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:** Federal Communications Commission (FCC) [1636]  **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 [****X],** **5.7.1 [****],** **other****:** |
| **4.** | **Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable):** Radiofrequency electromagnetic fields; Quality (ICS 03.120), Radiation protection (ICS 13.280), Electricity. Magnetism. Electrical and magnetic measurements (ICS 17.220), Radiation measurements (ICS 17.240), Radiocommunications (ICS 33.060), Electromagnetic compatibility (EMC) (ICS 33.100) |
| **5.** | **Title, number of pages and language(s) of the notified document:** Human Exposure to Radiofrequency Electromagnetic Fields and Reassessment of FCC Radiofrequency Exposure Limits and Policies (21 page(s), in English) |
| **6.** | **Description of content:** Final Rule - In this document, the Federal Communications Commission (Commission) amends its rules related to the two methods that may be used for determining and achieving compliance with the Commission's existing limits on human exposure to radiofrequency (RF) electromagnetic fields: Exemption -- consideration of whether a particular device or deployment is so clearly compliant, based on criteria in the Commission's rules, that it qualifies as exempt from the requirement to undertake a more thorough RF exposure analysis--and evaluation--a more specific examination of an individual site or device, which considers factors beyond those utilized for exemption and may be performed with a variety of computational and/or measurement methodologies. It also amends the rules related to an increasingly important part of demonstrating and maintaining RF exposure compliance: mitigation--the restriction from or limitation of RF exposure in controlled areas to keep RF exposure within the Commission's established limits by, for example, using signs or barriers. The amended rules are intended to provide more efficient, practical, and consistent RF exposure evaluation procedures and mitigation measures to help ensure compliance with the existing RF exposure limits. The amended rules replace the various inconsistent service-specific criteria for exempting parties from performing an evaluation to demonstrate compliance with the RF exposure limits with new, streamlined criteria. The amended rules also allow the use of any valid computational method to determine potential RF exposure levels, remove the minimum evaluation distance requirement for frequencies above 6 GHz, and establish post-evaluation RF exposure mitigation procedures (e.g., signage), to help ensure that persons are not exposed to RF emissions in excess of the existing limits. The Commission also affirms its prior decision to classify the pinna (outer ear) as an extremity in RF exposure compliance testing, finds no appropriate basis for and thus declines to propose amendments to existing RF exposure limits at this time, and terminates the inquiry in which it sought comment on the Commission's existing guidelines for limiting RF exposure to humans. |
| **7.** | **Objective and rationale, including the nature of urgent problems where applicable:** Protection of human health or safety; Quality requirements; Harmonization |
| **8.** | **Relevant documents:**   * 85 Federal Register (FR) 18131, 1 April 2020; Title 47 Code of Federal Regulations (CFR) Parts1, 2, 15, 18, 22, 24, 25, 27, 73, 90, 95, 97, and 101: [<https://www.govinfo.gov/content/pkg/FR-2020-04-01/html/2020-02745.htm>](https://www.govinfo.gov/content/pkg/FR-2020-04-01/html/2020-02745.htm) [<https://www.govinfo.gov/content/pkg/FR-2020-04-01/pdf/2020-02745.pdf>](https://www.govinfo.gov/content/pkg/FR-2020-04-01/pdf/2020-02745.pdf) * Reassessment of Exposure to Radiofrequency Electromagnetic Fields Limits and Policies, Proposed rule published 4 June 2013: [<https://www.govinfo.gov/content/pkg/FR-2013-06-04/html/2013-12713.htm>](https://www.govinfo.gov/content/pkg/FR-2013-06-04/html/2013-12713.htm) [<https://www.govinfo.gov/content/pkg/FR-2013-06-04/pdf/2013-12713.pdf>](https://www.govinfo.gov/content/pkg/FR-2013-06-04/pdf/2013-12713.pdf) * Human Exposure to Radiofrequency Electromagnetic Fields, Final Rule published 4 June 2013: [<https://www.govinfo.gov/content/pkg/FR-2013-06-04/html/2013-12716.htm>](https://www.govinfo.gov/content/pkg/FR-2013-06-04/html/2013-12716.htm) [<https://www.govinfo.gov/content/pkg/FR-2013-06-04/pdf/2013-12716.pdf>](https://www.govinfo.gov/content/pkg/FR-2013-06-04/pdf/2013-12716.pdf) |
| **9.** | **Proposed date of adoption:** To be determined  **Proposed date of entry into force:** To be determined |
| **10.** | **Final date for comments:** None |
| **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/2020/TBT/USA/20_2759_00_e.pdf> |