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) [1962]  **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 [****X],** **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):** Portable electric spas; Quality (ICS code(s): 03.120); Environmental protection (ICS code(s): 13.020); Test conditions and procedures in general (ICS code(s): 19.020); Miscellaneous domestic and commercial equipment (ICS code(s): 97.180) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Energy Conservation Program: Test Procedure for Portable Electric Spas; (25 page(s), in English) |
| **6.** | **Description of content:** Notice of proposed rulemaking and request for comment - The U.S. Department of Energy ("DOE") proposes to establish definitions, a test procedure, and sampling requirements for portable electric spas. Currently, portable electric spas are not subject to DOE test procedures or energy conservation standards. The proposed test method references the relevant industry test standard. DOE is seeking comment from interested parties on the proposals within the notice of proposed rulemaking ("NOPR").  DOE will hold a webinar on Thursday, 17 November 2022, from [1:00 p.m. to 4:00 p.m.](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et). See section V, "Public Participation," for webinar registration information, participant instructions, and information about the capabilities available to webinar participants. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Prevention of deceptive practices and consumer protection; Protection of the environment; Quality requirements |
| **8.** | **Relevant documents:**  87 Federal Register (FR) 63356, 18 October 2022; Title 10 Code of Federal Regulations (CFR) Parts 429 and 430:  <https://www.govinfo.gov/content/pkg/FR-2022-10-18/html/2022-21914.htm>  <https://www.govinfo.gov/content/pkg/FR-2022-10-18/pdf/2022-21914.pdf>  This notice of proposed rulemaking; request for comment is identified by Docket Number EERE-2022-BT-TP-0024. The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EERE-2022-BT-TP-0024/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 19 December 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-TP-0024/document) on Regulations.gov if received within the comment period.  [G/TBT/N/USA/1836 and Add.1](https://epingalert.org/en/Search/Index?domainIds=1&countryIds=C840&documentSymbol=1836) - Energy Conservation Program: Proposed and Final Determination of Portable Electric Spas as a Covered Consumer Product, identified by Docket Number [EERE-2022-BT-DET-0006](https://www.regulations.gov/docket/EERE-2022-BT-DET-0006/document). |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 19 December 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_7068_00_e.pdf> |