

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

March 6, 2014

Mr. Joe Pepe
General Manager
Kennett Square Specialties
546 Creek Road
Kennett Square, PA 19348

**RE: Radio frequency interference
EB-FIELDNER-14-00014206**

Dear Mr. Pepe:

The Federal Communications Commission has received a complaint of harmful radio interference apparently caused by fluorescent light ballasts being operated at Kennett Square Specialties. This interference has been reported by licensed operators in the Amateur Radio Service. The complainants are:

(Name withheld)
(Name withheld)
(Address withheld)
Kennett Square, PA 19348
Tel: (Number withheld))

The Commission has the responsibility to require that such problems be rectified within a reasonable time if the interference is caused by such equipment. Electronic fluorescent light ballasts are typically classified as "RF lighting devices" under Part 18 of the FCC rules. These rules pertain to Industrial, Scientific and Medical (ISM) devices. They also require that ballasts (or their associated documentation) include a warning about interference. To help you better understand your responsibilities under these rules, here are the most important rules relating to radio and television interference from Part 18 RF lighting devices, including electronic fluorescent light ballasts. Other types of lighting can operate under Part 15 of the FCC rules but have similar requirements not to cause harmful interference:

§18.111 General operating conditions.

(b) Subject to the exceptions in paragraphs (c) and (d) of this section and irrespective of whether the equipment otherwise complies with the rules in this part, the operator of ISM equipment that causes harmful interference to any authorized radio service shall promptly take whatever steps may be necessary to eliminate the interference.

§18.115 Elimination and investigation of harmful interference.

(a) The operator of ISM equipment that causes harmful interference to radio services shall promptly take appropriate measures to correct the problem.

(c) When notified by the EIC that a particular installation is causing harmful interference, the operator or manufacturer shall arrange for an engineer skilled in techniques of interference measurement and control to make an investigation to ensure that the harmful interference has been eliminated. The EIC may require the engineer making the investigation to furnish proof of his or her qualifications.

§18.213 Information to the user.

Information on the following matters shall be provided to the user in the instruction manual or on the packaging if an instruction manual is not provided for any type of ISM equipment:

(a) The interference potential of the device or system

(b) Maintenance of the system

(c) Simple measures that can be taken by the user to correct interference.

(d) Manufacturers of RF lighting devices must provide an advisory statement, either on the product packaging or with other user documentation, similar to the following: This product may cause interference to radio equipment and should not be installed near maritime safety communications equipment or other critical navigation or communication equipment operating between 0.45-30 MHz. Variations of this language are permitted provided all the points of the statement are addressed and may be presented in any legible font or text style.

Please be advised that these devices must not cause harmful interference under FCC rules. If and when interference does occur, the burden falls on the device operator to correct it, and if necessary, cease operation of the device, whenever such interference occurs. Some types of common LED lighting may also operate under Part 15 of the Commission's rules. In either case, however, the rules with regard to interference are the same.

Please also be advised that some of these devices are imported and do not comply with Commission certification standards, and thereby result in interference to other radio services. You may have one of those devices. If the device is approved under Part 18, it should include the advisory statement described above in §18.213 (d). A Part 15 device should also have a silver FCC label on the unit showing a certification number. **Even an approved device, however, can only be operated legally if it is *not* causing harmful interference to a licensed radio service. The device can also be defective resulting in a shock or fire hazard.**

The complainant has attempted unsuccessfully to resolve this problem and as a result the matter has been referred to our office. The Commission prefers that those responsible for the proper operation of equipment assume their responsibilities fairly. This means that you should resolve the interference caused by the device and make necessary corrections within a reasonable time.

While the Commission has confidence that most people are able to resolve these issues voluntarily, the Commission wants to make you aware that this unresolved problem may be a violation of FCC rules and could result in a monetary forfeiture (fine) for each occurrence. At this stage, the Commission encourages the parties to resolve this problem without Commission intervention; but if necessary to facilitate resolution, the Commission may investigate possible rules violations and address appropriate remedies.

Please advise this office and Mr. D'Ottavio as to what steps you are taking to correct this reported interference problem. The Commission expects that most cases can be resolved within 30 days of the time they are first reported. Please direct your response to the following address: 1270 Fairfield Road, Gettysburg, PA 17325.

Sincerely,

Laura L. Smith, Esq.
Special Counsel
Enforcement Bureau

cc: Philadelphia Field Office
Northeast Regional Director