



10 September 2024

(24-6232)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

<b>1. Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b> State of New Jersey
<b>2. Agency responsible:</b> New Jersey Department of Environmental Protection (NJDEP), Division of Air Quality and Radiation Protection [2175] <b>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:</b> Please submit comments to: USA WTO TBT Enquiry Point, Email: <a href="mailto:usatbtep@nist.gov">usatbtep@nist.gov</a>
<b>3. Notified under Article 2.9.2 [ ], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [X], 7.2 [ ], other:</b>
<b>4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Volatile organic compound (VOC) content limits in consumer products; Environmental protection (ICS code(s): 13.020); Air quality (ICS code(s): 13.040); Products of the chemical industry (ICS code(s): 71.100)
<b>5. Title, number of pages and language(s) of the notified document:</b> Prevention of Air Pollution from Consumer Products; (127 page(s), in English)
<b>6. Description of content:</b> Proposed rule - The New Jersey Department of Environmental Protection (NJDEP) is proposing amendments to N.J.A.C. 7:27-24.1 through 24.8, 24.10, and 7:27A-3.10. The proposed amendments to the rules governing chemically formulated consumer products will add eight new categories of consumer products that will be subject to new volatile organic compound (VOC) content limits and lower the VOC content limits for 13 existing categories. The proposed amendments also prohibit the sale for use in New Jersey of certain products that contain chlorinated toxic air contaminants. The proposed amendments also update registration requirements for all consumer products to require registration to be electronic. Additionally, the proposed rulemaking includes amendments to the penalty provisions at N.J.A.C. 7:27A-3.10 that correspond to the amendments at N.J.A.C. 7:27-24.  The proposal also constitutes a revision to New Jersey's State Implementation Plan (SIP) for the attainment and maintenance of the National Ambient Air Quality Standards for ozone.
<b>7. Objective and rationale, including the nature of urgent problems where applicable:</b> Protection of human health or safety; Protection of the environment

**8. Relevant documents:**

The proposal is published in the New Jersey Register dated 19 August 2024. A copy of the [proposal](https://dep.nj.gov/rules/notice-of-rule-proposals/20240819c/) is available on the NJDEP's webpage, <https://dep.nj.gov/rules/notice-of-rule-proposals/20240819c/>, and is also accessible through LexisNexis free public access to the New Jersey Register at <https://www.lexisnexis.com/hottopics/njoal/>.

Current rules and regulations utilized by the NJDEP and other New Jersey environmental agencies are codified at Title 7 of the New Jersey Administrative Code. They are accessible at <https://dep.nj.gov/rules/current-rules-and-regulations/>.

A public hearing concerning the proposal will be conducted virtually via the Department's video conferencing software on 15 October 2024 at [12:30 P.M. Eastern Time](#)

**Please join the meeting from your computer, tablet, or smartphone.**

[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_ZjRiYzhINTMtNGMyOS00OTA3LTgzMzctY2U0ZDI0ZDkxZDI3%40thead.v2/0?context=%7b%22Tid%22%3a%225076c3d1-3802-4b9f-b36a-e0a41bd642a7%22%2c%22Oid%22%3a%220d3def85-9f77-463f-963f-62b28f26eb49%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_ZjRiYzhINTMtNGMyOS00OTA3LTgzMzctY2U0ZDI0ZDkxZDI3%40thead.v2/0?context=%7b%22Tid%22%3a%225076c3d1-3802-4b9f-b36a-e0a41bd642a7%22%2c%22Oid%22%3a%220d3def85-9f77-463f-963f-62b28f26eb49%22%7d)

**You can also dial in using your phone (audio only)**

+1 856-338-7074, United States, Camden

Phone conference ID: 380 742 423#

If you are interested in providing oral comments at the virtual public hearing, please email the Department at [heidi.jones@dep.nj.gov](mailto:heidi.jones@dep.nj.gov) no later than [5:00 P.M. Eastern Time](#) on 11 October 2024, with your contact information (name, organization, telephone number, and email address). You must provide a valid email address so the Department can send you an email confirming receipt of your interest to testify orally at the hearing and provide you with a separate option for a telephone call-in line if you do not have access to a computer or mobile device that can connect to Microsoft Teams.

Written comments are due by 18 October 2024.

WTO Members and their stakeholders are asked to submit comments, including those that will be provided orally at the hearing on 15 October 2024, to the [USA TBT Enquiry Point](#). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm Eastern Time](#) on 18 October 2024 will be shared with NJDEP 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:** 18 October 2024

**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/2024/TBT/USA/24\\_05886\\_00\\_e.pdf](https://members.wto.org/crnattachments/2024/TBT/USA/24_05886_00_e.pdf)