



23 May 2024

(24-3969)

Page: 1/2

Committee on Technical Barriers to Trade

Original: English

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1.	<b>Notifying Member:</b> <u>UNITED STATES OF AMERICA</u> <b>If applicable, name of local government involved (Article 3.2 and 7.2):</b>
2.	<b>Agency responsible:</b> Office of Energy Efficiency and Renewable Energy (OEERE), Department of Energy (DOE) [2153] <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>
3.	<b>Notified under Article 2.9.2 [X], 2.10.1 [ ], 5.6.2 [ ], 5.7.1 [ ], 3.2 [ ], 7.2 [ ], other:</b>
4.	<b>Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):</b> Air-cooled commercial package air conditioners and heat pumps; Heat pumps (excl. air conditioning machines of heading 8415) (HS code(s): 841861); Environmental protection (ICS code(s): 13.020); Ventilators. Fans. Air-conditioners (ICS code(s): 23.120); Energy efficiency. Energy conservation in general (ICS code(s): 27.015); Heat pumps (ICS code(s): 27.080)
5.	<b>Title, number of pages and language(s) of the notified document:</b> Energy Conservation Program: Energy Conservation Standards for Air-Cooled Commercial Package Air Conditioners and Heat Pumps; (23 page(s), in English)
6.	<b>Description of content:</b> Notice of proposed rulemaking - The Energy Policy and Conservation Act, as amended (" <a href="#">EPCA</a> "), prescribes energy conservation standards for various consumer products and certain commercial and industrial equipment, including air-cooled <a href="#">commercial package air conditioners and heat pumps</a> with a rated cooling capacity greater than or equal to 65,000 Btu/h. In this notice of proposed rulemaking ("NOPR"), the U.S. Department of Energy ("DOE") proposes amended energy conservation standards, based on clear and convincing evidence, identical to those set forth in a <a href="#">direct final rule ("DFR")</a> published elsewhere in this issue of the Federal Register. If DOE receives adverse comment and determines that such comment may provide a reasonable basis for withdrawal of the direct final rule, DOE will publish a notification of withdrawal and will proceed with this proposed rule.
7.	<b>Objective and rationale, including the nature of urgent problems where applicable:</b> Consumer information, labelling; Prevention of deceptive practices and consumer protection; Protection of the environment

**8. Relevant documents:**

89 Federal Register (FR) 43770, 20 May 2024; [Title 10 Code of Federal Regulations \(CFR\) Part 431](#):

<https://www.govinfo.gov/content/pkg/FR-2024-05-20/html/2024-08545.htm>

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This notice of proposed rulemaking is identified by Docket Number [EERE-2022-BT-STD-0015](#). The Docket Folder is available on Regulations.gov at <https://www.regulations.gov/docket/EERE-2022-BT-STD-0015/document> and provides access to primary and supporting documents as well as comments received. Documents are accessible from [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 Eastern Time](#) on 9 September 2024. 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](#) on Regulations.gov if received within the comment period.

Energy Conservation Program: Energy Conservation Standards for Air-Cooled Commercial Package Air Conditioners and Heat Pumps, Direct Final Rule published 20 May 2024 identified by Docket Number [EERE-2022-BT-STD-0015](#):

89 Federal Register (FR) 44052, [Title 10 Code of Federal Regulations \(CFR\) Part 431](#)

<https://www.govinfo.gov/content/pkg/FR-2024-05-20/html/2024-08546.htm>

<https://www.govinfo.gov/content/pkg/FR-2024-05-20/pdf/2024-08546.pdf>

[G/TBT/N/USA/897 and subsequent addenda and revision](#)

**9. Proposed date of adoption:** To be determined

**Proposed date of entry into force:** 17 September 2024; unless adverse comment is received by 9 September 2024. If no such adverse comments are received, compliance with the amended standards established for air-cooled commercial package air conditioners and heat pumps with a rated cooling capacity greater than or equal to 65,000 Btu/h in this direct final rule is required on and after 1 January 2029.

**10. Final date for comments:** 9 September 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\\_03403\\_00\\_e.pdf](https://members.wto.org/crnattachments/2024/TBT/USA/24_03403_00_e.pdf)

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