



30 October 2018

(18-6796)

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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: Office of Environmental Health Hazard Assessment, State of California [1434] 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), Conformity Assessment Procedure - Local Government (Article 7.2)
4.	Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): Chemicals in food products; Domestic safety (ICS 13.120), Food products in general (ICS 67.040), General methods of tests and analysis for food products (ICS 67.050), Products of the chemical industry (ICS 71.100).
5.	Title, number of pages and language(s) of the notified document: Level of Exposure to Chemicals Causing Reproductive Toxicity: Calculating Intake by the Average Consumer of a Product (5 page(s), in English)
6.	Description of content: Amends rules to clarify that where a business presents evidence for the "level in question" of a chemical listed as causing reproductive toxicity in a food product based on the average of multiple samples of that food, the level in question may not be calculated by averaging the concentration of the chemical in food products from different manufacturers or producers, or that were manufactured in different facilities from the product at issue.
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
8.	Relevant documents: <ul style="list-style-type: none">No. 40-Z, California Regulatory Notice Register 5 October 2018 (pages 1760-1764): https://oal.ca.gov/wp-content/uploads/sites/166/2018/10/40z-2018.pdfTitle 27, Division 4, Chapter 1, Article 8: https://govt.westlaw.com/calregs/Document/I5250E900D45011DEA95CA4428EC25FA0?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)

9.	Proposed date of adoption: To be determined Proposed date of entry into force: To be determined
10.	Final date for comments: 19 November 2018
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/2018/TBT/USA/18_5662_00_e.pdf