

## REFERENCES IN TEXT

Section 2571(6)(A) of this title, referred to in par. (2)(B)(ii), was amended generally by Pub. L. 103-465, title III, § 351(e)(4), Dec. 8, 1994, 108 Stat. 4956, and, as so amended, no longer contains clauses.

## AMENDMENTS

1996—Par. (4). Pub. L. 104-295 inserted comma after “system, if any”.

1994—Par. (4). Pub. L. 103-465 substituted “Access” for “Certification access” in heading, and, in text, substituted “conformity assessment procedure” for “certification system” and “an assessment of conformity and the mark of the system, if any” for “certification under that system”.

## EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by Pub. L. 103-465 effective on the date on which the WTO Agreement enters into force with respect to the United States [Jan. 1, 1995], see section 352 of Pub. L. 103-465, set out as a note under section 2531 of this title.

### § 2533. State and private standards-related activities

#### (a) In general

It is the sense of the Congress that no State agency and no private person should engage in any standards-related activity that creates unnecessary obstacles to the foreign commerce of the United States.

#### (b) Presidential action

The President shall take such reasonable measures as may be available to promote the observance by State agencies and private persons, in carrying out standards-related activities, of requirements equivalent to those imposed on Federal agencies under section 2532 of this title, and of procedures that provide for notification, participation, and publication with respect to such activities.

(Pub. L. 96-39, title IV, § 403, July 26, 1979, 93 Stat. 243.)

## PART B—FUNCTIONS OF FEDERAL AGENCIES

### § 2541. Functions of Trade Representative

#### (a) In general

The Trade Representative shall coordinate the consideration of international trade policy issues that arise as a result of, and shall develop international trade policy as it relates to, the implementation of this subchapter.

#### (b) Negotiating functions

The Trade Representative has responsibility for coordinating United States discussions and negotiations with foreign countries for the purpose of establishing mutual arrangements with respect to standards-related activities. In carrying out this responsibility, the Trade Representative shall inform and consult with any Federal agency having expertise in the matters under discussion and negotiation.

#### (c) Cross reference

**For provisions of law regarding general authority of the Trade Representative with respect to trade agreements, see section 2171 of this title.**

(Pub. L. 96-39, title IV, § 411, July 26, 1979, 93 Stat. 243; Pub. L. 103-182, title III, § 351(b)(2),

Dec. 8, 1993, 107 Stat. 2122; Pub. L. 104-295, § 21(b)(1), (2), Oct. 11, 1996, 110 Stat. 3529, 3530.)

## AMENDMENTS

1996—Pub. L. 104-295, § 21(b)(1), amended directory language of Pub. L. 103-182, § 351(b)(2). See 1993 Amendment notes below.

Subsec. (c). Pub. L. 104-295, § 21(b)(2), substituted “Trade Representative” for “Special Representatives”.

1993—Pub. L. 103-182, § 351(b)(2)(B), as amended by Pub. L. 104-295, § 21(b)(1), substituted “Trade Representative” for “Special Representative” in section catchline.

Subsecs. (a), (b). Pub. L. 103-182, § 351(b)(2)(A), as amended by Pub. L. 104-295, § 21(b)(1), substituted “Trade Representative” for “Special Representative” wherever appearing.

### § 2542. Establishment and operation of technical offices

#### (a) Establishment

##### (1) For nonagricultural products

The Secretary of Commerce shall establish and maintain within the Department of Commerce a technical office that shall carry out the functions prescribed under subsection (b) with respect to nonagricultural products.

##### (2) For agricultural products

The Secretary of Agriculture shall establish and maintain within the Department of Agriculture a technical office that shall carry out the functions prescribed under subsection (b) with respect to agricultural products.

#### (b) Functions of offices

The President shall prescribe for each technical office established under subsection (a) such functions as the President deems necessary or appropriate to implement this subchapter.

(Pub. L. 96-39, title IV, § 412, July 26, 1979, 93 Stat. 244.)

## DELEGATION OF FUNCTIONS

Functions of President under subsec. (b) of this section delegated to Secretary of Commerce regarding technical office established under subsec. (a)(1) of this section, and to Secretary of Agriculture regarding technical office established under subsec. (a)(2) of this section, see section 1-103(a) of Ex. Ord. No. 12188, Jan. 2, 1980, 45 F.R. 990, set out as a note under section 2171 of this title.

### § 2543. Representation of United States interests before international standards organizations

#### (a) Oversight and consultation

The Secretary concerned shall—

(1) inform, and consult and coordinate with, the Trade Representative with respect to international standards-related activities identified under paragraph (2);

(2) keep adequately informed regarding international standards-related activities and identify those that may substantially affect the commerce of the United States; and

(3) carry out such functions as are required under subsections (b) and (c).

#### (b) Representation of United States interests by private persons

##### (1) Definitions

For purposes of this subsection—