

Enforcement Policy Statement: Certain ceiling fans and certain ceiling fan light kits

Issued: December 15, 2015

Revised: March 15, 2016

In a final rule published on December 24, 2015, DOE explained it interprets the definition of ceiling fan to include “hugger fans” and fans capable of producing large volumes of airflow¹ (collectively, for the purposes of this policy, “subject fans”), which means that those fans are subject to the statutory standards for ceiling fans. 80 FR 80209, 80216. DOE also explained that it considers accent lighting in ceiling fan light kits to be subject to the statutory standards for ceiling fan light kits. 80 FR 80209, 80214.

Because DOE recognized that this interpretation was a change from its prior interpretation of the statutory definitions, DOE announced that it would not assess civil penalties for violations of the applicable standards if there would have been no violation under the prior interpretation for products manufactured prior to June 26, 2017. Violations related to products manufactured on or after June 26, 2017, will be subject to civil penalty. DOE, however, as always, will exercise its enforcement discretion regarding such violations, particularly taking into account a manufacturer's efforts to come into compliance during the 18-month period.

DOE provides the following, additional information about how DOE plans to implement this enforcement policy:

- DOE will not assert civil penalty authority for any violation related to the failure of a subject fan to comply with the statutory standards, provided the fan was manufactured (built in the U.S. or imported) before June 26, 2017.

¹ See final rule for more information about “fans capable of producing large volumes of airflow.”

- This includes failure to submit a certification report. DOE notes that manufacturers should not submit a certification report, certifying compliance with standards, if the product is not, in fact, compliant with the statutory standards.
- DOE will not assert civil penalty authority for any violation related to the failure of a ceiling fan light kit to meet the 190-watt limit, where such failure is due solely to the wattage of accent lighting, provided the ceiling fan light kit was manufactured (built in the U.S. or imported) before June 26, 2017. DOE will continue to enforce the 190-watt limit with respect to the total wattage of non-accent lighting.
 - This includes failure to submit a certification report. DOE notes that manufacturers should not submit a certification report, certifying compliance with standards, if the product is not, in fact, compliant with the statutory standards.
 - Ceiling fan light kits manufactured (built in the U.S. or imported) prior to June 26, 2017, that do not comply with the statutory standards when including the power provided for accent lighting should not be certified as compliant with standards.
- All other ceiling fans and ceiling fan light kits must be certified as compliant with the statutory standards prior to distribution in commerce and annually thereafter on or before March 1. With respect to such ceiling fans and ceiling fan light kits, DOE continues to enforce compliance with the statutory standards.

This policy does not create or remove any rights or duties and does not affect any other aspect of EPCA or DOE regulations.