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 New York |
| **2.** | **Agency responsible:** Department of Environmental Conservation, State of New York [1779]**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 [****],** **other****:** Technical Regulation - Local Government (Article 3.2) |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Product stewardship and labeling; Environmental protection (ICS 13.020), Wastes (ICS 13.030) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Proposed Part 368, Product Stewardship and Product Labeling (7 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - Notice is hereby given that the New York State Department of Environmental Conservation (NYSDEC) filed a Notice of Proposed Rule Making with the New York State Department of State on 15 June 2021 to repeal and replace Part 368. The proposed rule repeals and replaces the existing regulations for Recycling Emblems, develops new regulations for mercury-added consumer product labeling and develops new regulations for the existing Electronic Equipment Recycling and Reuse Act (EERRA). The Notice of Proposed Rulemaking is available in the 30 June 2021 issue of the State Register.  [Two public comment hearing webinars](https://www.dec.ny.gov/regulations/123241.html) for the proposed rule will be held on Wednesday, 8 September 2021, before Administrative Law Judge (ALJ) Lara Q. Olivieri via electronic webinar and accordingly, is reasonably accessible to persons with impaired mobility. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling; Protection of the environment |
| **8.** | **Relevant documents:** Vol. XLIII, Issue 26, New York State Register 30 June 2021 (pages 9-14):<https://dos.ny.gov/system/files/documents/2021/06/063021.pdf>Notice of Proposed Rule Making - Adoption of 6 NYCRR Part 368 - Product Stewardship and Product Labeling: <https://www.dec.ny.gov/regulations/123241.html>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 no later than 4:00 p.m. ET on 15 September 2021 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:** 15 September 2021 |
| **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/2021/TBT/USA/21_4735_00_e.pdf> |