



## WHAT DISTRIBUTORS AND RETAILERS NEED TO KNOW

### **The Final Rule Imposes the Same Obligations on Distributors and Retailers.**

Under both Subpart AAA (room heaters) and Subpart QQQQ (central heaters), the provisions governing what conduct is prohibited refer to “person” and “commercial owners.” Both of those terms encompass both distributors and retailers. In general, distributors and retailers are protected with respect to compliance requirements imposed in the first instance on manufacturers (*e.g.*, labeling requirements, owner’s manuals) if you sell the appliance with the labeling and other items provided to you by the manufacturer.

### **What Can I Sell and When Must I Stop?**

#### Room Heaters (Includes Woodstoves, Fireplace Inserts and Pellet Heaters)

- Currently Certified > 4.5 g/h weighted average
  - Retail sales must end before 12/31/15
  - Cannot sell anything manufactured after the effective date (~May 2015)
- Currently Exempt (Single Burn Rate Heaters and Exempt Pellet Heaters)
  - Retail sales must end before 12/31/15
  - Cannot sell anything manufactured after the effective date (~May 2015)
- Step 1 Certified (or “Deemed Certified”)
  - Retail Sales End ~May 2020 or when Step 2 becomes effective, whichever is earlier
  - Can only sell appliances manufactured on or after the effective date (~May 2015) if they meet new permanent label and owner’s manual requirements and are accompanied by a copy of the warranty
  - HPBA takes the position that it is permissible to sell “deemed certified” appliances that are already in your inventory as of the effective date (~May 2015) with original labels, owner’s manuals, and copies of warranties so long as they are not altered in any way

#### Hydronic Heaters (Includes Outdoor, Indoor, Cycling, Partial and Full Thermal Storage Models)

- Uncontrolled Models
  - Retail sales must end before 12/31/15 in states without Hydronic Heater Rules already in effect
  - Cannot sell anything manufactured after the effective date (~May 2015)
- Step 1 Certified (or “Deemed Certified”)
  - Retail sales must end ~May 2020 or when Step 2 becomes effective, whichever is earlier



- Can only sell appliances manufactured on or after the effective date (~2015) if they meet new permanent label and owner's manual requirements and are accompanied by a copy of the warranty and a wood moisture meter
- HPBA takes the position that it is permissible to sell "deemed certified" appliances that are already in your inventory as of the effective date (~May 2015) with original labels, owner's manuals, and copies of warranties so long as they are not altered in any way
- HPBA also takes the position that it is permissible to sell "deemed certified" appliances that are already in your inventory as of the effective date (~May 2015) without wood moisture meters

#### Warm Air Furnaces (Includes Indoor and Outdoor Models)

- Uncontrolled  $\leq 65,000$  Btu/h Output
  - Retail sales must end ~May 2016 but all uncontrolled models sold after ~May 2015 must include a Manual with Best Operating Practices and must include a wood moisture meter. This includes units already in distribution as of the effective date (~May 2015)
- Uncontrolled  $> 65,000$  Btu/h Output
  - Retail sales must end ~May 2017 but all uncontrolled models sold after ~May 2015 must include a Manual with Best Operating Practices and must include a wood moisture meter. This includes units already in distribution as of the effective date (~May 2015)
- Step 1 Certified (or "Deemed Certified")
  - Retail sales must end ~May 2020 or when Step 2 becomes effective, whichever is earlier
  - Can only sell appliances manufactured on or after the effective date (~May 2015) if they meet new permanent label and owner's manual requirements and are accompanied by a copy of the warranty and a wood moisture meter
  - HPBA takes the position that it is permissible to sell "deemed certified" appliances that are already in your inventory as of the effective date (~May 2015) with original labels, owner's manuals, and copies of warranties so long as they are not altered in any way
  - HPBA also takes the position that it is permissible to sell "deemed certified" appliances that are already in your inventory as of the effective date (~May 2015) without wood moisture meters