



## **PROPOSED ANNUAL DETERMINATION FOR MANUFACTURERS OF COVERED ELECTRONIC DEVICES**

- **Market Share Determination (calendar year 2020 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 DEEP<sup>1</sup>.

After manufacturers have an opportunity to rebut these determinations and the DEEP Commissioner posts her 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.

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<sup>1</sup> 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 last table for the Commissioner’s assignment of brands to unregistered manufacturers. See [Manufacturer’s Registration Form and Instructions](#) for more registration information posted on the DEEP’s web site.

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 electronics manufacturers that reported the data to ERCC and/or the DEEP.

### **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** by DEEP no later than **June 8, 2021**. All rebuttal information must be sent to Ms. Lena Tan by email to [Lena.Tan@ct.gov](mailto:Lena.Tan@ct.gov). Following the receipt of any rebuttal information, the DEEP Commissioner shall make her final determination and shall notify each manufacturer of this determination.

The final brand and market share determinations will be posted on the “[Manufacturer Information](#)” page of the DEEP’s web site on or before **July 1, 2021**. Note that the final market share determined by the DEEP Commissioner is used by CERs and the 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 minimis<sup>2</sup> market shares, to the manufacturers at 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 also be posted on

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<sup>2</sup>For 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.

the “[Recycler Information](#)” page of the DEEP’s web site on or before **July 1<sup>st</sup>** each year . Registered manufacturers and electronics manufacturer trade associations receive an email notice from the DEEP.

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 the de minimis threshold 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, 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 the de minimis threshold 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 renewal fee – which will be invoiced separately by the 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 DEEP 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 a fee less than \$250 pursuant to RCSA §22a-630(d)-1(b). Thus, downward adjustments, or reductions, to the fees are made to account for manufacturers that are required to pay a minimum fee of \$250.

## Proposed Market Share Determination for Printers

| <b>Manufacturer</b>                         | <b>Proposed Percentage</b> | <b>Proposed Pro rata*</b> |
|---|----------------------------|---------------------------|
| Hewlett Packard Company                     | 57.5220%                   | 57.76%                    |
| Canon USA, Inc.                             | 17.4709%                   | 17.54%                    |
| Epson America, Inc.                         | 17.1347%                   | 17.21%                    |
| Brother International Corporation           | 7.4576%                    | 7.49%                     |
| Lexmark International, Inc.                 | 0.2731%                    | *                         |
| Xerox Corporation                           | 0.0416%                    | *                         |
| Sharp Electronics Corp.                     | 0.0366%                    | *                         |
| Ricoh Americas Corporation                  | 0.0254%                    | *                         |
| Toshiba America Information Systems, Inc.   | 0.0169%                    | *                         |
| Oki Data Americas, Inc.                     | 0.0109%                    | *                         |
| Kyocera Document Solution America, Inc.     | 0.0092%                    | *                         |
| Konica Minolta Business Solutions USA, Inc. | 0.0009%                    | *                         |
| Panasonic Corporation of North America      | 0.0003%                    | *                         |
|   |                            |                           |
| <b>Total</b>                                | <b>100%</b>                | <b>100%</b>               |

\*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* | Manufacturer                 | Proposed Percentage | Proposed Pro rata* |
| Apple Inc.                       | 28.1915%            | 31.804%            | Razer Inc.                   | 0.1194%             | *                  |
| Amazon.com Service, Inc.         | 15.1192%            | 17.057%            | Google, Inc.                 | 0.1102%             | *                  |
| Hewlett Packard Company          | 12.5266%            | 14.132%            | Craig Electronics Inc.       | 0.1057%             | *                  |
| Samsung Electronic America, Inc. | 8.2246%             | 9.279%             | Kidz Delight Ltd             | 0.0950%             | *                  |
| Others <sup>1</sup>              | 8.1446%             | 0%                 | RJ Technology                | 0.0395%             | *                  |
| Lenovo (United States) Inc.      | 7.3983%             | 8.346%             | Rakuten Kobo Inc.            | 0.0374%             | *                  |
| Dell Marketing LP                | 3.9045%             | 4.405%             | Huawei Device USA Inc.       | 0.0155%             | *                  |
| Walmart Inc.                     | 3.6924%             | 4.165%             | Aava Mobile US, LLC          | 0.0143%             | *                  |
| ASUS Computer International      | 2.8325%             | 3.195%             | DPI, Inc.                    | 0.0094%             | *                  |
| TCT Mobile (US) Inc.             | 2.4043%             | 2.712%             | ZTE (USA) Inc.               | 0.0051%             | *                  |
| Acer America Corporation         | 2.3447%             | 2.645%             | Premio, Inc.                 | 0.0037%             | *                  |
| Microsoft Corporation            | 2.0030%             | 2.260%             | Wacom Technology Corporation | 0.0018%             | *                  |
| Venturer Electronics, Inc.       | 0.9648%             | *                  | Fujitsu America, Inc.        | 0.0011%             | *                  |
| MSI Computer Corp.               | 0.7535%             | *                  | Motorola Mobility, LLC.      | 0.0003%             | *                  |
| Facebook Technologies, LLC.      | 0.4321%             | *                  | Curtis International Ltd.    | 0.0001%             | *                  |
| LG Electronics USA, Inc.         | 0.3710%             | *                  | <b>Total</b>                 | <b>100%</b>         | <b>100%</b>        |
| SHAGHAL LTD                      | 0.1340%             | *                  |                              |                     |                    |

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

<sup>1</sup>All Computer manufacturers which comprise the "Others" category have market share below the 1.0% de minimis threshold. The market share associated with the "Others" category is assigned to all manufacturers above the de minimis threshold on a pro rata share basis.

## Proposed Market Share Determination for Monitors

| <b>Manufacturer</b>               | <b>Proposed Percentage</b> | <b>Proposed Pro rata*</b> |
|-----------------------------------|----------------------------|---------------------------|
| Hewlett Packard Company           | 16.6215%                   | 18.40%                    |
| Samsung Electronics America, Inc. | 12.4000%                   | 13.73%                    |
| LG Electronics USA, Inc.          | 12.1690%                   | 13.47%                    |
| Dell Marketing LP                 | 11.9463%                   | 13.23%                    |
| ASUS Computer International       | 10.9345%                   | 12.11%                    |
| Acer America Corporation          | 9.1912%                    | 10.18%                    |
| Others                            | 8.5106%                    | 0%                        |
| Envision Peripherals, Inc.        | 3.8863%                    | 4.30%                     |
| Walmart, Inc.                     | 3.1855%                    | 3.53%                     |
| Viewsonic Corp.                   | 2.7228%                    | 3.01%                     |
| BenQ America Corporation          | 2.6033%                    | 2.88%                     |
| MSI Computer Corp.                | 2.4737%                    | 2.74%                     |
| Lenovo (United States), Inc.      | 2.1836%                    | 2.42%                     |
| Wacom Technology Corporation      | 0.7888%                    | *                         |
| Planar Systems, Inc.              | 0.1390%                    | *                         |
| Apple, Inc.                       | 0.1361%                    | *                         |
| Ingram Micro Private Label        | 0.0463%                    | *                         |
| Element TV Company, LP            | 0.0266%                    | *                         |
| Razer Inc.                        | 0.0253%                    | *                         |
| AG Neovo Technology Corp.         | 0.0080%                    | *                         |
| EIZO Corporation                  | 0.0009%                    | *                         |
| Fujitsu America, Inc.             | 0.0003%                    | *                         |
| Curtis International Ltd.         | 0.0003%                    | *                         |
| Premio, Inc.                      | 0.0001%                    | *                         |
| <b>Total</b>                      | <b>100%</b>                | <b>100%</b>               |

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

## Proposed Market Share Determination for Televisions

| Manufacturer                            | Proposed Percentage | Proposed Pro rata* | *Continued from Left                                   |                     |                    |
|---|---------------------|--------------------|--|---------------------|--------------------|
| Manufacturer                            | Proposed Percentage | Proposed Pro rata* | Manufacturer   | Proposed Percentage | Proposed Pro rata* |
| Samsung Electronic America, Inc.        | 23.6786%            | 23.743%            | Manufacturer   |                     |                    |
| Walmart Inc.                            | 14.7667%            | 14.807%            | DPI, Inc.  | 0.0237%             | *                  |
| TTE Technology, Inc                     | 13.6547%            | 13.692%            | Pyle Audio/Sound Around                                | 0.0234%             | *                  |
| Vizio, Inc.                             | 12.7553%            | 12.790%            | Supersonic, Inc.                                       | 0.0182%             | *                  |
| LG Electronics USA, Inc.                | 9.7519%             | 9.779%             | Naxa Electronics, Inc.                                 | 0.0056%             | *                  |
| Hisense USA Corporation                 | 8.1373%             | 8.160%             | Axess Products Corp.                                   | 0.0037%             | *                  |
| Best Buy                                | 6.5791%             | 6.597%             | Peerless Industries, Inc.                              | 0.0035%             | *                  |
| Funai Corporation, Inc. (P&F USA, Inc.) | 3.0113%             | 3.019%             | China America Electronics Inc.                         | 0.0023%             | *                  |
| Sony Electronics, Inc.                  | 2.4697%             | 2.476%             | Furrion Ltd  | 0.0022%             | *                  |
| Sceptre, Inc.                           | 1.5515%             | 1.556%             | Seura, Inc.  | 0.0019%             | *                  |
| TongFang Global Inc.                    | 1.0730%             | 1.076%             | Motorola Mobility LLC.                                 | 0.0015%             | *                  |
| Element TV Company, LP                  | 0.9465%             | 0.949%             | Infocus Corp.  | 0.0013%             | *                  |
| Curtis International Ltd.               | 0.5860%             | 0.588%             | Haier America Trading, LLC                             | 0.0013%             | *                  |
| JVCKENWOOD USA Corp.                    | 0.5817%             | 0.583%             | ATYME Corporation, Inc.                                | 0.0012%             | *                  |
| Hitachi America, Ltd.                   | 0.1844%             | 0.185%             | Craig Electronics Inc.                                 | 0.0005%             | *                  |
| Seiki Corporation                       | 0.0530%             | *                  | ASA Electronics  | 0.0003%             | *                  |
| Skyworth USA Corp.                      | 0.0382%             | *                  | RJ Technology, Inc./Chengzhi Corp. DBA Wiltronic Corp. | 0.0001%             | *                  |
| PLR IP Holding, LLC                     | 0.0342%             | *                  | Venturer Electronics, Inc.                             | 0.0001%             | *                  |
| SunBriteTV, LLC                         | 0.0292%             | *                  | TMAX Digital Inc.                                      | 0.00001%            | *                  |
| Elitelux Technolgies (former Sansui)    | 0.0271%             | *                  | <b>Total</b>   | <b>100%</b>         | <b>100%</b>        |

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

## Brand Determination/ Assignment to Unregistered Manufacturers

Taken from the calendar year 2020 market share data, DEEP proposes to assign the following brands to a manufacturer as listed below. None of the brands or manufacturers listed below are currently registered with the DEEP.

Following the receipt of any rebuttal information, the DEEP Commissioner shall make her final determination and shall notify each manufacturer of this determination. Brands and manufacturers will be added to [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.

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, Connecticut law requires you to register the brand(s) on a form prescribed by the Commissioner. See [Manufacturer's Registration Form and Instructions](#) posted on DEEP's web site for manufacturer registration information.

For more information on a manufacturer's responsibility to register CEDs in Connecticut, see [RCSA section 22a-638-1\(o\)](#).

| <b>Brand</b> | <b><u>Computer</u> Manufacturer</b> |
|--------------|-------------------------------------|
| Aava         | Aava Mobile US, LLC                 |
| iView        | RJ Technology, Inc.                 |

| <b>Brand</b>     | <b><u>Television</u> Manufacturer</b> |
|------------------|---------------------------------------|
| Avera Digital    | China America Electronics Corporation |
| Axess            | AXESS PRODUCTS CORP                   |
| Furrion          | Furrion Ltd.                          |
| Infocus Software | Infocus Corp.                         |
| iView            | RJ Technology, Inc.                   |
| Jenson           | ASA Electronics                       |
| Naxa             | Naxa Electronics, Inc.                |
| Pyle             | Sound Around Inc.                     |
| Supersonic       | Supersonic Inc.                       |