

- (vi) a method of risk assessment;
- (vii) a packaging and labeling requirement directly related to food safety; and
- (viii) a quarantine treatment, such as a relevant requirement associated with the transportation of animals or plants or with material necessary for their survival during transportation.

(Pub. L. 96-39, title IV, §463, as added Pub. L. 103-182, title III, §351(a), Dec. 8, 1993, 107 Stat. 2119.)

SUBPART 2—STANDARDS-RELATED MEASURES

§ 2576. General

(a) No bar to engaging in standards activity

Nothing in this subpart shall be construed—

- (1) to prohibit a Federal agency from engaging in activity related to standards-related measures, including any such measure relating to safety, the protection of human, animal, or plant life or health, the environment or consumers; or
- (2) to limit the authority of a Federal agency to determine the level it considers appropriate of safety or of protection of human, animal, or plant life or health, the environment or consumers.

(b) Exclusion

This subpart does not apply to—

- (1) technical specifications prepared by a Federal agency for production or consumption requirements of the agency; or
- (2) sanitary or phytosanitary measures under subpart 1.

(Pub. L. 96-39, title IV, §471, as added Pub. L. 103-182, title III, §351(a), Dec. 8, 1993, 107 Stat. 2120.)

§ 2576a. Inquiry point

The standards information center maintained under section 2544 of this title shall, in addition to the functions specified therein, make available to the public relevant documents, at such reasonable fees as the Secretary of Commerce may prescribe, and information regarding—

- (1) the membership and participation of the Federal Government, State governments, and relevant nongovernmental bodies in the United States in international and regional standardizing bodies and conformity assessment systems, and in bilateral and multilateral arrangements regarding standards-related measures, and the provisions of those systems and arrangements;
- (2) the location of notices of the type required under article 909 of the NAFTA, or where the information contained in such notice can be obtained; and
- (3) the Federal agency procedures for assessment of risk, and factors the agency considers in conducting the assessment and establishing the levels of protection that the agency considers appropriate.

(Pub. L. 96-39, title IV, §472, as added Pub. L. 103-182, title III, §351(a), Dec. 8, 1993, 107 Stat. 2120.)

§ 2576b. Subpart definitions

Notwithstanding section 2571 of this title, for purposes of this subpart—

(1) Approval procedure

The term “approval procedure” means any registration, notification, or other mandatory administrative procedure for granting permission for a good or service to be produced, marketed, or used for a stated purpose or under stated conditions.

(2) Conformity assessment procedure

The term “conformity assessment procedure” means any procedure used, directly or indirectly, to determine that a technical regulation or standard is fulfilled, including sampling, testing, inspection, evaluation, verification, monitoring, auditing, assurance of conformity, accreditation, registration, or approval used for such a purpose, but does not mean an approval procedure.

(3) Objective

The term “objective” includes—

- (A) safety,
- (B) protection of human, animal, or plant life or health, the environment or consumers, including matters relating to quality and identifiability of goods or services, and
- (C) sustainable development,

but does not include the protection of domestic production.

(4) Service

The term “service” means a land transportation service or a telecommunications service.

(5) Standard

The term “standard” means—

- (A) characteristics for a good or a service,
- (B) characteristics, rules, or guidelines for—
 - (i) processes or production methods relating to such good, or
 - (ii) operating methods relating to such service, and
- (C) provisions specifying terminology, symbols, packaging, marking, or labelling for—
 - (i) a good or its related process or production methods, or
 - (ii) a service or its related operating methods,

for common and repeated use, including explanatory and other related provisions set out in a document approved by a standardizing body, with which compliance is not mandatory.

(6) Standards-related measure

The term “standards-related measure” means a standard, technical regulation, or conformity assessment procedure.

(7) Technical regulation

The term “technical regulation” means—

- (A) characteristics or their related processes and production methods for a good,
- (B) characteristics for a service or its related operating methods, or