

# GENERAL AGREEMENT ON

## TARIFFS AND TRADE

RESTRICTED

TBT/Notif.92.385

4 December 1992

Special Distribution

Committee on Technical Barriers to Trade

### NOTIFICATION

The following notification is being circulated in accordance with Article 10.4.

1. Party to Agreement notifying: <u>UNITED STATES</u>
2. Agency responsible: Food and Drug Administration (384)
3. Notified under Article 2.5.2 [X], 2.6.1 [], 7.3.2 [], 7.4.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading):  Wine bottles
5. Title and number of pages of the notified document: Tin-Coated Lead Foil Capsules for Wine Bottles (7 pages)
6. Description of content: The Administration, as part of its continuing effort to reduce lead levels in food, is proposing to prohibit the use of tin-coated lead foil capsules (that is coverings for the cork and neck area) on wine bottles.  The Administration will consider wine to be adulterated if a tin-lead foil capsule is applied to the bottle on or after the effective date of the final rule.
7. Objective and rationale: This action is based on evidence that the lead in these capsules may, as a result of the intended use of the capsules, become a component of the wine. Therefore, because no food additive regulation or exemption exists that provides for the safe use of such capsules, these capsules are unsafe food additives.
8. Relevant documents: 57 FR 55485, 25 November 1992; 21 CFR, Part 189. Will appear in the Federal Register when adopted.
9. Proposed date of adoption and entry into force: The agency is proposing that any final rule that may be issued based on this proposal become effective on the date of publication in the Federal Register.
10. Final date for comments: 25 January 1993
11. Texts available from: National enquiry point [X] or address of other body: