

**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	File No.: EB-06-LA-306
DuVac Electronics	)	
	)	Citation No.: C20073290010
Pasadena, California	)	

**CITATION**

Released: January 23, 2007

By the District Director, Los Angeles District Office, Western Region, Enforcement Bureau:

1. This is an Official Citation issued pursuant to Section 503(b)(5) of the Communications Act of 1934, as amended (“Act”),<sup>1</sup> to DuVac Electronics for violation of Section 302(b) of the Act,<sup>2</sup> and Section 2.803(a)(1) of the Commission’s Rules (“Rules”)<sup>3</sup> for marketing unauthorized radio frequency devices in the United States.

2. Investigation by the Enforcement Bureau’s Los Angeles Office revealed that on November 6, 2006, DuVac Electronics marketed unauthorized radio devices, specifically wireless cameras Model 2YD802CH and COP2400BTJ, and associated receivers, which have not been certificated for sale or use in the United States.

3. Section 302(b) of the Act provides that “[n]o person shall manufacture, import, sell, offer for sale, or ship devices or home electronic equipment and systems, or use devices, which fail to comply with regulations promulgated pursuant to this section.”<sup>4</sup> Section 2.803(a)(1) of the Commission’s implementing regulations provides that “no person shall sell or lease, or offer for sale or lease (including advertising for sale or lease), or import, ship, or distribute for the purpose of selling or leasing or offering for sale or lease, any radio frequency device unless ... [i]n the case of a device subject to certification, such device has been authorized by the Commission in accordance with the rules in this chapter and is properly identified and labeled. . . .”<sup>5</sup> DuVac Electronics’ marketing of these devices violates both sections.

4. Violations of the Act or the Commission’s Rules may subject the violator to substantial monetary forfeitures,<sup>6</sup> seizure of equipment through *in rem* forfeiture action, and

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<sup>1</sup> 47 U.S.C. § 503(b)(5).

<sup>2</sup> 47 U.S.C. § 302a(b).

<sup>3</sup> 47 C.F.R. § 2.803(a)(1).

<sup>4</sup> 47 U.S.C. § 302a(b).

<sup>5</sup> 47 C.F.R. § 2.803(a)(1).

<sup>6</sup> 47 C.F.R. § 1.80(b)(3).

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criminal sanctions, including imprisonment.<sup>7</sup>

5. DuVac Electronics may request an interview at the closest FCC Office, which is Federal Communications Commission, Los Angeles District Office, 18000 Studebaker Rd., Suite 660, Cerritos, CA 90703. You may contact this office by telephone, XXX XXX-XXXX, to schedule this interview, which must take place within 14 days of this Citation. DuVac Electronics may also submit a written statement to the above address within 14 days of the date of this Citation. Any written statements should specify what actions have been taken to correct the violations outlined above. Please reference file number EB-06-LA-306 when corresponding with the Commission.

6. Any statement or information provided by you may be used by the Commission to determine if further enforcement action is required.<sup>8</sup> Any knowingly or willfully false statement made in reply to this Citation is punishable by fine or imprisonment.<sup>9</sup>

7. **IT IS ORDERED** that copies of this Citation shall be sent by First Class U.S. Mail and Certified Mail, Return Receipt Requested to DuVac Electronics at its address of record.

**FEDERAL COMMUNICATIONS COMMISSION**

Catherine Deaton  
District Director  
Los Angeles District Office  
Western Region  
Enforcement Bureau

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<sup>7</sup> 47 U.S.C. §§ 401, 501, 503, 510.

<sup>8</sup> See Privacy Act of 1974, 5 U.S.C. § 552a(e)(3).

<sup>9</sup> See 18 U.S.C. § 1001 *et seq.*