

## U.S. Federal Register Update: November 21 – November 25, 2022

The U.S. Federal Register Update contains summaries of entries in the U.S. Federal Register that may be of particular interest to the standards and conformity assessment community. This update is provided on a weekly basis by ANSI as a service to its members as part of the Institute's e-newsletter, *What's New?*

### [Safety Standard for Clothing Storage Units](#)

**Published** 11/25/2022

**Reference** ANSI, ASTM, ISO

The U.S. Consumer Product Safety Commission (Commission or CPSC) has determined that there is an unreasonable risk of injury and death, particularly to children, associated with clothing storage units (CSUs) tipping over. To address this risk, the Commission is issuing a rule regarding the stability of CSUs. This rule requires CSUs to be tested for stability, exceed minimum stability requirements, bear labels containing safety and identification information, and display a hang tag providing performance and technical data about the stability of the CSU. The Commission issues this rule under the authority of the Consumer Product Safety Act (CPSA). **This rule is effective on May 24, 2023. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of May 24, 2023.**

---

### [Requirements for Additional Traceability Records for Certain Foods](#)

**Published** 11/25/2022

**Reference** ANSI, ISO

The Food and Drug Administration (FDA, the Agency, or we) is issuing a final rule establishing additional recordkeeping requirements for persons who manufacture, process, pack, or hold foods the Agency has designated for inclusion on the Food Traceability List (FTL). The final rule adopts provisions requiring these entities to maintain records containing information on critical tracking events in the supply chain for these designated foods, such as initially packing, shipping, receiving, and transforming these foods. The requirements established in the final rule will help the Agency rapidly and effectively identify recipients of foods to prevent or mitigate foodborne illness outbreaks and address credible threats of serious adverse health consequences or death resulting from foods being adulterated or misbranded. We are issuing this regulation in accordance with the FDA Food Safety Modernization Act (FSMA). **This rule is effective January 20, 2023. For the applicable compliance dates, see section VI "Effective and Compliance Dates" in the SUPPLEMENTARY INFORMATION section of this document.**

---

### [Children's Gasoline Burn Prevention Act Regulation](#)

**Published** 11/22/2022

**Reference** ASTM, CSA, ISO

The Children's Gasoline Burn Prevention Act (CGBPA or the Act) mandated, as a consumer product safety rule, the child-resistance requirements for closures on portable gasoline containers published in the voluntary standard, ASTM F2517-05. ASTM F2517 was revised in 2015 and 2017, and the U.S. Consumer Product Safety Commission (CPSC) allowed those revisions to become mandatory pursuant to the Act. On September 1, 2022, the Commission received notice that ASTM F2517 has been revised again. In this direct final rule, the Commission evaluates the revised ASTM F2517-22e1 standard and finds that the revisions carry out the purposes of the CGBPA. Accordingly, pursuant to the Act, the 2022 revisions to the child-resistance requirements of ASTM F2517 will be incorporated into the mandatory standard for closures on portable gasoline containers. This direct final rule updates the Commission's regulation to reflect that the requirements for closures on portable gasoline containers must meet the requirements in ASTM F2517-22e1. **The rule is effective on December 22, 2022, unless CPSC receives a significant adverse comment by December 7, 2022. If CPSC receives such a comment, it will publish a notice in the Federal Register, withdrawing this direct final rule before its effective date. The incorporation by reference of the publication listed in this rule is approved by the Director of the Federal Register as of December 22, 2022.**

---

### [Wooden Bedroom Furniture From the People's Republic of China: Initiation of Antidumping Duty Changed Circumstances Review](#)

**Published** 11/22/2022

**Reference** ASTM

In response to a request from Golden Well International (HK), Ltd. (Golden Well) and Zhangzhou XMB Home Technology Co., Ltd. (Zhangzhou XMB), the U.S. Department of Commerce (Commerce) is initiating a changed circumstances review

(CCR) of the antidumping duty (AD) order on wooden bedroom furniture (WBF) from the People's Republic of China (China) to determine whether Zhangzhou XMB is the successor-in-interest to Zhangzhou XYM Furniture Product Co., Ltd. (Zhangzhou XYM). **Applicable November 22, 2022.**

---

[Medicare Program: Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs; Organ Acquisition; Rural Emergency Hospitals: Payment Policies, Conditions of Participation, Provider Enrollment, Physician Self-Referral; New Service Category for Hospital Outpatient Department Prior Authorization Process; Overall Hospital Quality Star Rating; COVID-19](#)

**Published** 11/23/2022

**Reference** ASTM, ISO, NFPA

This final rule with comment period revises the Medicare hospital outpatient prospective payment system (OPPS) and the Medicare ambulatory surgical center (ASC) payment system for Calendar Year (CY) 2023 based on our continuing experience with these systems. We describe the changes to the amounts and factors used to determine the payment rates for Medicare services paid under the OPPS and those paid under the ASC payment system. Also, this final rule updates and refines the requirements for the Hospital Outpatient Quality Reporting (OQR) Program; the ASC Quality Reporting (ASCQR) Program; and the Rural Emergency Hospital Quality Reporting (REH) Program. We also make updates to the requirements for Organ Acquisition, REHs, Prior Authorization, and Overall Hospital Quality Star Rating. We are establishing a new provider type for REHs, and we are finalizing proposals regarding payment policy, quality measures, and enrollment policy for REHs. In addition, we are finalizing the Conditions of Participation that REHs must meet in order to participate in the Medicare and Medicaid programs. This rule also finalizes changes to the Critical Access Hospitals (CAH) CoPs for the location and distance requirements, patient's rights requirements, and flexibilities for CAHs that are part of a larger health system. Finally, we are finalizing as implemented a number of provisions included in the COVID-19 interim final rules with comment period (IFCs). **The provisions of this rule are effective January 1, 2023.**

---

[Requirements for Additional Traceability Records for Certain Foods](#)

**Published** 11/21/2022

**Reference** IEC

The Food and Drug Administration (FDA, the Agency, or we) is issuing a final rule establishing additional recordkeeping requirements for persons who manufacture, process, pack, or hold foods the Agency has designated for inclusion on the Food Traceability List (FTL). The final rule adopts provisions requiring these entities to maintain records containing information on critical tracking events in the supply chain for these designated foods, such as initially packing, shipping, receiving, and transforming these foods. The requirements established in the final rule will help the Agency rapidly and effectively identify recipients of foods to prevent or mitigate foodborne illness outbreaks and address credible threats of serious adverse health consequences or death resulting from foods being adulterated or misbranded. We are issuing this regulation in accordance with the FDA Food Safety Modernization Act (FSMA). **This rule is effective January 20, 2023. For the applicable compliance dates, see section VI "Effective and Compliance Dates" in the SUPPLEMENTARY INFORMATION section of this document.**

---

[Hazardous Materials: Notice of Applications for New Special Permits](#)

**Published** 11/22/2022

**Reference** ISO

In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material regulations, notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. **Comments must be received on or before December 22, 2022.**

---

[Technical Guidelines Development Committee \(TGDC\) Notice of Vacancy](#)

**Published** 11/23/2022

**Reference** NIST

Pursuant to 52 U.S.C. 20961 and the Charter of the EAC Technical Guidelines Development Committee (TGDC), the EAC is posting this notice of vacancy. Any vacancy in the TGDC shall be filled in the manner in which the original appointment was made. The vacancy shall be filled jointly by the EAC and the Director of the National Institute of Standards and Technology (NIST). Pursuant to the TGDC Charter, the EAC will post the notice on the EAC website: <https://www.eac.gov>.

---

### [Privacy Act of 1974; Notice of a Modified System of Records](#)

**Published** 11/21/2022

**Reference** NIST

GSA proposes to modify a system of records subject to the Privacy Act of 1974, as amended. Login.gov is a secure sign-in service with the capability to authenticate and identity proof users before the user is granted access to participating government websites or applications. GSA is modifying the categories of records in the system, the policies and practices for retrieval and routine uses of records, and removing outdated references to National Institute of Standards and Technology (NIST) technical standards. This modification is intended to revise and replace all notices previously describing this system of records. **Submit comments on or before: December 21, 2022.**

---

### [Emergency Alert System; Wireless Emergency Alerts; Protecting the Nation's Communications Systems From Cybersecurity Threats](#)

**Published** 11/23/2022

**Reference** NIST

In this document, the Commission proposes requirements for Emergency Alert System (EAS) Participants to report compromises of their EAS equipment, communications systems, and services to the Commission. Additionally, this document proposes requirements for EAS Participants and Commercial Mobile Service (CMS) providers that participate in Wireless Emergency Alerts (WEA) to annually certify to having a cybersecurity risk management plan in place and to employ sufficient security measures to ensure the confidentiality, integrity, and availability of their respective alerting systems. This document also proposes requirements for participating CMS providers to take steps to ensure that only valid alerts are displayed on consumer devices. These requirements would further protect the nation's communications systems from cybersecurity threats. With this Notice of Proposed Rulemaking, the Commission seeks comment on the proposed rules and any suitable alternatives. **Comments are due on or before December 23, 2022 and reply comments are due on or before January 23, 2023.**

---

### [Control of Air Pollution From Aircraft Engines: Emission Standards and Test Procedures](#)

**Published** 11/23/2022

**Reference** SAE

The Environmental Protection Agency (EPA) is finalizing particulate matter (PM) emission standards and test procedures applicable to certain classes of engines used by civil subsonic jet airplanes (engines with rated output of greater than 26.7 kilonewtons (kN)) to replace the existing smoke standard for those engines. The EPA is adopting these standards under our authority in the Clean Air Act (CAA). These standards and test procedures are equivalent to the engine standards adopted by the United Nations' International Civil Aviation Organization (ICAO) in 2017 and 2020 and will apply to both new type design aircraft engines and in-production aircraft engines. The EPA, as well as the U.S. Federal Aviation Administration (FAA), actively participated in the ICAO proceedings in which the ICAO requirements were developed. These standards reflect the importance of the control of PM emissions and U.S. efforts to secure the highest practicable degree of uniformity in aviation regulations and standards. Additionally, the EPA is migrating, modernizing, and streamlining the existing regulations into a new part in the Code of Federal Regulations. As part of this update, the EPA is also aligning with ICAO by applying the smoke number standards to engines less than or equal to 26.7 kilonewtons rated output used on supersonic airplanes. **This final rule is effective on December 23, 2022. The incorporation by reference of certain material listed in this rule is approved by the Director of the Federal Register as of December 23, 2022.**

---

### [Eurofins Electrical and Electronic Testing NA, Inc. a/k/a MET Laboratories, Inc.: Application for Expansion of Recognition](#)

**Published** 11/23/2022

**Reference** UL

In this notice, OSHA announces the application of Eurofins Electrical and Electronic Testing NA, Inc. a/k/a MET Laboratories, Inc., for expansion of the recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before December 8, 2022.**

---

### [TUV Rheinland of North America, Inc.: Application for Expansion of Recognition](#)

**Published** 11/22/2022

**Reference** UL

In this notice, OSHA announces the application of TUV Rheinland of North America, Inc., for expansion of the scope of recognition as a Nationally Recognized Testing Laboratory (NRTL) and presents the agency's preliminary finding to grant the

application. **Submit comments, information, and documents in response to this notice, or requests for an extension of time to make a submission, on or before December 7, 2022.**

---