NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

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| **1.** | **Notifying Member:** United States of America **If applicable, name of local government involved (Article 3.2 and 7.2):** State of Massachusetts |
| **2.** | **Agency responsible:** Executive Office of Health and Human Services, Department of Public Health, State of Massachusetts [1578]**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 PointEmail: usatbtep@nist.gov |
| **3.** | **Notified under Article 2.9.2 [****],** **2.10.1 [****X],** **5.6.2 [****],** **5.7.1 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Vaping products; Tobacco, tobacco products and related equipment (ICS 65.160) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Severe Lung Disease Associated with Vaping Products (6 page(s), in English) |
| **6.** | **Description of content:** Emergency Rule Adoption**-** Addresses the Governor's Declaration of Emergency Detrimental to the Public Health due to severe lung disease associated with the use of e-cigarettes and vaping products in the Commonwealth; prohibits the sale of vaping products in the Commonwealth and authorizes a standing order for nicotine replacement therapy. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety |
| **8.** | **Relevant documents:** * Issue 1404, Massachusetts Register 15 November 2019 (pages 38-43): [<https://www.sec.state.ma.us/spr/sprpub/pubhear.htm>](https://www.sec.state.ma.us/spr/sprpub/pubhear.htm) (Text available: [<https://www.sec.state.ma.us/spr/sprpub/111519d.pdf>](https://www.sec.state.ma.us/spr/sprpub/111519d.pdf))
* Guide to Vaping Public Health Emergency: [<https://www.mass.gov/guides/vaping-public-health-emergency>](https://www.mass.gov/guides/vaping-public-health-emergency)
* 105 Code of Massachusetts Regulation (CMR) 801 Severe Lung Disease Associated With Vaping Products: [<https://www.mass.gov/doc/emergency-regulation-105-cmr-801000/download>](https://www.mass.gov/doc/emergency-regulation-105-cmr-801000/download)
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| **9.** | **Proposed date of adoption:** 1 November 2019**Proposed date of entry into force:** 1 November 2019 |
| **10.** | **Final date for comments:** 29 November 2019 |
| **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/2019/TBT/USA/19_6632_00_e.pdf><https://members.wto.org/crnattachments/2019/TBT/USA/19_6632_01_e.pdf><https://members.wto.org/crnattachments/2019/TBT/USA/19_6632_02_e.pdf> |