

(2) such covered product when distributed in commerce, or any container in which it is enclosed when so distributed, bears a stamp or label stating that such covered product is intended for export.

(Pub. L. 94-163, title III, §330, Dec. 22, 1975, 89 Stat. 928.)

#### § 6301. Imports

Any covered product offered for importation in violation of section 6302 of this title shall be refused admission into the customs territory of the United States under rules issued by the Secretary of the Treasury, except that the Secretary of the Treasury may, by such rules, authorize the importation of such covered product upon such terms and conditions (including the furnishing of a bond) as may appear to him appropriate to ensure that such covered product will not violate section 6302 of this title, or will be exported or abandoned to the United States. The Secretary of the Treasury shall prescribe rules under this section not later than 180 days after December 22, 1975.

(Pub. L. 94-163, title III, §331, Dec. 22, 1975, 89 Stat. 928.)

#### § 6302. Prohibited acts

##### (a) In general

It shall be unlawful—

(1) for any manufacturer or private labeler to distribute in commerce any new covered product to which a rule under section 6294 of this title applies, unless such covered product is labeled in accordance with such rule;

(2) for any manufacturer, distributor, retailer, or private labeler to remove from any new covered product or render illegible any label required to be provided with such product under a rule under section 6294 of this title;

(3) for any manufacturer to fail to permit access to, or copying of, records required to be supplied under this part, or fail to make reports or provide other information required to be supplied under this part;

(4) for any person to fail to comply with an applicable requirement of section 6296(a), (b)(2), (b)(3), or (b)(5) of this title;

(5) for any manufacturer or private labeler to distribute in commerce any new covered product which is not in conformity with an applicable energy conservation standard established in or prescribed under this part, except to the extent that the new covered product is covered by a regional standard that is more stringent than the base national standard;

(6) for any manufacturer or private labeler to knowingly sell a product to a distributor, contractor, or dealer with knowledge that the entity routinely violates any regional standard applicable to the product;

(7) for any manufacturer, distributor, retailer, or private labeler to distribute in commerce an adapter that—

(A) is designed to allow an incandescent lamp that does not have a medium screw base to be installed into a fixture or lampholder with a medium screw base socket; and

(B) is capable of being operated at a voltage range at least partially within 110 and 130 volts; or

(8) for any person—

(A) to activate an activation lock for a grid-enabled water heater with knowledge that such water heater is not used as part of an electric thermal storage or demand response program;

(B) to distribute an activation key for a grid-enabled water heater with knowledge that such activation key will be used to activate a grid-enabled water heater that is not used as part of an electric thermal storage or demand response program;

(C) to otherwise enable a grid-enabled water heater to operate at its designed specification and capabilities with knowledge that such water heater is not used as part of an electric thermal storage or demand response program; or

(D) to knowingly remove or render illegible the label of a grid-enabled water heater described in section 6295(e)(6)(A)(ii)(V) of this title.

##### (b) “New covered product” defined

For purposes of this section, the term “new covered product” means a covered product the title of which has not passed to a purchaser who buys such product for purposes other than (1) reselling such product, or (2) leasing such product for a period in excess of one year.

(Pub. L. 94-163, title III, §332, Dec. 22, 1975, 89 Stat. 928; Pub. L. 100-12, §11(a)(3), (b)(5), Mar. 17, 1987, 101 Stat. 125; Pub. L. 110-140, title III, §§306(b), 321(e), Dec. 19, 2007, 121 Stat. 1559, 1586; Pub. L. 114-11, title II, §201(2), Apr. 30, 2015, 129 Stat. 188.)

#### Editorial Notes

##### AMENDMENTS

2015—Subsec. (a)(6) to (8). Pub. L. 114-11 redesignated par. (6) relating to prohibition of distribution in commerce of certain adapters as (7) and added par. (8).

2007—Subsec. (a)(4). Pub. L. 110-140, §321(e)(1), which directed the striking out of “or” after semicolon at end, could not be executed after amendment by Pub. L. 110-140, §306(b)(1). See below.

Pub. L. 110-140, §306(b)(1), struck out “or” after semicolon at end.

Subsec. (a)(5). Pub. L. 110-140, §321(e)(2), which directed substitution of “; or” for period at end, could not be executed after amendment by Pub. L. 110-140, §306(b)(2). See below.

Pub. L. 110-140, §306(b)(2), substituted “part, except to the extent that the new covered product is covered by a regional standard that is more stringent than the base national standard; or” for “part.”

Subsec. (a)(6). Pub. L. 110-140, §321(e)(3), added par. (6) relating to prohibition of distribution in commerce of certain adapters.

Pub. L. 110-140, §306(b)(3), added par. (6) relating to sale of a product to a distributor, contractor, or dealer with knowledge that the entity routinely violates a regional standard.

1987—Subsec. (a). Pub. L. 100-12, §11(b)(5)(A), inserted heading.

Subsec. (a)(5). Pub. L. 100-12, §11(a)(3), substituted “energy conservation standard established in or prescribed under” for “energy efficiency standard prescribed under”.

Subsec. (b). Pub. L. 100-12, §11(b)(5)(B), inserted heading.