

# Rane Corporation Consents to Four-Year Decree with FCC for Violations of Equipment Labeling and User Disclosure Requirements

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A recent Consent Decree ending a seventeen-month investigation into the adherence of Rane Corporation to the FCC's equipment marketing rules provides a good window into the sort of compliance plan and reporting requirements the Commission will impose on manufacturers and importers that fail to ensure that equipment is properly tested, authorized, and labeled prior to import, offering for sale, and other marketing. On December 23, 2013, the FCC's Enforcement Bureau ("Bureau") issued an [Order adopting a Consent Decree](#) the Bureau reached with Rane, a manufacturer of professional audio gear, including mixers, processors, amplifiers, and preamplifiers. Beginning in July 2012, the Bureau began investigating Rane's adherence to the equipment marketing rules applicable to digital devices and other types of equipment that emit potentially interfering radiofrequency energy, whether unintentionally or intentionally.

The Order does not give the reasons for the Bureau launching an investigation into Rane's marketing and manufacture of its digital devices, i.e., whether there was an interference event, whether it was tipped off that there was a potential marketing violation, or whether the Bureau was conducting a random investigation. But it is plain that the Bureau focused on the adherence of Rane's product labels and customer disclosures in its manuals with the FCC's equipment authorization rules. It is likely the Bureau also examined whether the devices had been properly tested before marketing commenced (pursuant to the Commission's certification, verification, or declaration of conformity procedures, as applicable to each device) and found to comply with the applicable technical limits. The Consent Decree explains that, during the investigation, Rane discovered that some of its devices were apparently not labeled in a complaint manner (if at all) and that some user manuals did not include the requisite disclosures.

In the Consent Decree, Rane agreed to a voluntary contribution of \$61,000 to the U.S. Treasury. But, without information about the number of apparent violations discovered or the numbers of models and units affected, it is impossible to comment meaningfully about the scale of this dollar amount.

Of perhaps more interest, because comprehensive details are provided, is the Compliance Plan in the Consent Decree. In the long run, Rane's adherence to the Compliance Plan may possibly prove more burdensome than the voluntary contribution. The Compliance Plan details are discussed in detail in [our full Advisory on the Order and Consent Decree](#). In brief, without being exhaustive, Rane agreed to (1) designate a responsible and duly-qualified senior corporate manager to serve as Compliance

Officer ; (2) establish operating procedures that employees with duties related to Rane's responsibilities under the FCC rules must follow to help ensure compliance, for example, with the equipment authorization, labeling, and use disclosure rules; (3) develop, distribute, and keep current a compliance manual covering the FCC's marketing rules and Rane's related operating procedures; (4) train employees with duties related to Rane's responsibilities under the FCC marketing rules on adherence to the marketing rules and how to report non-compliance; and (5) prepare and file detailed periodic compliance reports and one-off reports when a non-compliance event occurs.

Of particular note is the fact that the Compliance Plan will remain in effect for four years, which is longer than the compliance plans that have been included in most recent FCC consent decrees and forfeiture orders. It is not clear whether this signals a general trend or one that may be applicable to equipment manufacturers in particular.