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:**  Agricultural Marketing Service (AMS), Department of Agriculture (USDA) [2010]  **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 [****],** **2.10.1 [****],** **5.6.2 [****],** **5.7.1 [****], 3.2 [****], 7.2 [****],** **other****[X]:** This proposed rule would remove soybeans of other colors (SBOC) as a criterion for determining the grade of U.S. Yellow soybeans (e.g., U.S. No. 1, No. 2, No. 3, etc.). It also would retain SBOC as a class-determining criterion in the class "Yellow soybeans." Official inspectors would only determine SBOC if needed to meet the definition of "Yellow soybeans" or at the request of an applicant for service. Accordingly, official certificates for Yellow soybeans would not show SBOC content unless requested by the applicant for service. Any sample of soybeans containing more than 10.0 percent of SBOC would continue to be graded as the class Mixed soybeans. |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Soybeans; Cereals, pulses and derived products (ICS code(s): 67.060) |
| **5.** | **Title, number of pages and language(s) of the notified document:** United States Standards for Soybeans; (5 page(s), in English) |
| **6.** | **Description of content:** Proposed rule - The Agricultural Marketing Service (AMS) proposes to revise the United States Standards for Soybeans by removing soybeans of other colors (SBOC) as an official factor. In addition, AMS proposes to revise the table of Grade Limits and Breakpoints for Soybeans to reflect this change. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Prevention of deceptive practices and consumer protection |
| **8.** | **Relevant documents:**  88 Federal Register (FR) 19229, 31 March 2023; Title 7 Code of Federal Regulations (CFR) Parts 800 and 810:  <https://www.govinfo.gov/content/pkg/FR-2023-03-31/html/2023-06679.htm>  <https://www.govinfo.gov/content/pkg/FR-2023-03-31/pdf/2023-06679.pdf>  This proposed rule is identified by Docket Number AMS-FGIS-22-0083. The docket, which provides access to primary documents as well as comments received, should be accessible from Regulations.gov at <https://www.regulations.gov/docket/AMS-FGIS-22-0083/document>. If not, locate the docket 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). Comments received by the USA TBT Enquiry Point from WTO Members and their stakeholders by [4pm](http://time-time.net/times/time-zones/usa-canada/current-eastern-time-est.php) [Eastern Time](https://24timezones.com/time-zone/et) on 1 May 2023 will be shared with the regulator and will also be submitted to the [Docket](https://www.regulations.gov/docket/AMS-FGIS-22-0083/document) on Regulations.gov if received within the comment period.  Copies of the current Standards are available at <https://www.ams.usda.gov/grades-standards/grain-standards>.  The USDA Grain Inspection Advisory Committee recommended, at its June 2022 meeting in Kansas City, MO, that the Federal Grain Inspection Service conduct a study (available at <https://www.ams.usda.gov/sites/default/files/media/FGISSBOCStudy.pdf>) to determine whether the presence of higher SBOC has any impact on the oil and protein content of soybeans. The results of the study show no significant correlation between SBOC and protein and oil content. Additionally, based on visual analysis, the color variation in the seedcoat does not extend into the cotyledon. Since most commercial crushing operations remove the hull before crushing, this is not likely to affect the color of the finished product. |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** 1 May 2023 |
| **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/2023/TBT/USA/23_8697_00_e.pdf> |