



16 February 2023

(23-1112)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: UNITED STATES OF AMERICA If applicable, name of local government involved (Article 3.2 and 7.2): State of Maine
2. Agency responsible: Department of Environmental Protection (DEP), State of Maine [1998] 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: Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov
3. Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [X], 7.2 [X], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Products containing perfluoroalkyl and polyfluoroalkyl substances; Environmental protection (ICS code(s): 13.020); Domestic safety (ICS code(s): 13.120); Packaging materials and accessories (ICS code(s): 55.040); Products of the textile industry (ICS code(s): 59.080); Materials and articles in contact with foodstuffs (ICS code(s): 67.250); Production in the chemical industry (ICS code(s): 71.020); Products of the chemical industry (ICS code(s): 71.100); Plastics (ICS code(s): 83.080); Furniture (ICS code(s): 97.140); Home textiles. Linen (ICS code(s): 97.160); Miscellaneous domestic and commercial equipment (ICS code(s): 97.180) "Product" means an item manufactured, assembled, packaged, or otherwise prepared for sale to consumers, including its product components, that is sold or distributed for personal, residential, commercial, or industrial use, including for use in making other products. Product includes packages, packaging components, and food packaging as defined in 32 M.R.S. § 1732 ("Food package" means a package that is designed for direct food contact. "Food package" includes, but is not limited to, a food or beverage product that is contained in a food package or to which a food package is applied, a packaging component of a food package and plastic disposable gloves used in commercial or institutional food service) when sold individually or in bulk and not used in marketing, handling, or protecting a product).
5. Title, number of pages and language(s) of the notified document: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS); (9 page(s), in English)
6. Description of content: Proposed rule - The Department is proposing a new rule: Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances. The rule provides additional guidance on the notification requirements and sales prohibitions for products and product components containing intentionally added PFAS pursuant to 38 M.R.S. 1614 .

7. Objective and rationale, including the nature of urgent problems where applicable: Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of human health or safety; Protection of animal or plant life or health; Protection of the environment
8. Relevant documents: <ul style="list-style-type: none">• Chapter 90: Products Containing Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS): https://www.maine.gov/dep/rules/index.html#10415809• Maine Department of Environmental Protection - PFAS in Products: https://www.maine.gov/dep/spills/topics/pfas/PFAS-products/index.html• Maine enacted a Perfluoroalkyl and polyfluoroalkyl substances (PFAS) regulation: https://mainelegislature.org/legis/bills/getPDF.asp?paper=HP1113&item=5&num=130• WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 19 May 2023. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator.
9. Proposed date of adoption: To be determined Proposed date of entry into force: To be determined
10. Final date for comments: 19 May 2023
11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body: https://members.wto.org/crnattachments/2023/TBT/USA/23_1135_00_e.pdf https://members.wto.org/crnattachments/2023/TBT/USA/23_1135_01_e.pdf