



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

- **Market Share Determination (calendar year 2022 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 the last table below 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 14, 2023**. 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, 2023**. 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>Percentage</b>	<b>Final Pro Rata*</b>
Hewlett Packard Company	59.96645%	60.50%
Epson America, Inc.	17.62345%	17.78%
Canon USA, Inc.	16.65574%	16.80%
Brother International Corporation	4.87990%	4.92%
Pantum USA	0.68481%	*
Xerox Corporation	0.11085%	*
Lexmark International, Inc.	0.06774%	*
Kyocera Document Solution America, Inc.	0.00482%	*
Ricoh Americas Corporation	0.00353%	*
Sharp Electronics Corp.	0.00238%	*
Toshiba America Information Systems, Inc.	0.00033%	*
<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	Percentage	Final Pro Rata*	*Continued from Left		
Manufacturer	Percentage	Final Pro Rata*	Manufacturer	Percentage	Final Pro Rata*
Apple Inc.	36.37650%	39.196%			
Amazon.com Service, Inc.	17.26071%	18.599%	SHAGHAL LTD	0.15458%	*
Hewlett Packard Company	7.78692%	8.391%	Craig Electronics Inc.	0.06633%	*
Samsung Electronic America, Inc.	7.17838%	7.735%	Google, Inc.	0.06138%	*
Lenovo (United States) Inc.	5.36651%	5.782%	Razer Inc.	0.04948%	*
Others*	5.77870%	0%	Kidz Delight Ltd	0.03862%	*
Dell Marketing LP	4.59770%	4.954%	RJ Technology	0.02566%	*
TCT Mobile (US) Inc.	3.99707%	4.307%	Aava Mobile US, LLC	0.01094%	*
ASUS Computer International	3.37765%	3.639%	Nokia Solutions & Networks US LLC	0.00625%	*
Walmart Inc.	2.98964%	3.221%	DPI, Inc.	0.00322%	*
Acer America Corporation	2.22190%	2.394%	Wacom Technology Corporation.	0.00131%	*
Microsoft Corporation	1.65343%	1.782%	Fujitsu America, Inc.	0.00047%	*
MSI Computer Corp.	0.65181%	*			
LG Electronics USA, Inc.	0.34485%	*	<b>Total</b>	<b>100%</b>	<b>100%</b>

\*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. 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>Percentage</b>	<b>Final Pro Rata*</b>
Samsung Electronics America, Inc.	18.69528%	20.7963%
LG Electronics USA, Inc.	14.58615%	16.2254%
ASUS Computer International	12.69434%	14.1210%
Dell Marketing LP	10.41324%	11.5835%
Acer America Corporation	10.28531%	11.4412%
Hewlett Packard Company	10.26389%	11.4174%
Others*	7.76300%	0%
Walmart, Inc.*	3.18550%	3.5435%
Envision Peripherals, Inc.	3.12705%	3.4785%
MSI Computer Corp.	2.75607%	3.0658%
Viewsonic Corp.	2.42390%	2.6963%
BenQ America Corporation	1.46630%	1.6311%
Lenovo (United States), Inc.	0.76860%	*
Wacom Technology Corporation	0.62487%	*
Element TV Company, LP	0.38695%	*
Apple, Inc.	0.36271%	*
Planar Systems, Inc.	0.14427%	*
Ingram Micro Private Label	0.02464%	*
Razer Inc.	0.01241%	*
AG Neovo Technology Corp.	0.01220%	*
Funai Corporation, Inc.	0.00191%	*
EIZO Inc.	0.00134%	*
Liyama Corporation, Ltd	0.00009%	*
<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.

\* All Monitor 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.

\* Data were not available for sales of Walmart brands during 2022. This data gap is under administrative review. To fill this data gap in the monitors category, DEEP repeated the market share value from the sales of Walmart monitors during the previous year (2021), or 3.1855%. Repeating the 2021 market share value is reasonable as the sales of Walmart monitors have been stable according to the best available information and previous sales data (i.e. 2.9% in 2019 and 3.1% in 2020).

## Proposed Market Share Determination for Televisions

Manufacturer	Percentage	Final Pro Rata*	*Continued from Left		
Manufacturer	Percentage	Final Pro Rata*	Manufacturer	Percentage	Final Pro Rata*
Samsung Electronics America, Inc.	24.0795%	24.253%			
TTE Technology, Inc	13.8437%	13.943%	Supersonic, Inc.	0.0098%	*
LG Electronics USA, Inc.	12.9734%	13.067%	SunBriteTV, LLC	0.0088%	*
Vizio, Inc.	12.2609%	12.349%	beFree Sound	0.0060%	*
Hisense USA Corporation	11.3149%	11.396%	Peerless AV	0.0059%	*
Walmart Inc.*	8.2738%	8.333%	Trexonic	0.0053%	*
Best Buy	7.6932%	7.748%	BOLVA TV	0.0048%	*
Sony Electronics, Inc.	3.4560%	3.481%	Konka North America, LLC	0.0020%	*
Funai Corporation, Inc. (P&F USA, Inc.)	3.2380%	3.261%	Naxa Electronics, Inc	0.0014%	*
Element TV Company, LP	1.0249%	1.032%	ASA Electronics (Jensen)	0.0014%	*
Westinghouse Electronics USA	0.7562%	0.762%	PLR IP Holding, LLC	0.0013%	*
Others*	0.4355%	0%	Sound Around Inc. (Pyle)	0.0012%	*
JVCKENWOOD USA Corp.	0.1963%	0.198%	Seura, Inc.	0.0002%	*
Sceptre, Inc.	0.1757%	0.177%	ATYME Corporation	0.0001%	*
Elitelux Technologies (former Sansui)	0.0956%	*	Seiki Corporation	0.00004%	*
Curtis International Ltd.	0.0777%	*	Imation Corp.	0.00003%	*
Skyworth USA Corp.	0.0277%	*	China America Electronics Inc. (Avera Digital)	0.00003%	*
Furrion Inc.	0.0173%	*	Infocus Corp. (Infocus)	0.00002%	*
DPI Inc.	0.0113%	*	<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.

\* All Television manufacturers which comprise the "Others" category have market share below the 1.0% de minimis threshold. The market share associate with the "Others" category is assigned to all manufacturers above the de minimis threshold on a pro rata share basis.

\* Data were not available for sales of Walmart brands during 2021 & 2022. This data gap is under administrative review. To fill this data gap for the televisions category, DEEP assumed that Walmart sales during 2022 are reflected in the Others category. This assumption is reasonable as there was no Others category in the previous 4 years before 2021 for the market share data of the televisions category. For an Others category to be present the same year that Walmart's data are unavailable, signals that the Walmart sales are a major part of the Others category. DEEP chose to use 95% of the value from the Others category, acknowledging that there could be other, small sales volume brands in the Others category.

# Brand Determination - Assignment to Unregistered Manufacturers

Taken from the calendar year 2022 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 obligation to register CEDs, see [RCSA section 22a-638-1\(o\)](#).

<b>Brand</b>	<b>Printer Manufacturer</b>
Pantum	Pantum USA

<b>Brand</b>	<b>Monitor Manufacturer</b>
Liyama	Liyama Corporation Ltd.

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

<b>Brand</b>	<b>Television Manufacturer</b>
Avera Digital	China America Electronics Corporation
beFree Sound	BeFree Sound
Bolva	Bolva TV
Furrion	Lippert Components, Inc.
Infocus Software	Infocus Corp.
Jenson	ASA Electronics
Naxa	Naxa Electronics, Inc.
Pyle	Sound Around Inc.
Trexonic	Trexonic
Supersonic	Supersonic Inc.