Federal Communications Commission
Washington, D.C. 20554

September 29, 2023

VIA ELECTRONIC MAIL

Theodora Scarato
[redacted]

RE: FOIA Control Nos. 2023-000281 and 2023-000325

Dear Ms. Scarato,

This letter responds to your Freedom of Information Act (FOIA) requests, FOIA Control No. 2023-000281 and FOIA Control No. 2023-00325. Your request FOIA Control No. 2023-000281 seeks "any and all SAR tests or documentation of SAR tests for any cellphones, including but not limited to the BLU phones, that the FCC tested to determine regulatory compliance for SAR. Please send all SAR Reports, as well as all documentation of the SAR test findings. Please also send the emails and attachments between FCC staff related to the findings of the SAR tests for cell phones. Any SAR tests done by the FCC related to cell phones on the US market January 2017 through April 2020."[1] Your request FOIA 2023-000325 seeks "all SAR tests, the full reports, the measurements, any images and name of staff person doing tests and date done by [the Office of Engineering and Technology (OET)] (not the manufacturer) on cell phones in the year 2019."[2]

As a general matter, you can find SAR testing records in the Equipment Authorization Database on our webpage at https://apps.fcc.gov/oetcf/eas/reports/GenericSearch.cfm. If you can identify the FCC ID numbers for the equipment you describe, you can look up the details of the grant. Enter the first three characters of the FCC ID Number as the grantee code and the rest including hyphens as the product code. You can also search by the manufacturer. Enter the manufacturer's name in the Applicant Name field to populate the results.

Specific to your FOIA requests, OET and the Enforcement Bureau (EB) conducted a search and found 18 records responsive to your request. Many of these records relate to an article published by the *Chicago Tribune* on August 21, 2019, claiming several popular cell phones exceed the FCC's guidelines for RF exposure. The *Chicago Tribune*, through an independent accredited lab, RF Exposure Lab, LLC, had tested devices manufactured by Apple, BLU Products, Motorola, and Samsung to arrive at the conclusion in the article. Because we take seriously any claims of non-compliance with RF exposure standards, the FCC tested the same device models at our Lab. The FCC's tests confirm that all tested sample devices comply with the FCC's strict RF exposure guidelines.

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[1] FOIA Control No. 2023-000281 (submitted January 30, 2023).

[2] FOIA Control No. 2023-000325 (submitted February 8, 2023).

We did not have access to the actual phones tested by the test lab used by the *Chicago Tribune*. The FCC Lab, therefore, obtained the same makes and models of these phones (where available), both from suppliers and on the open market. We tested the devices manufactured by Apple, BLU Products, Motorola, and Samsung at a 5mm separation distance, consistent with our published guidance.[3] These tests were conducted consistent with the FCC Lab normal practices and the RF exposure compliance report for each phone that is publicly available in the application for certification in the Equipment Authorization System. These devices all complied with the FCC limits for RF exposure, limits that have a significant safety margin. With this letter, we release the test results.

Separately, and only for purposes of comparison with the *Chicago Tribune* results, the FCC Lab tested the devices with a separation distance at which the *Chicago Tribune* tested its devices, i.e., at 2 mm separation distance. We observed that at a 2 mm separation distance, the FCC RF exposure limits were exceeded, and found that the *Chicago Tribune* results at the 2 mm separation distance were even higher than what we observed. With this letter, we release our 2 mm separation distance test results with the caveat that the 2 mm separation distance test results are inconsistent with FCC practice,[4] and are misleading because they reflect extreme conditions. Notwithstanding the foregoing, given that the RF exposure limit includes a significant safety margin, none of the results suggest there is any RF safety issue with the devices tested.

We also stress that cell phones operate under the control of the wireless networks to which they are connected. We believe that the *Chicago Tribune* tests did not use the appropriate wireless network control codes to set the phone in the proper modes for operation for the U.S. This may have disabled the various sensors or caused the network simulator to not control the phone's transmitters properly for operation in the U.S.

With that explanation, in response to your FOIA requests, out of the 18 documents located, we are releasing 11 records in full with no redactions. We are withholding the remaining seven records in full under FOIA Exemption 5. Exemption 5 protects certain inter-agency and intra-agency records that are normally considered privileged in the civil discovery context.[5] Exemption 5 encompasses a deliberative process privilege intended to "prevent injury to the quality of agency decisions."[6] To fall within the scope of this privilege the agency records must be both pre-decisional and deliberative.[7] Pre-decisional records must have been "prepared in order to assist an agency decision maker in arriving at his decision."[8]

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[3] KDB 447498 D01 General RF Exposure Guidance v06 specifies the 5 mm minimum test separation distance. https://apps.fcc.gov/kdb/GetAttachment.html?id=f8IQgJxTTL5y0oRi0cpAuA%3D%3D&desc=447498%20D01%20General%20RF%20Exposure%20Guidance%20v06&tracking_number=20676 at 11 ("Devices that are designed to operate on the body of users … without requiring additional body-worn accessories must be tested for SAR compliance using a conservative minimum *test separation distance* ≤ 5 mm to support compliance" (emphasis in original); *see also* KDB 648474 D04 Handset SAR v01r03, at 3, https://apps.fcc.gov/kdb/GetAttachment.html?id=zCDu9bDcV8fcsumpj%2Bef3w%3D%3D&desc=648474%20D04%20Handset%20SAR%20v01r03&tracking_number=33853 (citing KDB 447498 D01 General RF Exposure Guidance v06).

[4] *See*, *e.g.*, KDB 447498 D01 General RF Exposure Guidance v06, *supra* note 3.

[5] 5 U.S.C. § 552(b)(5).

[6] *NLRB v. Sears Roebuck & Co.*, 421 U.S. 132, 151 (1975).

[7] *Id.* at 151-52.

[8] *Formaldehyde Inst. v. Dep't of Health and Human Servs.*, 889 F.2d 1118, 1122 (D.C. Cir. 1989); *see also Coastal States Gas Corp. v. Dep't of Energy*, 617 F.2d 854, 866 (D.C. Cir. 1980) ("In deciding whether a document should

Deliberative records must be such that their disclosure "would expose an agency's decision-making process in such a way as to discourage candid discussion within the agency and thereby undermine the agency's ability to perform its functions."[9]

The records withheld under Exemption 5, constituting internal documents and emails, contain pre-decisional internal deliberations among Commission staff. These records include staff summaries, pre-decisional discussion of the merits of information provided by third parties, preliminary thoughts of agency staff regarding policy, and general discussion of internal staff questions and viewpoints. Particularly, the withheld records implicate sensitive matters that require particular candor in the advice given to decision makers, which would be discouraged by the public release of the advice. We have determined that it is reasonably foreseeable that disclosure would harm the Commission's deliberative processes, which Exemption 5 is intended to protect. Release of this information would chill deliberations within the Commission and impede the candid exchange of ideas.

We are required by both the FOIA and the Commission's own rules to charge requesters certain fees associated with the costs of searching for, reviewing, and duplicating the sought-after information.[10] To calculate the appropriate fee, requesters are classified as: (1) commercial use requesters; (2) educational requesters, non-commercial scientific organizations, or representatives of the news media; or (3) all other requesters.[11]

Pursuant to section 0.466(a)(5)-(7) of the Commission's rules, you have been classified as category (2), "educational requesters, non-commercial scientific organizations, or representatives of the news media."[12] As an "educational requester, non-commercial scientific organization, or representative of the news media," the Commission assesses charges to recover the cost of reproducing the records requested, excluding the cost of reproducing the first 100 pages. The production in response to your request did not involve more than 100 pages of duplication and is being provided in electronic form. Therefore, you will not be charged any fees.

If you consider this to be a denial of your FOIA request, you may seek review by filing an application for review with the Office of General Counsel. An application for review must be *received* by the Commission within 90 calendar days of the date of this letter.[13] You may file an application for review by mailing the application to Federal Communications Commission, Office of General Counsel, 45 L Street NE, Washington, DC 20554, or you may file your application for review electronically by e-mailing it to FOIA-Appeal@fcc.gov. Please caption the envelope (or subject line, if via e-mail) and the application itself as "Review of Freedom of Information Action."

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be protected by the privilege we look to whether the document is . . . generated before the adoption of an agency policy and whether . . . it reflects the give-and-take of the consultative process. The exemption thus covers recommendations, draft documents, proposals, suggestions, and other subjective documents . . . .").

[9] *Formaldehyde Inst.*, 889 F.2d at 1122 (quoting *Dudman Commc'ns Corp. v. Dep't of the Air Force*, 815 F.2d 1565, 1568 (D.C. Cir. 1987)).

[10] *See* 5 U.S.C. § 552(a)(4)(A); 47 CFR § 0.470.

[11] 47 CFR § 0.470.

[12] 47 CFR § 0.466(a)(5)-(7).

[13] 47 CFR §§ 0.461(j), 1.7 (documents are considered filed with the Commission upon their receipt at the location designated by the Commission).

If you would like to discuss this response before filing an application for review to attempt to resolve your dispute without going through the appeals process, you may contact the Commission's FOIA Public Liaison for assistance at:

FOIA Public Liaison
Federal Communications Commission
Office of the Managing Director
Performance Evaluation and Records Management
45 L Street NE, Washington, DC 20554
202-418-0440
FOIA-Public-Liaison@fcc.gov

If you are unable to resolve your FOIA dispute through the Commission's FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal agencies. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road–OGIS
College Park, MD 20740-6001
202-741-5770
877-684-6448
ogis@nara.gov
https://www.archives.gov/ogis

Sincerely,

Ronald T. Repasi
Chief
Office of Engineering & Technology

Attachments

cc: FOIA Office, EB

DDM Brands LLC
2323 NW, 82ND Ave. Doral, Florida, U.S.A
Tel: +13059611144 Fax: +13059611144

February 16, 2017

To: FEDERAL COMMUNICATIONS COMMISIONS

Subject: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

ATTESTATION LETTER

DDM BRANDS LLC, who are responsible for the manufacturing of the Yezz brand, announce, that as a precaution, it is recalling the 4G Smartphone Andy 5.5M LTE VR with the FCCID: A4JANDY55MVR, due to concerns regarding the SAR values of LTE Band 7 (2600 MHz) that may pose a safety risk. As corrective action, DDM BRANDS LLC will shield/disable the LTE Band 7 by software from the ability to connect to any network operating on this specific band. If this is not an option to the customer, DDM BRANDS LLC will offer another model as a replacement unit.

DDM BRANDS LLC, states there are no units in production, nor are there any units left in inventory to sell. In regards to the 2,300 units that have been sold, DDM BRANDS LLC will contact customers via email and phone to inform them of the recall and to apply corrective actions to the non-compliant units. In the event that a customer cannot be reached, the recall and corrective action information has also been made available on the Yezz website:

http://sayyezz.com/support/exchange-repair-extension-programs/programs/en

Sincerely,

Signature

Randy Williams
Manager

FCC Spreadsheet of Cell Phone Radiation SAR Tests

Performed at 2mm from the Body Phantom

Screensave from FCC spreadsheet released under FOIA to Theodora Scarato Environmental Health Trust on September 29, 2023 FCC FOIA Control Nos. 2023-000281 and 2023-000325

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*NOTE: THE FOLLOWING RESULTS ARE FROM SAR TESTS AT A SEPARATION DISTANCE NOT IN ACCORDANCE WITH FCC GUIDANCE

FCC ID	Manufacturer	Description	Sample Type	SAR Configuration	FCC Lab Measured SAR Value (W/kg)	Serial Number
BCG-E3091A	Apple	iPhone 7 Portable Handset	Provided by Manufacturer	WCDMA Band 4, RMC, 12.2 kbps, Ch 1513, Body, Bottom, 2 mm	1.440	C6K6HD69HG7N
BCG-E3161A	Apple	iPhone X Portable Handset	Provided by Manufacturer	WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Bottom, 2 mm	1.350	C39VF007JH2Q
				GPRS 1900, GMSK, 2 Tx Slots, Ch 512, Body, Bottom, 2 mm	0.727	
BCG-E3218A	Apple	iPhone XS Portable Handset	Purchased by FCC	GPRS 1900, GMSK, 2 Tx Slots, Ch 661, Body, Back, 2 mm	2.340	GONZ50M7KPFR
				GPRS 1900, GMSK, 2 Tx Slots, Ch 661, Body, Bottom, 2 mm	1.990	
A3LSMG960U	Samsung	Galaxy S9 Portable Handset	Provided by Manufacturer	CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 2 mm, Connect then Postion	4.520	R38K609SMYL
				CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 2 mm, Position then Connect	4.380	
A3LSMG960U	Samsung	Galaxy S9 Portable Handset	Purchased by FCC	CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 2 mm, Connect then Postion	No Data Yet	R3M706TT9A
				CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 2 mm, Position then Connect	No Data Yet	
A3LSMJ337A	Samsung	Galaxy J3 Portable Handset	Provided by Manufacturer	WCDMA Band 4, RMC, 12.2 kbps, Ch 1312, Body, Back, 2 mm, Connect then Position	5.200	RF8KA1J3X6E
				WCDMA Band 4, RMC, 12.2 kbps, Ch 1312, Body, Back, 2 mm, Position then Connect	5.140	
IHDT56XC4	Motorola	Moto e5 play Portable Handset	Provided by Manufacturer	WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Back, 2 mm, Connect then Position	1.390	359524090350295
				WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Back, 2 mm, Position then Connect	1.360	
IHDT56XB1	Motorola	Moto g6 Play Portable Handset	Provided by Manufacturer	WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 2 mm, Connect then Position	1.980	351864090034178
				WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 2 mm, Position then Connect	1.980	
IHDT56XB1	Motorola	Moto g6 Play Portable Handset	Purchased by FCC	WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 2 mm, Connect then Position	1.080	3518643090300620
				WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 2 mm, Position then Connect	1.090	
YHLBLUVIVO5MN	BLU	Vivo 5 Mini Portable Handset	Provided by Manufacturer	GPRS 850, GMSK, 4 Tx Slots, Ch 128, Body, Back, 2 mm	2.200	1080021018057240
YHLBLUVIVO5MN	BLU	Vivo 5 Mini Portable Handset	Purchased by FCC	GPRS 850, GMSK, 4 Tx Slots, Ch 128, Body, Back, 2 mm	2.750	1080021018069900

FCC SAR Tests of Selected Cell Phones at Manufacturer Stated Test Distance to Body

Distance Ranges from 5mm to 15 mm

Screensave from Internal Documents Released Under FOIA by FCC: FOIA Control Nos. 2023-000281 and 2023-000325

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FCC ID	Manufacturer	Description	Serial Number	IMEI	Sample Type	SAR Configuration	FCC Lab Measured SAR Value (W/kg)
BCG-E3091A	Apple	iPhone 7 Portable Handset	C6K6HD69HG7N		Provided by Manufacturer	WCDMA Band 4, RMC, 12.2 kbps, Ch 1513, Body, Bottom, 5 mm	0.946
BCG-E3161A	Apple	iPhone X Portable Handset	C39VF007JH2Q		Provided by Manufacturer	WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Bottom, 5 mm	0.799
						GPRS 1900, GMSK, 2 Tx Slots, Ch 512, Body, Bottom, 5 mm	0.446
BCG-E3218A	Apple	iPhone XS Portable Handset	GONZ50M7KPFR		Purchased by FCC	GPRS 1900, GMSK, 2 Tx Slots, Ch 661, Body, Back, 5 mm	0.689
						GPRS 1900, GMSK, 2 Tx Slots, Ch 661, Body, Bottom, 5 mm	1.350
A3LSMG960U	Samsung	Galaxy S9 Portable Handset	R38K609SMYL		Provided by Manufacturer	CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 15 mm, Connect then Position	0.478
						CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 15 mm, Position then Connect	0.538
A3LSMG960U	Samsung	Galaxy S9 Portable Handset	R3M706TT9A		Purchased by FCC	CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 15 mm, Connect then Position	No Data Yet
						CDMA BC1, RC3, TDSO 32, Ch 600, Body, Back, 15 mm, Position then Connect	No Data Yet
A3LSMJ337A	Samsung	Galaxy J3 Portable Handset	RF8KA1J3X6E		Provided by Manufacturer	WCDMA Band 4, RMC, 12.2 kbps, Ch 1312, Body, Back, 10 mm, Connect then Position	1.220
						WCDMA Band 4, RMC, 12.2 kbps, Ch 1312, Body, Back, 10 mm, Position then Connect	1.230
IHDT56XC4	Motorola	Moto e5 play Portable Handset	359524090350295		Provided by Manufacturer	WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Back, 5 mm, Connect then Position	0.938
						WCDMA Band 2, RMC, 12.2 kbps, Ch 9262, Body, Back, 5 mm, Position then Connect	1.020
IHDT56XB1	Motorola	Moto g6 Play Portable Handset	351864090034178		Provided by Manufacturer	WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 5 mm, Connect then Position	1.250
						WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 5 mm, Position then Connect	1.210
IHDT56XB1	Motorola	Moto g6 Play Portable Handset	3518643090300620		Purchased by FCC	WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 5 mm, Connect then Position	0.753
						WCDMA Band 5, RMC, 12.2 kbps, Ch 4132, Body, Front, 5 mm, Position then Connect	0.624
YHLBLUVIVO5MN	BLU	Vivo 5 Mini Portable Handset	1080021018057240		Provided by Manufacturer	GPRS 850, GMSK, 4 Tx Slots, Ch 128, Body, Back, 10 mm	0.668
YHLBLUVIVO5MN	BLU	Vivo 5 Mini Portable Handset	1080021018069900		Purchased by FCC	GPRS 850, GMSK, 4 Tx Slots, Ch 128, Body, Back, 10 mm	0.702

For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Tuesday, January 24, 2017 9:32 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

Let us know how many samples you need to perform the re-test, we have the samples ready to ship today, can you help confirm if we can use the shipping address below;

Bay Area Compliance Laboratories
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA

Best regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Monday, January 23, 2017 10:45 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Renato,

I need to report to the FCC by Jan 28 regarding the actions taken by your company. Please update me on how soon we can have the sample in United State for re-testing with the corrective actions taken by your company to fix the issue. As I mentioned in my email below Launching this product in the market is

Kaveh Moraghebi

From: Kaveh Moraghebi <kaveh@baclcorp.com>
Sent: Wednesday, December 28, 2016 7:44 PM
To: 'jzreik@ddmbrands.com'
Cc: 'Daniel Deng'; simon.ma@baclcorp.com; 'Well Wang'
Subject: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Jose Zreik ,

Unfortunately I need to inform you that your product with FCCID: A4JANDY55MVR failed the SAR testing Post Market Surveillance Testing (PMST) and at this moment is considered non-compliant to the FCC part 2.1093 regulation. The SAR PMST testing was initially performed to configuration: LTE Band 7 Low channel (2510 MHz) Back Side 10 mm to the phantom and the result was 2.27 W/kg averaged over 1 gram body tissue. After discovering the failure, testing was repeated and the result measured as 2.46 W/kg. Also the SAR testing was performed on the middle channel (2535 MHz) and the high channel (2560 MHz) with the measured results of 2.64 W/kg and 2.83 W/kg.

Launching this product in the market is against FCC regulation and may cause the FCC to take serious actions which may include the dismissal of your grant and penalize your company. We need an statement from your company that you stop selling and marketing this devise in any market with FCC ID or advertised as approved by FCC .

As per FCC regulation, we are required to inform FCC that your sample is failing PMST. Within 30-days of this notification(12/28/2016), please provide the report of the actions taken or that will be taken to correct this situation. Your report will be submitted to FCC as per their requirement. Per FCC KDB 6100077 D01 v06r01, we as your TCB are required to continue to work with you until this issue is resolved or until it is determined that is it not resolvable.

We look forward to your response about how to resolve this issue. Please let me know if you have any questions.

Best regards,

==========

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
www.baclcorp.com
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA
Tel:(408)732-9162 Ext 3043
Fax:(408)732-9164

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For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

Kaveh Moraghebi

From: Renato Tavares <renato@ddmbrands.com>
Sent: Monday, February 06, 2017 7:51 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Kaveh

Regarding the model Andy 5.5.M LTE VR with the FCCID: A4JANDY55MVR, there are no units in production nor are there any units left in inventory to sell.

We will do our best to contact costumers to inform them and apply corrective actions to the non-compliant units. If this is not an option to the costumer, we will offer another model as a replacement unit. Additionally, service centers will be instructed to shield the LTE band 7 by software on all units that arrive to the service center.

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Thursday, February 2, 2017 6:25 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>; 'Daniel Deng' <danield@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Renato,

Attached is a template for a corrective action plan (you will need to provide to BACL TCB so we can submit to the FCC).

Please note that using this template is not mandatory and DDM is free to choose any format for corrective action. We offer this template to just facilitate this process and minimize the potential complications.

Thank you and best regards,

==========

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
www.baclcorp.com
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA
Tel:(408)732-9162 Ext 3043
Fax:(408)732-9164
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If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.
For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Thursday, February 02, 2017 2:32 PM
To: 'Renato Tavares'
Cc: 'Randy Williams'; 'Jose Luis Zreik'; 'Luis Sosa'; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Renato,

We tested one of the samples that you provided to us and unfortunately we need to inform you that the product failed again. Attached please find the test report containing the original, and the market surveillance data.

Per FCC regulation for this type of issue, this result was reported to the FCC directly, and they responded with the following: “Please inform them that if they do not provide, in a few days, a corrective action and confirm that they have stopped selling non-compliant units, Enforcement action by the FCC will need to be taken. They need respond as soon as possible.”

Please:

1. Provide us with a corrective action plan that you are taking to fix the issue
2. Provide us a written statement that you have stopped selling non-compliant units

We need this information within 5 business days (February 9, 2017). If you have any questions, please do not hesitate to contact us.

Thank you and best regards,

==========

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
www.baclcorp.com
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA
Tel:(408)732-9162 Ext 3043
Fax:(408)732-9164
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If you are not the intended recipient, please contact the sender immediately and permanently delete the original and any copies of this email and any attachments thereto.
For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Wednesday, January 25, 2017 6:50 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

We have sent two samples this is the USPS Tracking number 9405503699300476089393, it should arrive this Friday 27th .

https://tools.usps.com/go/TrackConfirmAction?tLabels=9405503699300476089393

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Tuesday, January 24, 2017 1:07 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hi Renato,

We need one but send two in case anything happens during shipping. And yes this is the correct address.

Attention Kaveh Moraghebi
Bay Area Compliance Laboratories
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA

Best Regards
==========
Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
www.baclcorp.com
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA
Tel:(408)732-9162 Ext 3043
Fax:(408)732-9164
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For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Tuesday, January 24, 2017 9:32 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

Let us know how many samples you need to perform the re-test, we have the samples ready to ship today, can you help confirm if we can use the shipping address below;

Bay Area Compliance Laboratories
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA

Best regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Monday, January 23, 2017 10:45 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Renato,

I need to report to the FCC by Jan 28 regarding the actions taken by your company. Please update me on how soon we can have the sample in United State for re-testing with the corrective actions taken by your company to fix the issue. As I mentioned in my email below Launching this product in the market is

against FCC regulation and may cause the FCC to take serious actions which may include the dismissal of your grant and penalize your company. **We need an statement from your company that you stop selling and marketing this devise in any market with FCC ID or advertised as approved by FCC .** Please let us know if you stop selling this product in the market.

Thank you and best regards,

==========

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From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Monday, January 09, 2017 12:53 PM
To: kaveh@baclcorp.com
Cc: Randy Williams; Jose Luis Zreik; Luis Sosa
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

We have received this email and address the issue with your team in Shenzhen.

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Randy Williams
Sent: Monday, January 9, 2017 3:49 PM
To: Luis Sosa <luis@ddmbrands.com>; Jose Luis Zreik <jlzreik@akkarg.com>
Cc: Renato Tavares <renato@ddmbrands.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

+Renato

From: Luis Sosa
Sent: Monday, January 9, 2017 2:38 PM
To: Randy Williams <randy@ddmbrands.com>; Jose Luis Zreik <jlzreik@akkarg.com>
Subject: FW: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

FYI. Not sure where this came from.

From: Kaveh Moraghebi <kaveh@baclcorp.com>
Date: Monday, January 9, 2017 at 1:04 PM
To: Luis Sosa <luis@ddmbrands.com>
Cc: 'Paul Chan' <paul.chan@baclcorp.com>
Subject: FW: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hi Luis,

I sent this email to Jose but have not heard back. Can you please confirm the receipt of email below and get back to me? I tried to call you this morning but the line was not accepting my call.

Please call me at the number below if you have any question.

408-732-9162x 3043

Best regards

==========
Kaveh Moraghebi
Quality Assurance Manager

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From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Wednesday, December 28, 2016 7:44 PM
To: 'jzreik@ddmbrands.com'
Cc: 'Daniel Deng'; simon.ma@baclcorp.com; 'Well Wang'
Subject: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Jose Zreik ,

Unfortunately I need to inform you that your product with FCCID: A4JANDY55MVR failed the SAR testing Post Market Surveillance Testing (PMST) and at this moment is considered non-compliant to the FCC part 2.1093 regulation. The SAR PMST testing was initially performed to configuration: LTE Band 7 Low channel (2510 MHz) Back Side 10 mm to the phantom and the result was 2.27 W/kg averaged over 1 gram body tissue. After discovering the failure, testing was repeated and the result measured as 2.46 W/kg. Also the SAR testing was performed on the middle channel (2535 MHz) and the high channel (2560 MHz) with the measured results of 2.64 W/kg and 2.83 W/kg.

Launching this product in the market is against FCC regulation and may cause the FCC to take serious actions which may include the dismissal of your grant and penalize your company. We need an statement from your company that you stop selling and marketing this devise in any market with FCC ID or advertised as approved by FCC .

As per FCC regulation, we are required to inform FCC that your sample is failing PMST. Within 30-days of this notification(12/28/2016), please provide the report of the actions taken or that will be taken to correct this situation. Your report will be submitted to FCC as per their requirement. Per FCC KDB 6100077 D01 v06r01, we as your TCB are required to continue to work with you until this issue is resolved or until it is determined that is it not resolvable.

We look forward to your response about how to resolve this issue. Please let me know if you have any questions.

Best regards,

==========

Kaveh Moraghebi

From: Renato Tavares <renato@ddmbrands.com>
Sent: Monday, February 06, 2017 7:51 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Kaveh

Regarding the model Andy 5.5.M LTE VR with the FCCID: A4JANDY55MVR, there are no units in production nor are there any units left in inventory to sell.

We will do our best to contact costumers to inform them and apply corrective actions to the non-compliant units. If this is not an option to the costumer, we will offer another model as a replacement unit. Additionally, service centers will be instructed to shield the LTE band 7 by software on all units that arrive to the service center.

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Thursday, February 2, 2017 6:25 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>; 'Daniel Deng' <danield@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Renato,

Attached is a template for a corrective action plan (you will need to provide to BACL TCB so we can submit to the FCC).

Please note that using this template is not mandatory and DDM is free to choose any format for corrective action. We offer this template to just facilitate this process and minimize the potential complications.

Thank you and best regards,

==========

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
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Sunnyvale, CA 94089, USA
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From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Thursday, February 02, 2017 2:32 PM
To: 'Renato Tavares'
Cc: 'Randy Williams'; 'Jose Luis Zreik'; 'Luis Sosa'; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Renato,

We tested one of the samples that you provided to us and unfortunately we need to inform you that the product failed again. Attached please find the test report containing the original, and the market surveillance data.

Per FCC regulation for this type of issue, this result was reported to the FCC directly, and they responded with the following: “Please inform them that if they do not provide, in a few days, a corrective action and confirm that they have stopped selling non-compliant units, Enforcement action by the FCC will need to be taken. They need respond as soon as possible.”

Please:

1. Provide us with a corrective action plan that you are taking to fix the issue
2. Provide us a written statement that you have stopped selling non-compliant units

We need this information within 5 business days (February 9, 2017). If you have any questions, please do not hesitate to contact us.

Thank you and best regards,

==========

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
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From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Wednesday, January 25, 2017 6:50 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

We have sent two samples this is the USPS Tracking number 9405503699300476089393, it should arrive this Friday 27th .

https://tools.usps.com/go/TrackConfirmAction?tLabels=9405503699300476089393

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Tuesday, January 24, 2017 1:07 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>
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Best Regards
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Sent: Tuesday, January 24, 2017 9:32 AM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

Let us know how many samples you need to perform the re-test, we have the samples ready to ship today, can you help confirm if we can use the shipping address below;

Bay Area Compliance Laboratories
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA

Best regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Monday, January 23, 2017 10:45 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Renato,

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From: Renato Tavares [mailto:renato@ddmbrands.com]
Sent: Monday, January 09, 2017 12:53 PM
To: kaveh@baclcorp.com
Cc: Randy Williams; Jose Luis Zreik; Luis Sosa
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

We have received this email and address the issue with your team in Shenzhen.

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DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Randy Williams
Sent: Monday, January 9, 2017 3:49 PM
To: Luis Sosa <luis@ddmbrands.com>; Jose Luis Zreik <jlzreik@akkarg.com>
Cc: Renato Tavares <renato@ddmbrands.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

+Renato

From: Luis Sosa
Sent: Monday, January 9, 2017 2:38 PM
To: Randy Williams <randy@ddmbrands.com>; Jose Luis Zreik <jlzreik@akkarg.com>
Subject: FW: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

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Date: Monday, January 9, 2017 at 1:04 PM
To: Luis Sosa <luis@ddmbrands.com>
Cc: 'Paul Chan' <paul.chan@baclcorp.com>
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Best regards

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Quality Assurance Manager

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From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Wednesday, December 28, 2016 7:44 PM
To: 'jzreik@ddmbrands.com'
Cc: 'Daniel Deng'; simon.ma@baclcorp.com; 'Well Wang'
Subject: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Dear Jose Zreik ,

Unfortunately I need to inform you that your product with FCCID: A4JANDY55MVR failed the SAR testing Post Market Surveillance Testing (PMST) and at this moment is considered non-compliant to the FCC part 2.1093 regulation. The SAR PMST testing was initially performed to configuration: LTE Band 7 Low channel (2510 MHz) Back Side 10 mm to the phantom and the result was 2.27 W/kg averaged over 1 gram body tissue. After discovering the failure, testing was repeated and the result measured as 2.46 W/kg. Also the SAR testing was performed on the middle channel (2535 MHz) and the high channel (2560 MHz) with the measured results of 2.64 W/kg and 2.83 W/kg.

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Kaveh Moraghebi

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Post Market Surveillance Summary (SAR)

Project #:	B1603017
Applicant:	DDM Brands LLC
Address:	1616 NW 84th Ave., Miami, Florida 33126, USA
FCC ID:	A4JANDY55MVR
Model Number:	ANDY 5.5M LTE VR
EUT Description:	4G Mobile Phone
SAR Test Configuration:	Worst case for each band with both Body and Head position
PMST Test Engineer:	Jin Yang
Report Date:	2017-03-17
Reviewed by:	Simon Ma

Frequency Band	**Configuration**		**Output Power (dBm)**		**Max. 1-g SAR Level(s) Measured (W/kg)**	**Scaled 1g SAR (W/kg)**	**Limit (W/kg)**
	Position	**Comment**	**Measured**	**Target**			
GSM 850 Mid Channel	Back 10mm	PMST on 2017-03-03	31.67	31.8	0.46	0.474	1.6
		Original	31.79	31.8	0.557	0.558	
	Left Head Cheek	PMST on 2017-03-10	32.56	32.8	0.172	0.182	
		Original	32.75	32.8	0.167	0.169	
PCS 1900 Mid Channel	Back 10mm	PMST on 2017-03-06	25.17	25.4	0.371	0.391	
		Original	24.98	25.4	0.182	0.200	
	Left Head Cheek	PMST on 2017-03-08	28.63	28.8	0.183	0.190	
		Original	28.38	28.8	0.208	0.229	
WCDMA Band 5 Mid Channel	Back 10mm	PMST on 2017-03-03	21.73	22.1	0.34	0.370	
		Original	21.9	22.1	0.409	0.428	
	Left Head Cheek	PMST on 2017-03-10	21.73	22.1	0.217	0.236	
		Original	21.9	22.1	0.136	0.142	

PMST 2016 Ver 1

Frequency Band	Configuration		Output Power (dBm)		Max. 1-g SAR Level(s) Measured (W/kg)	Scaled 1g SAR (W/kg)	Limit (W/kg)
	Position	Comment	Measured	Target			
WCDMA Band 2 Mid Channel	Back 10mm	PMST on 2017-03-06	21.62	21.9	0.44	0.469	1.6
		Original	21.78	21.9	0.319	0.328	
	Left Head Cheek	PMST on 2017-03-08	21.62	21.9	0.305	0.325	
		Original	21.78	21.9	0.257	0.264	
LTE Band 2 Low Channel	Back 10mm	PMST on 2017-03-06	22.88	22.9	0.366	0.368	
		Original	22.75	22.9	0.238	0.246	
	Left Head Cheek	PMST on 2017-03-08	22.88	22.9	0.202	0.203	
		Original	22.75	22.9	0.217	0.225	
LTE Band 4 Low Channel	Back 10mm	PMST on 2017-03-07	22.67	22.9	0.398	0.420	
		Original	22.87	22.9	0.253	0.255	
	Left Head Cheek	PMST on 2017-03-08	22.67	22.9	0.266	0.280	
		Original	22.87	22.9	0.244	0.246	
LTE Band 17 Low Channel	Back 10mm	PMST on 2017-03-07	22.81	22.8	0.349	0.349	
		Original	22.78	22.8	0.107	0.107	
	Left Head Cheek	PMST on 2017-03-08	22.81	22.8	0.129	0.129	
		Original	22.78	22.8	0.109	0.110	
LTE Band 7 Low Channel	Left Head Cheek	PMST on 2017-03-10	22.63	22.9	0.21	0.223	
		Original	22.82	22.9	0.107	0.109	
	Back 10mm	PMST on 2016-11-16 (Sample 1*)	22.63	22.9	2.27	2.270	
		PMST on 2016-11-18 (Sample 1*)	22.63	22.9	2.46	2.460	
		PMST on 2017-01-30 (Sample 2*)	22.63	22.9	2.35	2.350	
		Original	22.82	22.9	0.697	0.710	

*PMST was performed on Sample 2 except the entries labeled with Sample 1 in this report. Sample 2 is a second production sample provided by manufacturer and received on 01-27-2017 by BACL Sunnyvale. Sample 1 was the first production sample provided by manufacturer and initially found to be failing.

--- END ---

PMST 2016 Ver 1

Kaveh Moraghebi

From: Renato Tavares <renato@ddmbrands.com>
Sent: Thursday, April 06, 2017 4:54 PM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'; simon.ma@baclcorp.com; 'Isabel Wang'
Subject: Re: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Kaveh

The recall began on February 16, 2017.

Best Regards,

Renato Tavares

From: Kaveh Moraghebi <kaveh@baclcorp.com>
Sent: Wednesday, April 5, 2017 7:57 PM
To: Renato Tavares
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'; simon.ma@baclcorp.com; 'Isabel Wang'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hi Renato,

This is the response I received from FCC.

FCC response on 03/31/2017

The corrective action plan and recall should be implemented immediately, if it hasn't been

Kaveh Moraghebi

From: Renato Tavares <renato@ddmbrands.com>
Sent: Thursday, March 23, 2017 3:00 PM
To: Kaveh Moraghebi
Cc: Randy Williams; 'Jose Luis Zreik'; Luis Sosa; 'Paul Chan'; 'Well Wang'; 'Daniel Deng'
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hello Kaveh

The Andy 5.5M LTE VR (FCCID:A4JANDY55MVR) PCBA's RF parameters and SAR values were tuned correctly when the model was submitted for testing. Once the testing was completed and validated the supplier assembled and calibrated the PCBAs per the FCC test report from the Laboratory. However, the software was finalized after PCBA production and needed to flash the PCBA and in doing so they inadvertently reverted the tuning back to its default values which restored the RF parameters to a non-compliant state. The Supplier was careless and did not run the RF check again on the flashed PCBAs assuming the values were still calibrated correctly according to the FCC test report.

Best Regards,

DDM
SOUL DEVICES, WORLD CONNECTIONS

Renato Tavares - SOFTWARE MANAGER
瑞那多 - 软件经理

From: Kaveh Moraghebi [mailto:kaveh@baclcorp.com]
Sent: Wednesday, March 22, 2017 9:10 PM
To: Renato Tavares <renato@ddmbrands.com>
Cc: Randy Williams <randy@ddmbrands.com>; 'Jose Luis Zreik' <jlzreik@akkarg.com>; Luis Sosa <luis@ddmbrands.com>; 'Paul Chan' <paul.chan@baclcorp.com>; 'Well Wang' <well.wang@baclcorp.com>; 'Daniel Deng' <danield@baclcorp.com>
Subject: RE: FCCID: A4JANDY55MVR Post-Market Surveillance Testing Result

Hi Renato,

Still waiting for your response on if you made any changes in hardware or software since the original approval.

Post Market Surveillance Summary (SAR)

Project #:	B1603017
Applicant:	DDM Brands LLC
Address:	1616 NW 84th Ave., Miami, Florida 33126, USA
FCC ID:	A4JANDY55MVR
Model Number:	ANDY 5.5M LTE VR
EUT Description:	4G Mobile Phone
SAR Test Configuration:	Back Side 10 mm to Flat Phantom with Body Liquid

Frequency Band	**Max. 1-g SAR Level(s) Measured**		**Limit (W/kg)**
LTE Band 7	PMST on 2016-11-16	2.27	1.6
	PMST on 2016-11-18	2.46	
	Original	0.697	

Conclusion: SAR measurement was performed first on 2016-11-16 for PMST purpose. The result did not only show inconsistence with the original report but also over the applicable limit. SAR was repeated on 2016-11-18 and the 1-g measured SAR value still show similar failure result. The product doesn't meet the requirement or complies with FCC applicable rules in the process of post market surveillance testing.

Please refer to the following PMST scan plots,

PMST 2016

SAR PMST on 2016-11-16

Test Laboratory: Bay Area Compliance Lab Corp. (BACL)

DDM B1603017, LTE Band 7, Body Back 10mm to Phantom, Low CH (2510 MHz) 1RB 20 BW

DUT: DDM; Type: Mobile; Serial: B1603017

Communication System: LTE Band 7@20MHz; Frequency: 2510 MHz;Duty Cycle: 1:1
Medium parameters used: f = 2510 MHz; σ = 2.02 mho/m; ε_r = 54.4; ρ = 1000 kg/m^3
Phantom section: Flat Section
Measurement Standard: DASY4 (High Precision Assessment)

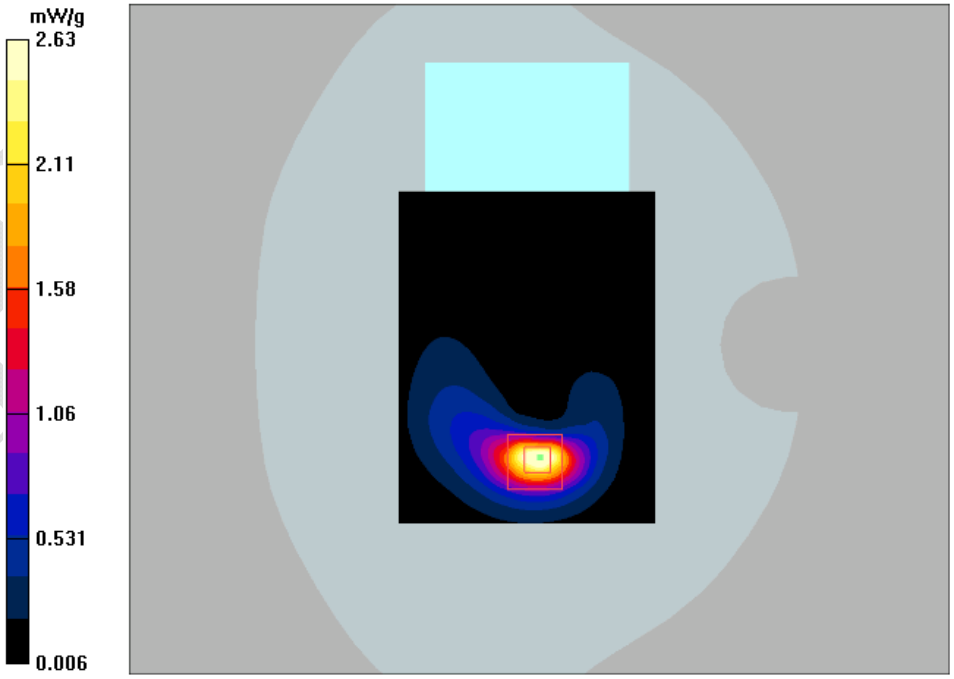
DASY4 Configuration:

- Probe: EX3DV4 - SN3619; ConvF(6.54, 6.54, 6.54); Calibrated: 9/23/2016
- Sensor-Surface: 4mm (Mechanical Surface Detection)
- Electronics: DAE4 Sn530; Calibrated: 9/21/2016
- Phantom: SAM with CRP; Type: SAM; Serial: TP-1032
- Measurement SW: DASY4, V4.7 Build 80; Postprocessing SW: SEMCAD, V1.8 Build 186

Back 10mm to Phantom(Low)/Area Scan (101x131x1): Measurement grid: dx=10mm, dy=10mm
Maximum value of SAR (interpolated) = 2.93 mW/g

Back 10mm to Phantom(Low)/Zoom Scan (7x7x7)/Cube 0: Measurement grid: dx=5mm, dy=5mm, dz=5mm
Reference Value = 4.40 V/m; Power Drift = -0.158 dB
Peak SAR (extrapolated) = 4.46 W/kg

SAR (1 g) = 2.27 mW/g; SAR (10 g) = 1.02 mW/g
Maximum value of SAR (measured) = 2.63 mW/g



PMST 2016

SAR PMST on 2016-11-18

Test Laboratory: Bay Area Compliance Lab Corp. (BACL)

DDM B1603017, LTE Band 7, Body Back 10mm to Phantom, Low CH (2510 MHz) 1RB 20 BW

DUT: DDM; Type: Mobile; Serial: B1603017

Communication System: LTE Band 7@20MHz; Frequency: 2510 MHz;Duty Cycle: 1:1
Medium parameters used: f = 2510 MHz; σ = 2.02 mho/m; ε_r = 54.4; ρ = 1000 kg/m^3
Phantom section: Flat Section
Measurement Standard: DASY4 (High Precision Assessment)

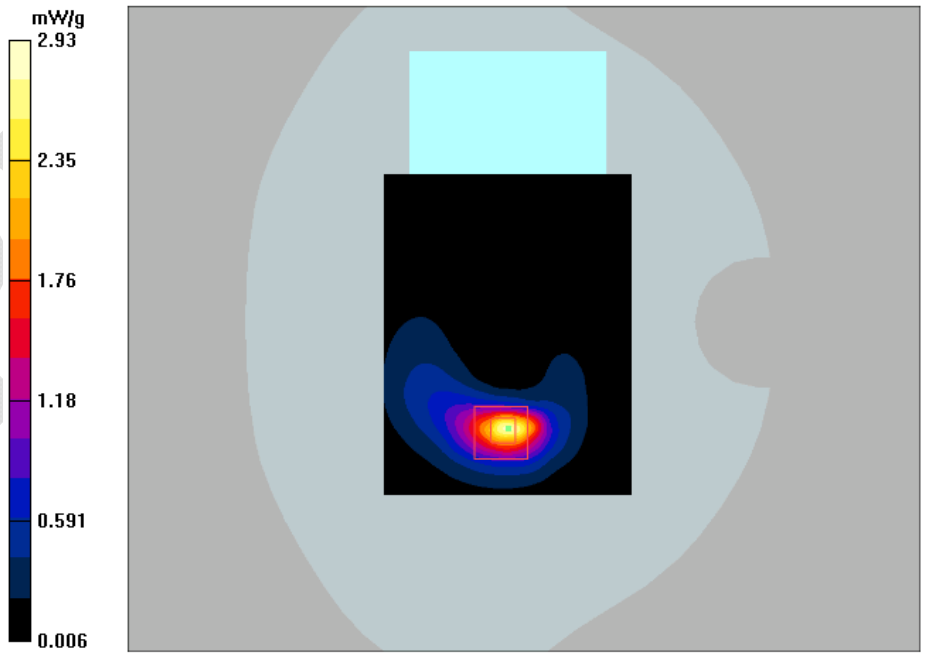
DASY4 Configuration:

- Probe: EX3DV4 - SN3619; ConvF(6.54, 6.54, 6.54); Calibrated: 9/23/2016
- Sensor-Surface: 4mm (Mechanical Surface Detection)
- Electronics: DAE4 Sn530; Calibrated: 9/21/2016
- Phantom: SAM with CRP; Type: SAM; Serial: TP-1032
- Measurement SW: DASY4, V4.7 Build 80; Postprocessing SW: SEMCAD, V1.8 Build 186

Back 10mm to Phantom(Low)/Area Scan (101x131x1): Measurement grid: dx=10mm, dy=10mm
Maximum value of SAR (interpolated) = 2.80 mW/g

Back 10mm to Phantom(Low)/Zoom Scan (7x7x7)/Cube 0: Measurement grid: dx=5mm, dy=5mm, dz=5mm
Reference Value = 3.98 V/m; Power Drift = 0.052 dB
Peak SAR (extrapolated) = 5.02 W/kg

SAR (1 g) = 2.46 mW/g; SAR (10 g) = 1.09 mW/g
Maximum value of SAR (measured) = 2.93 mW/g



PMST 2016

Original SAR plot

Test Laboratory: Bay Area Compliance Labs Corp.(Shenzhen)

Test Plot 15#:LTE BAND 7 Body-worn Back Low Channel

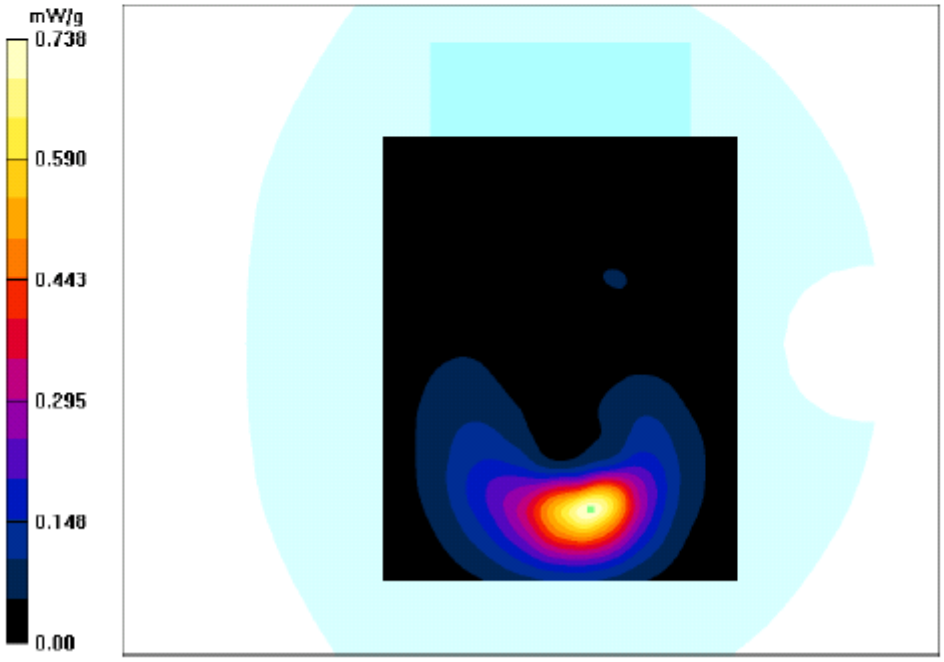
DUT: 4G mobile phone; Type: AM55MLVR194

Communication System: LTE 4G Band; Frequency: 2510 MHz;Duty Cycle: 1:1
Medium parameters used: f = 2510 MHz; σ = 2.10 S/m; ε_r = 52.83; ρ = 1000 kg/m^3
Phantom section: Flat Section

DASY4 Configuration:
- Probe: ES3DV3 - SN3036; ConvF(4.19, 4.19, 4.19); Calibrated: 20/08/2015
- Sensor-Surface: 4mm (Mechanical Surface Detection)
- Electronics: Dummy DAE - SN:456; Calibrated: 17/08/2015
- Phantom: TWIN SAM; Type: QD000P40CA; Serial: TP-1218
- Measurement SW: DASY4, V4.5 Build 19; Postprocessing SW: SEMCAD, V1.8 Build 145

LTE BAND 7-back -low/Area Scan (111x131x1): Measurement grid: dx=10mm, dy=10mm
Maximum value of SAR (interpolated) = 0.757 mW/g

LTE BAND 7-back -low /Zoom Scan (7x7x7)/Cube 0: Measurement grid: dx=5mm, dy=5mm, dz=5mm
Reference Value = 2.301 V/m; Power Drift = -0.022 dB
Peak SAR (extrapolated) = 1.256 mW/kg
SAR(1 g) = 0.697 mW/g; SAR(10 g) = 0.327 mW/g
Maximum value of SAR (measured) = 0.738 mW/g



--- END ---

Kaveh Moraghebi
Quality Assurance Manager
Bay Area Compliance Laboratories
www.baclcorp.com
1274 Anvilwood Avenue
Sunnyvale, CA 94089, USA
Tel:(408)732-9162 Ext 3043
Fax:(408)732-9164
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For more information about Bay Area Compliance Laboratories, Corp., visit us at http://www.baclcorp.com.

DDM Brands LLC
2323 NW, 82ND Ave. Doral, Florida, U.S.A
Tel: +13059611144 Fax: +13059611144

EMAIL / WEBSITE NOTICE

DDM BRANDS LLC STATEMENT

DDM BRANDS LLC, who are responsible for the manufacturing of the Yezz brand, announce, that as a precaution, it is recalling the 4G Smartphone Andy 5.5M LTE VR, due to concerns regarding the SAR values of LTE Band 7 (2600 MHz) that may pose a safety risk.

Customer safety is of the utmost priority to DDM BRANDS and we will repair or exchange the affected Andy 5.5M LTE VR, free of charge.

Identifying your Andy 5.5M LTE VR
Remove the battery cover and battery to reference the phone label for pertinent model and FCC information.
Model: ANDY 5.5M LTE VR
FCC ID: A4JANDY55MVR

Process of Repair
Contact Yezz customer service at cacusa@sayyezz.com to request a postage paid box to send your Andy 5.5M LTE VR to the local Yezz repair center. The technician will determine if your phone is eligible to disable the LTE Band 7 or exchange the product based on your country*. The repair process takes approximately 7-12 working days from the time your Andy 5.5M LTE VR is received at the repair center.

Note: If your Andy 5.5M LTE VR has any damage, which prevents the repair, such as a cracked screen, that issue will need to be resolved during service. You will be notified about any additional repair charges that are required.

Please back up your data before your Andy 5.5M LTE VR is serviced.

*Countries eligible for Exchange, listed below, are countries that have Mobile Operator Networks with an active LTE Band 7 (2600 MHz). If your country is not listed below, your Andy 5.5M LTE VR is not eligible for exchange.

- Chile (Claro, Entel, Movistar)
- Colombia (Claro, Tigo)
- Costa Rica (Kolbi/ICE)