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):** |
| **2.** | **Agency responsible:**  Agricultural Marketing Service (AMS), Department of Agriculture (USDA) [1909]  **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 [****], 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):** Kiwifruit; Fruits. Vegetables (ICS code(s): 67.080) |
| **5.** | **Title, number of pages and language(s) of the notified document:** California and Imported Kiwifruit; Handling Regulations; (4 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - This proposed rule would implement a recommendation from the Kiwifruit Administrative Committee (Committee) to modify the handling regulations prescribed under the Federal marketing order for kiwifruit grown in California. This action would revise the size and uniformity requirements for all varieties of Actinidia chinensis species kiwifruit, which is commonly known as golden kiwifruit, regulated under the marketing order. A corresponding change would be made to the kiwifruit import regulation as required under section 8e of the  Agricultural Marketing Agreement Act of 1937. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Reducing trade barriers and facilitating trade; Cost saving and productivity enhancement |
| **8.** | **Relevant documents:**  87 Federal Register (FR) 36412, 17 June 2022; Title 7 Code of Federal Regulations (CFR) Parts 920 and 944:  <https://www.govinfo.gov/content/pkg/FR-2022-06-17/html/2022-13004.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-06-17/pdf/2022-13004.pdf>  This proposed rule is identified by Docket Number AMS-SC-21-0098. The Docket Folder is available from Regulations.gov at <https://www.regulations.gov/docket/AMS-SC-21-0098/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](mailto:usatbtep@nist.gov) 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 16 August 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/AMS-SC-21-0098/document) on Regulations.gov if received within the comment period.  7 CFR 944.550: <https://www.ecfr.gov/current/title-7/subtitle-B/chapter-IX/part-944/section-944.550> |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 16 August 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_4183_00_e.pdf> |