

**DOCKETED**

<b>Docket Number:</b>	20-AAER-02
<b>Project Title:</b>	Air Filters
<b>TN #:</b>	247346
<b>Document Title:</b>	Morgan McCarthy Comments - Clarify effective date for Section 1607 for Manufacturer by and the Retailer sell through
<b>Description:</b>	N/A
<b>Filer:</b>	System
<b>Organization:</b>	Morgan McCarthy
<b>Submitter Role:</b>	Other Interested Person
<b>Submission Date:</b>	11/9/2022 12:27:51 PM
<b>Docketed Date:</b>	11/9/2022

*Comment Received From: Morgan McCarthy*  
*Submitted On: 11/9/2022*  
*Docket Number: 20-AAER-02*

## **Clarify effective date for Section 1607 for Manufacturer by and the Retailer sell through**

Final sale of inventory both for the manufacturer and at the retailer may not be complete within the 6 months. Current products do not carry a manufacture date.

As written in Section 1607:

The effective date of the marking requirements was changed to July 1, 2024. The change was necessary to give manufacturers sufficient time to make production and supply changes necessary to support product marking, and specifically in recognition of the negative impacts that the COVID-19 pandemic has had on supply chains. In addition, the new effective date will prevent the unnecessary disposal of 6-months of inventory which is the average maintained by retail stores as explained in the comment received.

From TN# 2400765 Section 1606 theTable indicates: All filters manufactured and or after July 12024 must meet the new requirements.

This fails to address filters that may already be in retail stores, distributors or in transit and that may not have a high turnover. Additionally, as it currently reads, manufacturers could essentially manufacturer without the marking updates until 06/30/2024.

Clarification of the effective dates for manufacturers and retailers is requested. There may be significant buy-back cost to manufacturers for products manufacturer prior to July 1st 2024 and that are pending final sales to the consumer.