



19 August 2025

(25-5160)

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Committee on Technical Barriers to Trade

Original: English

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 (Articles 3.2 and 7.2): State of California
2.	Agency responsible: Department of Toxic Substances Control (DTSC), State of California [2265]
3.	Notified under Article 2.9.2 [], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [X], 7.2 [], Other:
4.	Products covered (HS codes or national tariff lines. ICS numbers may be provided in addition, where applicable): Nail products containing triphenyl phosphate (TPhP) – including nail coatings and artificial nails; Quality (ICS code(s): 03.120); Environmental protection (ICS code(s): 13.020); Esters (ICS code(s): 71.080.70); Cosmetics. Toiletries (ICS code(s): 71.100.70)
5.	Details of notified document(s) (title, number of pages and languages, means of access): Listing Nail Products Containing Triphenyl Phosphate (TPhP) at Concentrations Greater Than 250 Parts per Million (ppm) as a Priority Product; (4 page(s), in English) Link to notified document(s) and/or contact details for agency or authority which can provide copies upon request: https://members.wto.org/crnattachments/2025/TBT/USA/25_05346_00_e.pdf https://members.wto.org/crnattachments/2025/TBT/USA/25_05346_01_e.pdf
6.	Description of content: Proposed rule - The Department of Toxic Substances Control (DTSC) proposes to amend the California Code of Regulations, title 22, division 4.5, chapter 55, article 11, section 69511 , and adopt section 69511.10. This proposed amendment pertains to the identification of a Priority Product under the Safer Consumer Products (SCP) Regulations , approved by the Office of Administrative Law (OAL) and filed with the Secretary of State on 28 August 2013 (effective date: 1 October 2013; OAL Regulatory Action Number: Z-2012-07170-04). DTSC proposes to add nail products containing triphenyl phosphate (TPhP) – including nail coatings and artificial nails – as a Priority Product to the Priority Products List. This listing would apply to any nail product containing TPhP as an added ingredient, a residual, or a contaminant.
7.	Objective and rationale, including the nature of urgent problems where applicable: Prevention of deceptive practices and consumer protection; Protection of human health or safety; Quality requirements
8.	Relevant documents:

<p>California Notice Register No. 32-Z, 8 August 2025, pages 1006-1012: https://oal.ca.gov/wp-content/uploads/sites/166/2025/08/2025-Notice-Register-No.-32-Z-August-8-2025.pdf</p> <p>Listing Nail Products Containing Triphenyl Phosphate (TPhP) at Concentrations Greater Than 250 Parts per Million (ppm) as a Priority Product: https://dtsc.ca.gov/listing-nail-products-containing-triphenyl-phosphate-tphp-at-concentrations-greater-than-250-parts-per-million-ppm-as-a-priority-product/</p> <p>Notice of proposed action: https://dtsc.ca.gov/wp-content/uploads/sites/31/2025/08/R-2025-03R-1-Notice-of-Proposed-Action-NOPA.pdf</p> <p>Proposed regulatory text: https://dtsc.ca.gov/wp-content/uploads/sites/31/2025/08/R-2025-03R-2-Proposed-Regulatory-Text.pdf</p>	<p>9. Proposed date of adoption: To be determined</p> <p>Proposed date of entry into force: To be determined</p>
<p>10. Provision of comments</p> <p>Final date for comments: 22 September 2025</p> <p>[] 60 days from notification</p> <p>WTO Members and their stakeholders are asked to submit comments to the USA TBT Enquiry Point by or before 4pm Eastern Time on 22 September 2025. Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders will be shared with DTSC (at https://calsafes.dtsc.ca.gov/workflows/comment/#16301) if received within the comment period.</p> <p>Contact details of agency or authority designated to handle comments regarding the notification:</p> <p>Please submit comments to: USA WTO TBT Enquiry Point, Email: usatbtep@nist.gov</p>	