NOTIFICATION

Addendum

The following communication, dated 14 November 2023, is being circulated at the request of the delegation of the United States of America.

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**Title:** Commercial and Industrial Fans and Blowers

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| **Reason for Addendum:** | |
| [ ] | Comment period changed - date: |
| [ ] | Notified measure adopted - date: |
| [ ] | Notified measure published - date: |
| [ ] | Notified measure enters into force - date: |
| [ ] | Text of final measure available from[[1]](#footnote-1): |
| [ ] | Notified measure withdrawn or revoked - date:  Relevant symbol if measure re-notified: |
| [ ] | Content or scope of notified measure changed and text available from1:  New deadline for comments (if applicable): |
| [ ] | Interpretive guidance issued and text available from1: |
| [X] | Other:  Regulatory Advisory; Important notices about the appliance efficiency requirements (as referenced in California Appliance Efficiency Regulations Title 20)  <https://www.energy.ca.gov/sites/default/files/2023-11/Regulatory_Advisory_for_Commercial_and_Industrial_Fans_and_Blowers_ada.pdf>  <https://members.wto.org/crnattachments/2023/TBT/USA/23_13432_00_e.pdf> |

**Description:** An update to federal regulation in [10 CFR 431](https://www.ecfr.gov/current/title-10/chapter-II/subchapter-D/part-431?toc=1) specifies an amended federal test procedure for fans and blowers, which became effective on 31 May 2023 (notified in [G/TBT/N/USA/1900/Add.1](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/g/tbtn22/usa1900a1.docx)). The federal Energy Policy and Conservation Act, as amended ("[EPCA](https://www.energy.gov/eere/buildings/determinations-and-coverage-rulemakings)"), requires that beginning on 30 October 2023, to the extent the amended test procedure is required for purposes other than the evaluation and issuance of newly established efficiency standards, any representations of energy efficiency and energy use, including those made on marketing materials and product labels, must be consistent with the amended federal test procedure. The U.S. Department of Energy (DOE) has since issued extensions to a large number of manufacturers of these products, extending the deadline for making representations consistent with the amended test procedure to 29 April 2024. For further details, refer to information posted by DOE's Office of Energy Efficiency & Renewable Energy (OEERE) on its Appliance and Equipment Standards Rulemakings and Notices webpage for Commercial and Industrial Fans and Blowers; section "Recent and Ongoing Activities", at <https://www1.eere.energy.gov/buildings/appliance_standards/standards.aspx?productid=51>.

Owing to this extension for the applicability of federal regulations, and to provide clarity to all stakeholders and address the gap between amendments to the federal test procedure and existing state regulations, including other changes deemed necessary for compliance by stakeholders, the California Energy Commission (CEC) is publishing this regulatory advisory to inform stakeholders of expected proposed changes in order to avoid confusing or potentially conflicting requirements for testing, certification, and marking requirements of commercial and industrial fans and blowers.

CEC Appliance Efficiency Program Bulletins are accessible at <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20/appliance-efficiency-program>.

See also information about Appliance Efficiency Regulations and Requirements, California Code of Regulations Title 20 <https://www.energy.ca.gov/rules-and-regulations/appliance-efficiency-regulations-title-20>.

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1. This information can be provided by including a website address, a pdf attachment, or other information on where the text of the final/modified measure and/or interpretive guidance can be obtained. [↑](#footnote-ref-1)