



November 8, 2023

To: Commercial Fan and Blower Manufacturers and Retailers

From: Peter Strait, Branch Manager
Appliances Branch, Efficiency Division
California Energy Commission
715 P Street
Sacramento, California 95814

Subject: Commercial Fans and Blowers, Temporary Changes to Certification Requirements and Related Actions

To all affected or interested parties:

An update to federal regulation in 10 CFR 431 specifies an amended federal test procedure for fans and blowers, which became effective on May 31, 2023. The federal Energy Policy and Conservation Act, as amended, requires that beginning on October 30, 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 April 29, 2024¹.

California adopted testing and certification requirements for commercial fan and blower equipment covered by this test procedure, with an effective date based upon the federal compliance date of October 30, 2023. This date was adopted prior to DOE's issuing of 180-day extensions to manufacturers of commercial fans and blowers.

Out of respect for DOE's determination that a 180-day extension is appropriate for manufacturers of these products, it is the intent of the California Energy Commission (CEC) to amend the compliance date through a rulemaking for California's commercial fan and blower requirements to align with the federal extension date of April 29, 2024 and make other necessary corrections identified

¹ https://www1.eere.energy.gov/buildings/appliance_standards/standards.aspx?productid=51

by affected manufacturers. Be advised there is a minimum 45-day public comment and review period for any rulemaking; therefore, any amendment to the compliance date can only be adopted after such time has passed.

Owing to this circumstance, 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 CEC is publishing this regulatory advisory to inform stakeholders of the 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.

Specifically, the CEC is announcing the following actions applicable to requirements listed in the California Code of Regulations for commercial and industrial fans and blowers.

The CEC intends to propose amendments to current regulations in CCR Title 20, Sections 1601-1608 affecting Commercial Fans and Blowers that will:

1. Remove the “characters no less than 1/4 inch in tabular form” requirement from section 1607(d)(16).
2. Change the compliance date from November 16, 2023, to April 29, 2024, listed in sections 1606 and 1607.
3. Update test procedure listed in Table D-3 of section 1604(d) for commercial and industrial fans and blowers to reflect the required federal test procedure listed in Title 10 of the Code of Federal Regulations section 431.174.
4. Update the exclusions listed under the definition for commercial and industrial fans and blowers listed in section 1602(d) to match the exclusions listed in the federal test procedure for fans and blowers, with embedded fans as part of the excluded equipment required to comply with the CEC’s requirements for commercial and industrial fans and blowers.
5. Update the method used to calculate the Fan Electrical Power (FEP_{act}) as required per Table 1 of Title 10 of the Code of Federal Regulations section 431.174 for the Modernized Appliance Efficiency Database System listed in section 1606 for commercial and industrial fans and blowers.

As a result of the federal extensions regarding product testing, some manufacturers are not expected to have completed applicable testing prior to April 29, 2024, and, therefore, are not expected to be able to certify the results of said testing to California prior to that date. Because of this temporary limitation on certification, retailers may not be able to confirm whether certain models or units are certified to comply with the CEC’s testing and marking requirements. Therefore, the CEC intends to update the compliance date to provide additional time to all manufacturers to comply with the testing and reporting requirements.

The CEC is working diligently to update applicable regulations, as described in items 1 through 5, and in doing so to conform to the federal updates through a Title 20 rulemaking which will be available for public review and comment through our [Appliances Efficiency Proceeding - Title 20](#) website.

Questions can be submitted to our call center via phone or email at:

Appliance Standards Call Center

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