352600, 0548400, 0548700, 0548600, 0521400, 3691700 and 3968900 comply with applicable DOE energy efficiency standards. Fuzhou may resume distribution of these products.

The following table provides additional information:

Westinghouse Product Code	Lamp Description	Lamp Efficacy in Lumens After Retesting	Wattage	Fuzhou Report Number on 6/16 Notice of Noncompliance Determination
0521100	75PAR30/H/LN/F/FL	13.7	75	931041
0528400	90PAR38/H/FL/2	17.1	90	940036
0351700	90PAR38/H/F/FL/130	14.4	90	970087
0521300	45PAR38/H/F/FL	11.4	45	No Report
0352600	75PAR38/H/F/FL	14.0	75	950412
0548400	90PAR38/H/FL	17.1	90	940036
0548700	90PAR38/H/SP	17.1	90	940036

0548600	90PAR38/H/VWFL	17.1	90	940036
0521400	90PAR38/H/F/FL	15.1	90	970720
3691700	90PAR38/H/FL/130	16.5	90	940019
3698900	90PAR38/H/SP/130	16.5	90	940019

These represent 11 of the 12 product codes outlined in the June 16, 2010 Notice of Non-Compliance Determination. Fuzhou has not demonstrated that the remaining basic model (50PAR30_F), Westinghouse product code 0521000 and 6/16 Fuzhou report number 950246, is compliant; therefore, Fuzhou may not resume distribution of that basic model.

Scott Harris

Scott Blake Harris
General Counsel