



20 November 2024

(24-8223)

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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 California
2. Agency responsible: Department of Toxic Substances Control (DTSC), State of California [2192] 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 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Nail products containing methyl methacrylate (MMA) – including nail coatings and artificial nails; Quality (ICS code(s): 03.120); Environmental protection (ICS code(s): 13.020); Esters (ICS code(s): 71.080.70); Cosmetics. Toiletries (ICS code(s): 71.100.70)
5. Title, number of pages and language(s) of the notified document: Nail Products Containing Methyl Methacrylate (MMA) as a Priority Product Department of Toxic Substances Control Reference Number: R-2023-03R; (10 page(s), in English)
6. Description of content: Proposed rule - Notice is hereby given that the Department of Toxic Substances Control (DTSC) proposes to amend the California Code of Regulations, title 22, division 4.5, chapter 55, section 69511 , and adopt section 69511.9. This proposed amendment pertains to identification of a Priority Product under the Safer Consumer Products (SCP) regulations , approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on 28 August 2013 (effective date: 1 October 2013; OAL Regulatory Action Number: Z-2012-07170-04). DTSC proposes to add nail products containing methyl methacrylate (MMA) – including nail coatings and artificial nails – as a Priority Product to the Priority Products List. This listing would apply to any nail product containing MMA as an added ingredient, a residual, or a contaminant.
7. Objective and rationale, including the nature of urgent problems where applicable: Prevention of deceptive practices and consumer protection; Protection of human health or safety; Quality requirements

8. Relevant documents:

Listing Nail Products Containing Methyl Methacrylate (MMA) as a Priority Product:
<https://dtsc.ca.gov/listing-nail-products-containing-methyl-methacrylate-mma-as-a-priority-product/>

Notice of Proposed Action - <https://dtsc.ca.gov/wp-content/uploads/sites/31/2024/10/1.-Notice-of-Proposed-Action-NOPA-Nail-Products-with-MMA-3.pdf>

Proposed Regulatory Text - <https://dtsc.ca.gov/wp-content/uploads/sites/31/2024/10/2.-Proposed-Regulatory-Text-Nail-Products-with-MMA-2.pdf>

WTO Members and their stakeholders are asked to submit comments to the [USA TBT Enquiry Point](#). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm Eastern Time](#) on 16 December 2024 will be shared with DTSC if received within the comment period.

9. Proposed date of adoption: To be determined

Proposed date of entry into force: To be determined

10. Final date for comments: 16 December 2024

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/2024/TBT/USA/24_07882_00_e.pdf

https://members.wto.org/crnattachments/2024/TBT/USA/24_07882_01_e.pdf