



4 January 2024

(24-0042)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

**NOTIFICATION**

The following notification is being circulated in accordance with Article 10.6

<p><b>1. Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b> State of New York</p>
<p><b>2. Agency responsible:</b> New York State Department of Environmental Conservation (NYS DEC) [2116] <b>Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:</b> Please submit comments to: USA WTO TBT Enquiry Point, Email: <a href="mailto:usatbtep@nist.gov">usatbtep@nist.gov</a></p>
<p><b>3. Notified under Article 2.9.2 [ ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [X], 7.2 [ ], other:</b></p>
<p><b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Dioxane limits; Environmental protection (ICS code(s): 13.020); Production in the chemical industry (ICS code(s): 71.020); Products of the chemical industry (ICS code(s): 71.100)</p>
<p><b>5. Title, number of pages and language(s) of the notified document:</b> Subpart 352-1 1,4 Dioxane Limits for Household Cleansing, Personal Care, and Cosmetic Products; (56 page(s), in English)</p>
<p><b>6. Description of content:</b> Proposed rule - Notice is hereby given that the New York State Department of Environmental Conservation (NYS DEC) filed a Notice of Proposed Rulemaking with the New York Department of State. This rulemaking will implement the amendments to <a href="#">Article 35</a> and <a href="#">Article 37</a> of the Environmental Conservation Law (ECL), adopted in 2019, which establish limits on the amount of 1,4-dioxane that can be present in household cleansing, personal care, and cosmetic products sold in the State. A public comment hearing for the proposed rule will be held before an Administrative Law Judge (ALJ) electronically via the Webex Events platform as follows. The electronic format is reasonably accessible to persons with impaired mobility Tuesday, 6 February 2024, <a href="#">1:00 p.m. Eastern Time</a>; Persons wishing to comment on the proposed rule will have the opportunity to make a statement at the public comment hearing webinar. Any person wishing to provide a public statement must register in advance of the hearing no later than <a href="#">1:00 p.m. Eastern Time</a> on 5 February 2024. Any person who wishes only to observe the webinar online must also register. Any person may listen to the hearing by phone without pre-registration.</p> <p>Instructions on how to "join" the hearing webinar and provide an oral statement will be published on the Department's proposed regulations webpage for 6 NYCRR Subpart 352-1 by 6 December 2023. The proposed regulations webpage for 6 NYCRR 352-1 may be accessed at: <a href="https://www.dec.ny.gov/regulations/propregulations.html">https://www.dec.ny.gov/regulations/propregulations.html</a> or <a href="https://www.dec.ny.gov/chemical/121658.html">https://www.dec.ny.gov/chemical/121658.html</a>.</p>

<b>7.</b>	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Prevention of deceptive practices and consumer protection; Protection of the environment
<b>8.</b>	<p><b>Relevant documents:</b></p> <p>New York State Register 6 December 2023 available through Westlaw:  <a href="https://govt.westlaw.com/nyreg/Document/I298c0b38941211ee8957e1090967cec6?viewType=FullText&amp;originationContext=documenttoc&amp;transitionType=CategoryPageItem&amp;contextData=(sc.Default)">https://govt.westlaw.com/nyreg/Document/I298c0b38941211ee8957e1090967cec6?viewType=FullText&amp;originationContext=documenttoc&amp;transitionType=CategoryPageItem&amp;contextData=(sc.Default)</a></p> <p>Solid Waste Management Regulatory Revisions - Proposed Regulations Available for Public Comment: <a href="https://www.dec.ny.gov/regulatory/proposed-emergency-recently-adopted-regulations/materials-management-revisions/solid-waste-management">https://www.dec.ny.gov/regulatory/proposed-emergency-recently-adopted-regulations/materials-management-revisions/solid-waste-management</a></p> <p>Additional information for <a href="#">1,4-Dioxane Limits For Household Cleansing, Personal Care, And Cosmetic Products</a></p> <p>WTO Members and their stakeholders are asked to submit comments to the <a href="#">USA TBT Enquiry Point</a>. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by <a href="#">4pm Eastern Time</a> on 12 February 2024 will be shared with the NYS DEC if received within the comment period.</p>
<b>9.</b>	<p><b>Proposed date of adoption:</b> To be determined</p> <p><b>Proposed date of entry into force:</b> To be determined</p>
<b>10.</b>	<b>Final date for comments:</b> 12 February 2024
<b>11.</b>	<p><b>Texts available from: National enquiry point [ ] or address, telephone and fax numbers and email and website addresses, if available, of other body:</b></p> <p><a href="https://members.wto.org/crnattachments/2024/TBT/USA/24_00041_00_e.pdf">https://members.wto.org/crnattachments/2024/TBT/USA/24_00041_00_e.pdf</a></p>