

Guidance Concerning Enforcement of EISA 2007 Standards for Candelabra Base and Intermediate Base Lamps

Issued: July 1, 2011

The Energy Independence and Security Act of 2007 (EISA 2007) imposed energy conservation standards for candelabra and intermediate base lamps, and those provisions became effective with the statute.

Despite the language of the statute, DOE has been made aware that for the last several years there has been an understanding among interested stakeholders that the standards would not become effective until January 1, 2012. That understanding was solidified by DOE staff statements suggesting that energy conservation standards for candelabra and intermediate base lamps would not be enforced until then. DOE understands that manufacturers made production decisions in reliance on such understandings and representations and may not be prepared to certify compliance to the EISA 2007 standards until January 1, 2012.

Under the circumstances, DOE will refrain from enforcing the provisions of Section 321(a)(3)(A) of EISA 2007 that were codified at 42 U.S.C. 6295(i)(1)(C) until January 1, 2012. Thus, DOE in its prosecutorial discretion will not initiate cases for violations of 10 C.F.R. § 430.32(x)(2)-(3) or for failure to certify compliance with those standards as required by 10 C.F.R. §§ 429.12 and 429.40 between now and January 1, 2012.

DOE encourages manufacturers who are able to certify compliance to the EISA 2007 standards to do so by the July 5, 2011 deadline. Manufacturers should only certify compliance for lamps that meet the 10 C.F.R. § 430.32(x)(2)-(3) standards.

If you have any questions, please contact Laura Barhydt, Acting Assistant General Counsel for Enforcement via email at Laura.Barhydt@hq.doe.gov.