

PROPOSED ANNUAL DETERMINATION FOR MANUFACTURERS OF COVERED ELECTRONIC DEVICES

- **Market Share Determination (calendar year 2016 data), and**
- **Brand Determination**

Pursuant to §22a-638-1(f)&(g) of the Regulations of Connecticut State Agencies (“RCSA”), the Department of Energy and Environmental Protection (“DEEP”) hereby posts its proposed, annual determinations for the following:

- 1) Market Share Attributable to each Manufacturer for Computers, Printers, Monitors, and Televisions (collectively known as “Covered Electronic Devices” or “CEDs”). This market share determination is based upon available national market share data from the previous calendar year; and
- 2) Brand(s) Attributable to a Manufacturer for Computers, Monitors, and Printers based on information obtained by DEEP¹.

After manufacturers have an opportunity to rebut these determinations and the Commissioner posts his final determinations, the pro rata shares shall be used for a one year period, as the basis for calculation of the following:

- A. for all manufacturers, a manufacturer’s annual registration renewal fee paid to DEEP;
- B. for manufacturers of televisions, a manufacturer’s recycling fees, to be billed by DEEP-approved Covered Electronic Recyclers (“CER”); and
- C. for manufacturers of computers, monitors, and printers, a manufacturer’s recycling fees for orphan devices to be billed by CERs.

¹ See list titled “[Manufacturer’s Brands / Contacts List for CT DEEP’s Statewide E-Waste Recycling Program](#),” posted on DEEP’s website for brands that are already attributed to a manufacturer. This list is updated by DEEP as needed during the year. Important note for unregistered manufacturers: If a manufacturer / brand is identified on any of the preceding tables, and the manufacturer responsible for the brand(s) has not already registered its brand(s) with DEEP, the manufacturer shall register on a form prescribed by the Commissioner before selling the brand in Connecticut. See [Manufacturer’s Registration Form and Instructions](#) posted on DEEP’s website for more information. If a brand has not already been registered by a manufacturer in Connecticut, see the last table provided below for the Commissioner’s brand determination / assignment to unregistered manufacturers.

The national market share data underlying these determinations was provided under contract by the Northeast Recycling Council (“NERC”) in concert with the National Center for Electronics Recycling (“NCER”) and Electronics Recycling Coordination Clearinghouse (“ERCC”). The primary sources of this data include IDC Research, Inc., NPD Group and self-reports provided by electronic manufacturers that reported the data to ERCC.

Opportunity to Rebut Manufacturer Brand and Market Share Determination

In accordance with RCSA §22a-638-1(f)(2)&(g)(3)(B), the brand and market share determinations noted below and posted on DEEP’s website are presumed to be correct unless a manufacturer submits information rebutting these determinations. A manufacturer seeking to rebut a determination, for itself or for any other manufacturer, shall submit rebuttal information in writing within 30 days of this posting. Rebuttal information must include information such as the number of units sold, for the type of CED in question, based upon nationally available data, the number of units shipped, retail sales data, consumer surveys or other nationally available data, the source of any such information and all supporting documents.

Rebuttal information and questions regarding these determinations must be **received** no later than **Monday, May 1, 2017**. It is preferred to send the information to the attention of Mr. Mark Latham by email to mark.latham@ct.gov. Rebuttal information may also be sent via traditional mail to the attention of Mr. Mark Latham, Environmental Analyst 3, Waste Engineering and Enforcement Division, Department of Energy and Environmental Protection, 79 Elm Street, Hartford, Connecticut 06106. Following the receipt of any rebuttal information, the DEEP Commissioner shall make his final determination and shall notify each manufacturer of this determination.

The final brand and market share determinations will be posted on the [manufacturer’s section](#) of the DEEP’s web site on or around May 1st of each year, if possible. Note that the final market share determined by the Commissioner is used by CERs and DEEP to bill manufacturers (see next section).

Final Market Share for Billing for Recycling and Administrative Fees

Pro Rata Share Adjustments: For the purposes of billing for orphan devices or televisions, adjustments to the market share percentages are made to calculate the final pro rata market share in accordance with RCSA §22a-638-1(h)&(i). The adjustments add together and allocate any de minimis² market shares, to the manufacturers at

²For manufacturers of Computers, Monitors and Printers, a manufacturer is considered de minimis if it has less than 1.0% market share. For manufacturers of Televisions, a manufacturer is considered de minimis if it has less than 0.1% market share.

or above the de minimis thresholds in proportion to their proposed market share (see “Proposed Percentages” column in tables below). The final pro rata market share for orphan devices and televisions will be posted on the [recyclers section](#) of DEEP’s web site on or around May 1st of each year, if possible. All registered manufacturers and electronics manufacturer trade associations will receive an email notice from the commissioner.

Recycling fees: For manufacturers of computers, monitors and printers, the adjustments will affect the amounts such manufacturers owe to CERs for orphan devices collected in each category of device in a billing period. Such manufacturers below de minimis in the proposed market share determination do not pay a share of the recycling fees for orphan devices. Such manufacturers at or above de minimis pay the adjusted, slightly higher, pro rata share of the recycling fees to CERs for orphan devices, in accordance with the final market share determination. At a minimum, all manufacturers of computers, monitors and printers pay recycling fees to CERs for the weight of their brands collected.

For manufacturers of televisions, the adjustments will affect the recycling fees that manufacturers above the de minimis threshold owe to CERs for the total weight of televisions collected in a billing period. Television manufacturers below de minimis in the proposed market share determination, do not pay recycling fees. Television manufacturers at or above de minimis pay the adjusted, slightly higher, pro rata share of the recycling fees to CERs for televisions, in accordance with the final market share determination.

Administrative Fees: The amount of a manufacturer’s annual registration fee – which will be invoiced separately by DEEP - may not directly correlate with a manufacturer’s pro rata market share for any single category of CED. Each manufacturer is assessed annual registration renewal fees based on:

- the expected costs to the Department for administering the program for the upcoming year (“annual budget”);
- each manufacturer’s market share for all categories of CEDs that the manufacturer is responsible for a brand(s); and
- a minimum fee of \$250.

No manufacturer shall pay less than \$250 pursuant to RCSA §22a-630(d)-1(b). As a result, adjustments are made to account for manufacturers that have market share below the de minimis thresholds in at least one category of CEDs that are required to pay a minimum fee of \$250.

Proposed Market Share Determination for Printers

Manufacturer	Proposed Percentage	Proposed Pro rata*
Hewlett Packard Company	48.93%	49.24%
Canon USA, Inc.	22.82%	22.96%
Epson America, Inc.	19.90%	20.02%
Brother International Corporation	5.04%	5.07%
Funai Corporation, Inc.	1.39%	1.40%
Samsung Electronic America, Inc.	1.30%	1.31%
Dell Marketing LP	0.42%	
Lexmark International, Inc.	0.07%	
Konica Minolta Business Solution USA, Inc.	0.05%	
Kyocera Document Solution America, Inc.	0.05%	
Ricoh Americas Corporation	0.01%	
Oki Data Americas, Inc.	0.01%	
Toshiba America Information Systems, Inc.	0.00%	
Panasonic Corporation of North America	0.00%	
Xerox Corporation	0.00%	
Total	100%	100%

*For manufacturers of printers, a manufacturer is considered de minimis if it has less than 1.0% market share.

Proposed Market Share Determination for Computers

Manufacturer	Proposed Percentage	Proposed Pro rata*	*Continued from Left		
			Manufacturer	Proposed Percentage	Proposed Pro rata*
Apple Inc.	22.514%	24.656%			
Amazon Fulfillment Service, Inc.	16.068%	17.597%	Barnes & Noble	0.222%	
Hewlett Packard Company	12.624%	13.825%	Google, Inc.	0.180%	
Dell Marketing LP	9.065%	9.928%	Huawei Device USA Inc.	0.105%	
Samsung Electronic America, Inc.	8.414%	9.215%	Alldaymall	0.087%	
Lenovo (United States) Inc.	5.805%	6.358%	Razer	0.070%	
Venturer Electronics Inc.	4.514%	4.943%	Craig Electronics inc.	0.052%	
Others	3.366%	0.000%	Inspire Technology	0.049%	
ASUS Computer International	2.975%	3.258%	Shaghal Ltd	0.048%	
LG Electronics USA, Inc.	2.431%	2.663%	Hisense USA Corporation	0.019%	
Acer America Corporation	2.337%	2.560%	TabletExpress	0.015%	
Cellco Partnership	1.845%	2.021%	LF Products Pte	0.015%	
Microsoft Corporation	1.663%	1.821%	Sony Electronics Inc.	0.007%	
TCT Mobile (US) Inc.	1.056%	1.157%	Double Power Tech. Inc.	0.006%	
Toshiba America Information Systems, Inc.	0.930%		Curtis International Ltd.	0.005%	
Yifang	0.907%		Fujitsu America, Inc.	0.003%	
Mattel, Inc.	0.741%		DPI, Inc.	0.003%	
TMAX	0.564%		Vizio Inc.	0.0004%	
ZTE (USA) Inc.	0.518%		Voxx International	0.0001%	
PLR IP Holdings, LLC	0.497%		Viewsonic Corporation	0.000002%	
MSI Computer Corporation	0.282%		Total	100%	100%

*For manufacturers of computers, a manufacturer is considered de minimis if it has less than 1.0% market share.

*All Computer manufacturers which comprise the "Others" category have market share below the 1.0% de minimis threshold.

Proposed Market Share Determination for Monitors

Manufacturer	Proposed Percentage	Proposed Pro rata*
Vizio, Inc.	18.6323%	19.68%
Hewlett Packard Company	15.6273%	16.51%
Dell Marketing LP	13.9579%	14.74%
Samsung Electronic America, Inc.	12.0079%	12.68%
ASUS Computer International	9.7384%	10.29%
LG Electronics USA, Inc.	8.3491%	8.82%
Acer America Corporation	7.4715%	7.89%
Envision Peripherals, Inc.	4.2074%	4.44%
Others	4.1753%	0.00%
Viewsonic Corporation	3.4232%	3.62%
BenQ America Corporation	1.2596%	1.33%
Lenovo (United States), Inc.	0.6423%	
Apple Inc.	0.2451%	
Ingram Micro	0.1305%	
Hannstar Display Corporation	0.1073%	
Planar Systems, Inc.	0.0158%	
AG Neovo Technology Corporation	0.0069%	
MSI	0.0024%	
Total	100%	100%

*For manufacturers of monitors, a manufacturer is considered de minimis if it has less than 1.0% market share.

*All monitor manufacturers which comprise the "Others" category have market share below the de minimis threshold.

Proposed Market Share Determination for Televisions

Manufacturer	Proposed Percentage	Proposed Pro rata*	Continued from Left		
			Manufacturer	Proposed Percentage	Proposed Adjusted*
Samsung Electronic America, Inc.	29.19%	30.520%			
Vizio, Inc.	16.98%	17.757%	Motorola Mobility, LLC	0.01%	
LG Electronics USA, Inc.	9.83%	10.276%	Averatec	0.01%	
TongFang Global Inc.	7.27%	7.605%	OSRAM SYLVANIA, Inc.	0.01%	
Funai Corporation, Inc.	7.11%	7.435%	SILO Digital Corporation	0.004%	
Best Buy Co. Inc.	6.94%	7.255%	Naxa Electronics, Inc.	0.004%	
Sony Electronics, Inc.	5.31%	5.554%	CHANGHONG TRADING CORP USA	0.003%	
Hisense USA Corporation	5.15%	5.388%	SunBrite TV, LLC	0.003%	
Others	4.08%	0.000%	Lenovo (United States), Inc.	0.001%	
TTE Technology, Inc.	3.08%	3.225%	Star Light Electronics Co., Ltd.	0.001%	
On Corp USA Inc. / Technicolor	1.13%	1.180%	Smart Technologies	0.0004%	
Sceptre, Inc.	0.77%	0.805%	Sound Around Inc.	0.0002%	
Curtis International Ltd.	0.69%	0.721%	Seura, Inc.	0.00005%	
Haier America Trading, LLC	0.51%	0.529%	RJ Technology, Inc.	0.00004%	
Hitachi America, Ltd.	0.50%	0.524%	Michley Electronics Inc.	0.00003%	
PLR IP Holdings, LLC	0.37%	0.390%	Voxx International Corp.	0.00003%	
Innovative DTV Solutions	0.37%	0.388%	E&S Intl. Enterprises Inc.	0.00001%	
Panasonic Corporation of North America	0.25%	0.266%	QFX, Inc.	0.00001%	
JVCKENWOOD USA Corp.	0.18%	0.183%	Atico International USA, Inc.	0.00001%	
DPI, Inc	0.06%		Venturer Electronics, Inc.	0.00001%	
China Electronics Corporation	0.05%		Craig Electronics Inc.	0.00001%	
EliteLux Technologies	0.03%		Viewsonic Corporation	0.000002%	
Supersonic Corp.	0.03%		Hannstar Display Corporation	0.000002%	
UpStarUSA Group	0.03%		Russell Distribution Company, LLC	0.000002%	
Epson America, Inc.	0.01%		Azend Group	0.000002%	
AXESS Products Corp.	0.01%		Syntex-Barillain	0.000002%	
Total				100%	100%

*For manufacturers of televisions, a manufacturer is considered de minimis if it has less than 0.1% market share.

*All television brands which comprise the "Others" category have market share below de minimis threshold.

Brand Determination/ Assignment to Unregistered Manufacturers

Taken from the calendar year 2016 market share data, DEEP proposes to assign the following brands to a manufacturer as listed below. Manufacturers that are responsible for a brand(s) must register with DEEP prior to selling the brand in Connecticut under [Connecticut law](#).

If you are responsible for one of the brands listed below under the law, you may need to register the brand(s) on a form prescribed by the Commissioner. See [Manufacturer's Registration Form and Instructions](#) posted on DEEP's website for manufacturer registration information.

For more information on a manufacturer's responsibility to register CEDs in Connecticut, see [RCSA section 22a-638-1\(o\)](#). Also, see [Manufacturer's Brands / Contacts List for DEEP's Statewide E-Waste Recycling Program](#) for brand(s) that were previously determined to be attributable to a manufacturer.

Brand	<u>Computer</u> Manufacturer
Alldaymall	Alldaymall
DragonTouch/KingPad	TabletExpress

Brand	<u>Television</u> Manufacturer
Avera Digital	China Electronics Corporation
Averatec	Averatec
Axess	AXESS PRODUCTS CORP
Tivax	Michley Electronics, Inc.
Naxa	Naxa Electronics, Inc.
QFX, Inc.	QFX, Inc.
iVIEW	RJ Technology, Inc.
Smart	Smart Technologies
Pyle	Sound Around Inc.