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:** Occupational Safety and Health Administration (OSHA), Department of Labor [1865]  **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](mailto:usatbtep@nist.gov) |
| **3.** | **Notified under Article 2.9.2 [****X],** **2.10.1 [****],** **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):** Powered industrial trucks standards; Special purpose vehicles (ICS 43.160), Industrial trucks (ICS 53.060) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Powered Industrial Trucks Design Standard Update (10 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking - OSHA proposes updating the design and construction requirements of the powered industrial trucks standards for general industry and construction by incorporating by reference the applicable provisions of the most relevant national consensus standards from the American National Standards Institute/Industrial Truck Standards Development Foundation (ANSI/ITSDF). OSHA also proposes allowing employers to use powered industrial trucks not constructed in accordance with those national consensus standards incorporated by reference in the OSHA standards if the employer can demonstrate that the truck they use was designed and constructed in a manner that provides employee protection that is at least as effective as the national consensus standards incorporated by reference in OSHA's standards. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Harmonization |
| **8.** | **Relevant documents:** 87 Federal Register (FR) 8755, 16 February 2022; Title 29 Code of Federal Regulations (CFR) Parts 1910 and 1926:  <https://www.govinfo.gov/content/pkg/FR-2022-02-16/html/2022-01155.htm> <https://www.govinfo.gov/content/pkg/FR-2022-02-16/pdf/2022-01155.pdf>  This notice of proposed rulemaking is identified by Docket Number OSHA-2020-0008. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/OSHA-2020-0008/document> and provides access to primary and supporting 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](mailto:usatbtep@nist.gov) by or before [4pm](https://time.is/EST) Eastern Time on 17 May 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/OSHA-2020-0008/document) on Regulations.gov 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:** 17 May 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_1680_00_e.pdf> |