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):**  |
| **2.** | **Agency responsible:** Office of Energy Efficiency and Renewable Energy (OEERE), Department of Energy (DOE) [1906]**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 [****X],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****:**  |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Consumer refrigeration and miscellaneous refrigeration products; Environmental protection (ICS code(s): 13.020); Domestic refrigerating appliances (ICS code(s): 97.040.30) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Energy Conservation Program: Consumer Refrigeration and Miscellaneous Refrigeration Products |
| **6.** | **Description of content:** Notice of proposed rulemaking and request for comment - On 18 July 2016, the U.S. Department of Energy published a final rule (notified as [G/TBT/N/USA/942/Add.1](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN14/USA942A1.DOC) and [G/TBT/N/USA/661/Add.6](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN11/USA661A6.doc)) that amended the test procedure for refrigerators and refrigerator-freezers and established both coverage and procedures for testing miscellaneous refrigeration products ("MREFs"). That final rule also established provisions within DOE's certification requirements to provide instructions regarding product category determinations, which were intended to be consistent with the definitions established for MREFs and refrigerators, refrigerator- freezers, and freezers. This document proposes to correct certain inconsistencies between the instructions for determining product categories and the corresponding product definitions to avoid confusion regarding the application of those definitions. DOE is seeking comment from interested parties on the proposal. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of the environment |
| **8.** | **Relevant documents:** 87 Federal Register (FR) 35678, 13 June 2022; Title 10 Code of Federal Regulations (CFR) Part 429:<https://www.govinfo.gov/content/pkg/FR-2022-06-13/html/2022-12660.htm><https://www.govinfo.gov/content/pkg/FR-2022-06-13/pdf/2022-12660.pdf>This notice of proposed rulemaking and request for comment is identified by Docket Number EERE-2022-BT-CRT-0021. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/EERE-2022-BT-CRT-0021/document> and provides access to primary documents as well as comments received. Documents are also accessible from [Regulations.gov](http://www.regulations.gov/) by searching the Docket Number. WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 13 July 2022. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/EERE-2022-BT-CRT-0021/document) on Regulations.gov if received within the comment period.[G/TBT/N/USA/942/Add.1](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN14/USA942A1.DOC) - Energy Conservation Program: Final Coverage Determination; Test Procedures for Miscellaneous Refrigeration Products; Final Rule identified by Docket Numbers [EERE–2011–BT–DET–0072](https://www.regulations.gov/docket/EERE-2011-BT-DET-0072/document) and [EERE–2013–BT–TP–0029](https://www.regulations.gov/docket/EERE-2013-BT-TP-0029/document). A correction to the final rule was notified as [G/TBT/N/USA/942/Add.1/Corr.1](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN14/USA942A1C1.DOC). Also notified as [G/TBT/N/USA/661/Add.6](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN11/USA661A6.doc); see also [G/TBT/N/USA/661/Add.6/Corr.1](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN11/USA661A6C1.doc) and the confirmation of effective date and compliance date for the direct final rule notified as [G/TBT/N/USA/661/Add.7](https://docs.wto.org/imrd/directdoc.asp?DDFDocuments/t/G/TBTN11/USA661A7.doc). |
| **9.** | **Proposed date of adoption:** To be determined**Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 13 July 2022 |
| **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/2022/TBT/USA/22_4102_00_e.pdf> |