

International Trade Compliance

(Covering Customs and Other Import Requirements, Export Controls and Sanctions, Trade Remedies, WTO and Anti-Corruption)

BAKER & MCKENZIE

Newsletter

September 2016 | Update

www.internationaltradeupdate.com

In This Issue:

[World Trade Organization \(WTO\)](#)

[World Customs Organization \(WCO\)](#)

[Other International Matters](#)

[The Americas - Central America](#)

[The Americas - North America](#)

[The Americas - South America](#)

[Asia-Pacific](#)

[Europe and Middle East](#)

[Africa](#)

[Trade compliance enforcement actions - import, export, IPR, FCPA](#)

[Newsletters, reports, articles, etc.](#)

[Webinars, Meetings, Seminars, etc.](#)

[WTO TBT Notifications](#)

[CBSA Advance Rulings](#)

[CBP Rulings: Downloads and Searches](#)

[CBP Rulings: Revocations or Modifications](#)

[European Classification Regulations](#)

[Amendments to the CN Explanatory Notes](#)

[Section 337 Actions](#)

[Antidumping, Countervailing Duty and Safeguard Investigations, Orders & Reviews](#)

Editor of *International Trade Compliance Update*

Stuart P. Seidel

Washington, D.C.

+1 202 452 7088

stuart.seidel@bakermckenzie.com

This may qualify as "Attorney Advertising" requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.

Please see copyright and acknowledgements on the last page

Note: Unless otherwise indicated, all information below is taken from official websites, newsletters or press releases of international organizations (WTO, WCO, APEC, INTERPOL, etc.), the EU, EFTA, Customs Unions or government agencies. The specific source may usually be obtained by clicking on the blue hypertext link. Please note that as a general rule, information related to fisheries is not covered.

2016 A Year-End Review of IMPORT/EXPORT DEVELOPMENTS



Save the Date! Nov. 15-16, 2016 | Santa Clara, CA and Webcast

Each year Baker & McKenzie trade compliance lawyers from around the world come together to present a year-end review of import and export developments. Mark your calendars for this year's two-day conference, which will be held Tuesday, November 15 through Wednesday, November 16 at the Hyatt Regency in Santa Clara, California.

If you are unable to attend the conference, but still wish to participate, we will offer a live webcast option as well.

A formal email invitation with additional details will be distributed in the coming months.

Confirmation emails will be sent approximately 6 weeks prior to the event.

Baker & McKenzie's International Trade, Compliance and Customs Group provides multinational companies coordinated, practical, and solution-oriented international trade representation and advice. With more than 200 highly qualified international trade lawyers around the globe focused on imports, export controls, trade sanctions, anticorruption and trade remedies, we help clients to maximize opportunities and manage compliance risks in cross-border business transactions.

Related Conferences:

London - Annual International Trade, Brexit and Anti-Bribery Conference

27-29 September 2016 - [Click here to request an invitation.](#)

Amsterdam - International Trade & Compliance Conference

3-4 November 2016 - [Click here to request an invitation.](#)

BAKER & MCKENZIE

This conference is complimentary

[Add to Outlook Calendar](#)

[REGISTER NOW](#)

Questions

Lillian Han

Tel: +1 415 576 3061

[lillian.han](mailto:lillian.han@bakermckenzie.com)

[@bakermckenzie.com](https://twitter.com/bakermckenzie)

Liz Rittinger

Tel: +1 415 984 3853

[Elizabeth.Rittinger](mailto:Elizabeth.Rittinger@bakermckenzie.com)

[@bakermckenzie.com](https://twitter.com/bakermckenzie)

Jen Weiner

Tel: +1 312 861 8320

[jennifer.weiner](mailto:jennifer.weiner@bakermckenzie.com)

[@bakermckenzie.com](https://twitter.com/bakermckenzie)

CLE credit will be available.

To receive our updates in real time, please follow us on Twitter!



[@BMCKTrade](https://twitter.com/BMcKTrade)



Visit our online international trade news & resource center.



Watch previously recorded International Trade Webinars.

The *International Trade Compliance Update* is a publication of the Global Trade and Commerce Practice Group of Baker & McKenzie. Articles and comments are intended to provide our readers with information on recent legal developments and issues of significance or interest. They should not be regarded or relied upon as legal advice or opinion. Baker & McKenzie advises on all aspects of International Trade law.

Comments on this *Update* may be sent to the Editor:

Stuart P. Seidel
Washington, D.C.
+1 202 452 7088
stuart.seidel@bakermckenzie.com

A note on spelling, grammar and dates--

In keeping with the global nature of Baker & McKenzie, the original spelling, grammar and date formatting of non-USA English language material has been preserved from the original source whether or not the material appears in quotes.

Translations of most non-English language documents are unofficial and are performed via an automated program and are for information purposes only.

Credits:

Unless otherwise indicated, all information is taken from official international organization or government websites, or their newsletters or press releases.

Source documents may be accessed by clicking on the blue hypertext links.

This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).

Please see our [Webinars, Meetings, Seminars](#) section for details on our: **London-Annual International Trade, Brexit and Anti-Bribery Conference** on 27-29 September 2016 and our **Amsterdam - International Trade & Compliance Conference** on 3-4 November 2016, as well as other events and recorded presentations of past Webinars.





Annual Anti-Corruption, Export Controls, and Trade Sanctions Update

6 October 2016 | Washington, DC

Save the Date!

Join us on Thursday, October 6 for our first annual **Anti-Corruption, Export Controls, and Trade Sanctions Update** in Washington, DC. Baker & McKenzie trade compliance lawyers from around the world and friends will come together to present a review of trade sanctions, export controls, anti-corruption and enforcement developments. This half-day conference will be held in our Washington, DC office. The discussion will be followed by a reception with light hors d'oeuvres.

If you are unable to attend the conference, but still wish to participate, we will offer a live webcast option as well.

A formal email invitation with additional details will be distributed in the coming days.

[CLE credit will be available for this discussion.](#)

Date: October 6, 2016

Location:
Baker & McKenzie
815 Connecticut Ave., NW
Washington, DC 20006
USA

Time:
Program: 1:00 PM - 5:30 PM
Reception: 5:30 PM - 8:00 PM

[Register Now](#) 

Questions:
If you have any questions regarding this event, please contact:

[Sal Gonzalez](#)
Business Support Specialist
Tel: +1 202 835 1661

To keep abreast of trade news, visit our blogs -

For **updates**, please visit www.internationaltradecomplianceupdate.com regularly.

For additional articles and updates on **trade sanctions and related subjects**, please visit our sister blog: <http://sanctionsnews.bakermckenzie.com/> regularly.

For **additional compliance news and comment** from around the world, please visit <http://globalcomplianceupdate.com/>.

For resources and news regarding the **Trans-Pacific Partnership Agreement**, please visit <http://tpp.bakermckenzie.com/>.

Baker and McKenzie has established a blog for **Brexit** issues. Visit <http://brexit.bakermckenzie.com/> often to see how the recent UK referendum on exiting the EU may affect your business.

World Trade Organization (WTO)

Russia notifies WTO that it will submit GPA offer

On 19 August 2016, the Russian Federation notified the WTO that it intends to initiate negotiations pursuant to paragraph 1143 of the *Working Party Report on the Accession of the Russian Federation to the WTO* on the accession to the *Agreement on Government Procurement*. The letter indicated that –

The Russian Federation has made great efforts to improve its governmental procurement system in recent years. The adoption and further entry into force of a new Federal Law “On the Contract System of the Federal and Municipal Procurement of Goods, Works and Services” reflects the successful result of this process.

The Russian Federation said that it will provide its offer in the coming months.

DSB activities

During the period covered by this update, the Dispute Settlement Body (DSB) or parties to a dispute took the following actions or reported the following activities. Requests for a panel are not listed (click on “DS” number to go to summaries of the case, click on “Activity” to go to the latest news or documents):

| DS No. | Case Name | Activity | Date |
|-----------------------|--|-------------------------------------|----------|
| DS485 | Russian Federation — Tariff Treatment of Certain Agricultural and Manufacturing Products (Complainant: European Union) | Panel Report issued | 12-08-16 |
| DS475 | Russian Federation – Measures on the Importation of Live Pigs, Pork and Other Pig Products from the European Union | Panel Report issued | 19-08-16 |

TBT Notifications

Member countries of the WTO are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. [See separate section on WTO TBT Notifications](#) for a table which summarizes notifications posted by the WTO during the past month.

World Customs Organization (WCO)

Dates and Draft Agenda for 58th Session of the HSC released

On August 31, 2016, U.S. Customs and Border Protection (CBP) published in the [Customs Bulletin and Decisions](#) the dates and [draft agenda](#) for the fifty-eighth session of the Harmonized System Committee of the WCO. Copies of available agenda-item documents may be obtained from either Joan A. Jackson at CBP (+1-202-325-0010) or Dan Shepherdson at the U.S. International Trade Commission (+1-202-205-2598). Comments on agenda items may be directed to the above-listed individuals.

Article 6 of the *International Convention on the Harmonized Commodity Description and Coding System* (“Harmonized System Convention”) establishes a Harmonized System Committee (“HSC”). The HSC is composed of representatives from each of the contracting parties to the Harmonized System Convention. The

HSC's responsibilities include issuing classification decisions on the interpretation of the Harmonized System. Those decisions may take the form of published tariff classification opinions concerning the classification of an article under the Harmonized System or amendments to the Explanatory Notes to the Harmonized System. The HSC also considers amendments to the legal text of the Harmonized System. The HSC meets twice a year in Brussels, Belgium. The next session of the HSC will be the fifty-eighth and it will be held from September 28, 2016 to October 7, 2016.

Announcements and news releases [dd-mm-yy]

| Date | Title |
|----------|--|
| 03-08-16 | Strong political support for Samoa Customs modernization Joint WCO-WTO workshop on Customs Valuation for Honduras |
| 04-08-16 | Harmonized System classification of sodium sulphate Corrigendum amendments to the HS Nomenclature 2017 Edition |
| 05-08-16 | WCO supports EAC Member Administrations with development of roadmaps to facilitate the successful administration of the regional AEO Programme Regional HRM experts in West and Central Africa (WCA) gain practical experience in conducting Capacity Building support missions WCO supports the Burundi Revenue Authority with the implementation of its AEO Programme! |
| 08-08-16 | Zimbabwe hosts Regional Workshop on the HS 2017 Edition for the WCO's ESA and WCA Regions WCO successfully completes a review of Zimbabwe's Authorized Economic Operator Framework Meeting with Finance Minister and Policy Dialogue with Japanese Aid Agency |
| 10-08-16 | Vanuatu Customs implements the WCO nCEN system |
| 17-08-16 | The WCO fosters regional cooperation in West Africa in the field of Human Resource Management! |
| 18-08-16 | Five West African Customs Administrations initiate the development of electronic transit messages using the WCO Data Model New Recommendation to facilitate the monitoring of the international movement of goods required for the production and use of Improvised Explosive Devices (IED) |
| 22-08-16 | Drug precursor concealed in automotive parts seized by Iran Customs |
| 23-08-16 | The Conduct of a Research Study on Trade Facilitation and Security at the Borders in Jordan |
| 24-08-16 | WCO Supports Sudan's National Committee on Trade Facilitation (NCTF) through Stakeholder Engagement Latin American Countries Resolve to Strengthen Customs – Post Cooperation |
| 26-08-16 | Leadership and Management Development a priority of Sudan Customs |
| 29-08-16 | WCO Represents the Customs Community at the Sixth Tokyo International Conference on African Development (TICAD VI) EAC member administrations lay the technological foundation to facilitate the administration of the regional AEO Programme! |
| 31-08-16 | WCO provides support to Uganda on detection and evidence handling of illegally traded wildlife products |

Other International Matters

CITES Notification to Parties

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) has issued the following [notifications to the parties](#):

| Date | Title |
|----------|---|
| 23-08-16 | 2016/52 Amendment to Appendix III |

| Date | Title |
|------|--|
| | 2016/53 Colombia – Trade of Caiman crocodilus fuscus skins |

The Americas - Central America

El Salvador

Documents

| Date | Series and № | Subject |
|----------|------------------------------|--|
| 29-07-16 | DGA 014-2016 | request to update Auxiliary Civil Customs data |

Nicaragua

Customs notices and publications

| Publication Date | Title |
|------------------|---|
| 17-06-16 | CT 056-2016 Granting of endorsements waiver of Ministry of Development, Industry and Trade through the exemptions module (MODEXO) Customs Information System. |
| 10-06-16 | CT 057-2016 Clearance Procedure for Pet for Airway. |
| 18-07-16 | CT 062-2016 Suspension of Terms Process |

Nicaraguan Classification Resolutions (Customs Rulings)

The Dirección General de Servicios Aduaneros (Nicaraguan Customs Service) has made the full text of tariff classification resolutions issued from 2004 to the present available on its [website](#). The tariff classification resolutions are based on the common Central American tariff known as [Sistema Arancelario Centroamericano](#).

Panama

Official Gazette

The following documents of interest to international traders (other than food safety standards) were published in the *Gaceta Oficial – Digital* (Official Gazette – Digital) during the period of coverage:

| Publication Date | Title |
|------------------|--|
| 08-08-16 | National Customs Authority (NCA): Res. № 297 (08-07-16) Adoption of a new form and contents for the Traveler Declaration |
| | Food Safety Authority: Res. № 048-AG-2016 (02-08-16) Regarding the amount of iodine in products called salt |
| 11-08-16 | Cabinet Council: Cabinet Decree № 28 (02-08-16) Amending the National Import Tariff |

Food Safety Standards

The following food safety standards (AUPSA-DINAN Decisions) were published by the Food Safety Authority in the *Gaceta Oficial – Digital* (Official Gazette – Digital) during the period of coverage. [Repealed documents are not shown; unless otherwise specified, food is for human consumption; dates are dd/mm/yy]:

| Publication Date | AUPSA-DINAN № and Date | Food and Origin |
|------------------|-----------------------------------|---|
| 03-08-16 | 056-2016 18-07-16 | Phyosanitary requirements for importing bananas (Musa Paradisiaca) and / or bananas (Musa sp.) fresh, for human consumption and / or transformation, originating in Guatemala. |
| | 056-2016 18-07-16 | Plant protection requirements for importing potatoes / batata / sweet potato (Ipomoea batatas) fresh or chilled, for consumption and / or transformation, originating in Costa Rica. |
| | 058-2016 18-07-16 | Plant protection requirements importing tomatoes (Lycopersicon esculentum) fresh or chilled, for consumption and / or transformation, from France |
| | 060-2016 18-07-16 | Plant protection requirements for importing strawberries (Fragaria ananassa) fresh, for human consumption and / or transformation, originating in Venezuela |
| | 063-2016 22-07-16 | Plant protection requirements for importing artichokes (Cynara cardunculus l. var. scolymus), fresh or chilled for human consumption and / or transformation, originating in Spain. |
| | 065-2016 22-07-16 | Repealing AUPSA-DINAN-288-2007 and establishing the plant protection requirements for importing mushrooms (agaricus bisporus) edible fresh or chilled, for human consumption and / or processing originating in France. |
| | 068-2016 22-07-16 | Plant protection requirements for importing or artichokes (cynara cardunculus l. var. scolymus), fresh or chilled, for consumption and / or transformation, from France |
| 16-08-16 | 028-2015 22-06-15 | Amending AUPSA-DINAN-001-2009 05 January 2009, by which was issued the plant protection requirements for importing potato tubers (solanum tuberosum l.) fresh or chilled, for human consumption and / or transformation, originating in the State of Idaho, United States of America |
| | 029-2015 22-06-15 | Amending AUPSA-DINAN-261-2007 of 12 July 2007 which issued the plant protection requirements for importing potato tubers (Solanum tuberosum L.) fresh or chilled, for human consumption and / or transformation, originating in the State of California, United States of America. |
| | 050-2015 25-08-15 | Amending AUPSA-DINAN-433-2007 of 30 November 2007 which issued by the plant protection requirements for importing potato tubers (Solanum tuberosum L.) fresh or chilled, for human consumption and / or transformation, originating in Canada. |
| | 028-2016 10-05-16 | Abrogating AUPSA-DINAN-067-2007 (grain rice in shell Louisiana State); AUPSA-DINAN-248-2007 (rice whole milled or wholly milled husked or brown State of Florida); AUPSA-DINAN-321-2007 (Rice milled or wholly milled, or husked icing the State of Texas); AUPSA-DINAN 366-2007 (rice milled or wholly milled, or husked glaze Louisiana State); AUPSA-DINAN-172-2008 (husked rice Arkansas State) which in turn modified AUPSA-DINAN-159-2007 (Arrocillo Arkansas State); AUPSA-DINAN-046-2010 (shelled beans rice, the State of New York); AUPSA-DINAN-036-2011 (rice dry beans shelled California); and AUPSA-DINAN-058-2015 (grain rice in shell, Arkansas State), and establish phytosanitary requirements for the importation of rice (Oryza sativa L.) in grain in shell or shelled, for human consumption and / or transformation, originating in the United States. |

| Publication Date | AUPSA-DINAN № and Date | Food and Origin |
|------------------|-----------------------------------|--|
| | 034-2016 24-05-16 | Repealing AUPSA-DINAN-029-2015 (Papa California), and establishing the plant protection requirements for importing potato tubers (solanum tuberosum l.) fresh or chilled, for human consumption and / o processing originating State of California, United States of America. |
| | 035-2016 24-05-16 | Repealing AUPSA-DINAN-028-2015 (Idaho State Papa), and establishing the plant protection requirements for importing potato tubers (solanum tuberosum l.) fresh or chilled, for human consumption and / o processing originating Idaho state, United States of America |
| | 037-2016 09-06-16 | Repealing AUPSA-DINAN-050-2015 (Papa of Canada), and establishing the plant protection requirements for importing potato tubers (solanum tuberosum l.) fresh or chilled, for human consumption and / or transformation, originating in Canada. |
| | 059-2016 18-07-16 | Plant protection requirements for importing potatoes / potatoes / potatoes / sweet potato (Ipomoea Batatas) fresh or chilled, for consumption and / or transformation, originating in Venezuela. |
| | 061-2016 18-07-16 | Plant protection requirements for importing celery (Apium Graveolens), fresh or chilled, for consumption and / or transformation, originating in Venezuela |
| | 062-2016 18-07-16 | Repealing AUPSA-DINAN-112-2008 (mango (Mangifera Indica l.) issued and plant protection requirements for importing fruits of mango (Mangifera Indica l.); mango-steens (Garcinia Mangostana l.) and / or guavas (psidium quajava l.) fresh, for human consumption and / or transformation, originating in Mexico. |
| | 064-2016 22-07-16 | Plant protection requirements for importing mushrooms (Agaricus Bisporas) edible mushrooms fresh or chilled mushrooms, for human consumption and / or transformation, originating in Spain. |
| | 066-2016 22-07-16 | Plant protection requirements for importing mushrooms / mushrooms / mushrooms (Agaricus Bisporus) edible fresh or chilled, for human consumption and / or transformation, originating in Chile. |
| | 067-2016 22-07-16 | Plant protection requirements for importing mushrooms / mushrooms / mushrooms (Agaricus Bisporus) edible fresh or chilled, for human consumption and / or transformation, originating in Venezuela. |

The Americas - North America

Canada

International Trade Minister announces Envoy for CETA

On August 24, 2016 Global Affairs Canada [announced](#) that as part of Canada's commitment to grow the middle class by implementing the *Canada-EU Comprehensive Economic and Trade Agreement* (CETA), the Hon. Chrystia Freeland, Minister of International Trade, announced that the Hon. Pierre Pettigrew, P.C., will take on the role of CETA Envoy. The announcement said:

The creation of the role of CETA Envoy reflects the high priority Canada places on signing CETA this year and implementing the agreement with its EU partners next year. The Envoy will be integral in advocating for the timely implementation of CETA.

Mr. Pettigrew will engage with a range of partners in both Canada and Europe, including with the provinces and territories, and with senior business and government leaders from EU member states.

The work of the CETA Envoy is part of the International Trade Minister's coordinated advocacy for CETA. Minister Freeland regularly meets with her European counterparts, including European Commissioner for Trade Cecilia Malmström, and recently met with representatives of France, Germany, Italy, Spain, the Netherlands and the United Kingdom in Europe and on the margins of July's G20 Trade Ministers Meeting in China.

Minister Freeland will discuss CETA at two upcoming events. On September 19, Minister Freeland will address the party conference of Germany's Social Democratic Party in Wolfsburg, Germany. Minister Freeland will also speak about CETA with all the EU trade ministers on September 22 in Bratislava, Slovakia.

Miscellaneous regulations and proposals

The following documents of interest to international traders were published in the [Canada Gazette](#). (The sponsoring ministry, department or agency is also shown. N=notice, PR=proposed regulation, R=regulation, O=Order)

| Publication Date | Title |
|------------------|--|
| 08-06-16 | Environment: Order 2016-87-08-02 Amending the Non-domestic Substances List pursuant to subsections 87(1) and (5) of the Canadian Environmental Protection Act, 1999 (O) |
| 08-20-16 | Environment: Significant New Activity Notice No. 18642 pursuant to (Section 85 of the Canadian Environmental Protection Act, 1999 (N) |
| 08-24-16 | Health/Agriculture: Regulations Amending the Agriculture and Agri-Food Administrative Monetary Penalties Regulations (SOR/2016-226, Aug. 2, 2016) pursuant to the Agriculture and Agri-Food Administrative Monetary Penalties Act (R) |
| | Health: Cannabis Exemption (Food and Drugs Act) Regulations (SOR/2016-231, Aug. 5, 2016) pursuant to the Food and Drugs Act (R) |
| | Health: Access to Cannabis for Medical Purposes Regulations (SOR/2016-230, Aug. 5, 2016) pursuant to the Controlled Drugs and Substances Act (R) |
| | Environment: Order 2016-66-08-01 Amending the Domestic Substances List (SOR/2016-227, Aug. 5, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | Environment: Order 2016-87-08-01 Amending the Domestic Substances List (SOR/2016-228, Aug. 5, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | Environment: Order 2016-112-08-01 Amending the Domestic Substances List (SOR/2016-229, Aug. 5, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | Environment: Order Acknowledging Receipt of the Assessments Done Pursuant to Subsection 23(1) of the Act (SI/2016-49, Aug. 24, 2016) pursuant to the Species at Risk Act (O) |
| 08-27-16 | Environment: Waiver of information requirements for substances (subsection 81(9) of the Canadian Environmental Protection Act, 1999) (N) |
| | Environment/Health: Publication of final decision after screening assessment of 612 substances specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N) |
| | Environment: Order Amending Schedule 1 to the Species at Risk Act (PR) |

CBSA advance rulings

The Canada Border Services Agency (CBSA) has enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the [CBSA Web site](#).

[See separate section below](#) for the advance rulings posted by the CBSA.

D-Memoranda and CNs revised or cancelled

The following is a list of Canada Border Services Agency D-Memoranda, Customs Notices (CNs) and other publications issued, revised or cancelled during the past month. (Dates are given in yyyy/mm/dd format.)

| Date | Reference | Action | Title |
|----------|---|---------|--|
| 07-26-16 | Delegation of Authority | New | Delegation of Authority and Designations of Officers by the Minister of Public Safety and Emergency Preparedness under the <i>Immigration and Refugee Protection Act</i> and the <i>Immigration and Refugee Protection Regulations</i> [Posted 08-11-16] |
| 08-12-16 | D10-18-1 | Revised | Tariff Rate Quotas |
| 08-25-16 | D9-1-11 | Revised | Importation of Used or Second-hand Motor Vehicles |

Antidumping and countervailing duty cases

See separate [Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews](#) section below.

Mexico

Mexico and US begin joint cargo inspection test in Nogales

On August 4, 2016, the Mexican Tax Administration Service (SAT) [announced](#) that on July 25, 2016, SAT and U.S. Customs and Border Protection (CBP) began a pilot joint Customs cargo inspection test at the customs facilities in Nogales. Completed cargo evaluations will serve as a single export and import inspection for Mexico and the United States.

The project's main objective is to reduce the time and costs of customs clearance operation, while simplifying processes for users. The test began with maquiladoras who are certified for the CBP C-TPAT program, which means they are recognized by CBP as trusted security companies in the supply chain. During the first week of implementation 491 transactions were processed where the average time it took trucks from arrival at the Nogales Customs (Mexico), until the conclusion of the joint inspection was 24 minutes, including moving the truck 12 km fiscal corridor. Previous to the program, in high season, the process delayed 3 to 4 hours.

Authorities of both countries inspect cargo from 08:00 to 18:00 hours Monday to Friday and Saturday from 08:00 to 16:00 hours. The results of the joint pilot will be evaluated after 180 days (January 2017) to determine whether additional sectors are to be added to the test.

Special Economic Zones (“ZEE”)

On September 29, 2015, the Federal Executive sent to the Congress the Federal Initiative Law to create Special Economic Zones or Zonas Económicas Especiales (“ZEEs”). This initiative was submitted to the corresponding committees for their decision and opinion.

On June 1, 2016, the *Diario Oficial de la Federación* (the *Federal Official Gazette*) published the [Decree whereby the Federal Law of Special Economic Zones is issued](#) (the “Decree”).

The ZEEs will be located in Campeche, Chiapas, Guerrero, Michoacán, Oaxaca, Tabasco and Veracruz. ZEEs are aimed at attracting business and investment to

generate quality jobs and will have benefits in the following areas: tax and labor, special customs regime, first-class infrastructure and programs supporting human capital, financing and innovation.

The World Bank, Harvard University's Center for International Development and the Inter-American Development Bank have supported the elaboration and planning of the ZEEs.

Within the following 180 days as of June 2, 2016, the *Diario Oficial* will publish Rulings of the Federal Law of Special Economic Zones. It is expected that in the next two years, the construction of internal and external infrastructures of the ZEEs will begin, to comply with the investment commitments.

We hope that this information is useful. In the future, we hope to publish a bulletin with the most relevant information of the Decree.

For additional information, please contact the author, [Ahide Ortega-Gonzalez](#) or any contact attorneys in our Mexican offices: [Manuel Padrón Castillo](#) (Juárez), [Armando De Lille Calatayud](#) (Monterrey), [Adriana Ibarra Fernández](#) (Ciudad de México), [Daniel Sánchez Elizondo](#) (Guadalajara) or [Juan Daniel Arau Delgadillo](#) (Tijuana).

Diario Oficial

The following documents of interest to international traders were published in the *Diario Oficial de la Federacion*: *Note: With regard to standards, only those which appear to apply to international trade are listed.* (An unofficial English translation is shown.)

| Publication Date | Title |
|------------------|---|
| 08-17-16 | Decree reforming the second paragraph and third paragraph of Article 11 of the Regulations of the Law on Foreign Investment and the National Registry of Foreign Investments is added . |
| 08-26-16 | Economy: Acuerdo amending the Acuerdo by which the Ministry of Economy issues rules and criteria character General on Foreign Trade |
| 08-30-16 | Economy: Notice announcing the amount of the maximum quota to export sugar to the United States of America during the period from October 1, 2016 and September 30, 2017. |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

United States

[NOTE ON FEDERAL REGISTER TABLES IN THE UNITED STATES SECTION BELOW: N=NOTICE, FR=FINAL RULE, PR=NOTICE OF PROPOSED RULEMAKING, AN=ADVANCE NOTICE OF PR, IR=INTERIM RULE, TR=TEMPORARY RULE, RFI/FRC= REQUEST FOR INFORMATION/COMMENTS; H=HEARING OR MEETING; E=EXTENSION OF TIME; C=CORRECTION; RO=REOPENING OF COMMENT PERIOD. PLEASE NOTE: MEETINGS WHICH HAVE ALREADY TAKEN PLACE ARE GENERALLY NOT LISTED.]

Presidential documents

During the past month, President Obama signed the following documents relating to international trade, national emergencies, sanctions, embargoes, or blocking orders:

| Date | Subject |
|----------|---|
| 08-05-16 | Memorandum of July 26, 2016 - Delegation of Authority Under Section 1247 of the National Defense Authorization Act for Fiscal Year 2016 |
| 08-08-16 | Notice of August 4, 2016—Continuation of the National Emergency With Respect to Export Control Regulations |
| 08-18-16 | Memorandum of August 1, 2016 - Delegation of Functions and Authorities Under the Protect and Preserve International Cultural Property Act |

President continues national emergency with respect to Export Control Regulations

On August 8, 2016, the *Federal Register* published Presidential [Notice of August 4, 2016—Continuation of the National Emergency With Respect to Export Control Regulations](#), which continues the for 1 year the national emergency declared in Executive Order (E.O.) 13222, as amended by E.O. 13637 (March 8, 2013), by the President under the *International Emergency Economic Powers Act* (50 U.S.C. 1701 et seq.). The President issued E.O. 13222 because of “the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States in light of the expiration of the *Export Administration Act of 1979*, as amended (50 U.S.C. App. 2401 et seq.)” Because the *Export Administration Act* has not been renewed by the Congress, the national emergency declared on August 17, 2001, is being continued in effect beyond August 17, 2016.

USTR initiates 2016/2017 GSP review and seeks comments

On August 25, 2016, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [notice](#) indicating that USTR is prepared to receive petitions to modify the list of articles that are eligible for duty-free treatment under the *Generalized System of Preferences* (GSP) program and to modify the GSP status of certain GSP beneficiary developing countries because of country practices [Docket No. USTR-2016-0009]. USTR also is prepared to receive petitions requesting waivers of competitive need limitations (CNLs). In addition, USTR is seeking public comments and will convene a public hearing to receive additional information and stakeholder views regarding the potential addition of travel and luggage goods products for more economically advanced GSP beneficiary countries [Docket No. USTR-2015-0013].

In order to be considered in the 2016/2017 Annual GSP Review, the GSP Subcommittee of the Trade Policy Staff Committee (TPSC) must receive petitions by the following deadlines:

- Tuesday, October 4, 2016, 5:00 pm: Petitions to modify the list of articles eligible for duty-free treatment under GSP.
- Tuesday, October 4, 2016, 5:00 pm: Petitions to review the GSP status of any beneficiary developing country.
- Friday, December 2, 2016, 5:00 pm: Petitions requesting waivers of CNLs.

USTR will not consider petitions submitted after these deadlines. Decisions on which petitions are accepted for review, along with a schedule for any related public hearings and the opportunity for the public to provide comments, will be announced at a later date.

A supplemental comment period and hearing will be held to give stakeholders the opportunity to submit further information with respect to the possible addition of travel and luggage goods items as eligible articles for more advanced Beneficiary Developing Countries (BDCs). This will supplement information collected during

the 2015 /2016 Annual Review. The schedule for the hearing and public comments is as follows:

- Tuesday, October 4, 2016, 5:00 pm: Deadline for submission of comments, pre-hearing briefs and requests to appear at the hearing.
- Tuesday, October 18, 2016, 9:30 am: The GSP Subcommittee of the TPSC will convene a public hearing on travel and luggage goods in Rooms 1 and 2, 1724 F Street NW, Washington DC 20508.
- Tuesday, November 1, 2016, 5:00 pm: Deadline for submission of post-hearing comments or briefs.

See *Federal Register* notice for methods of submitting comments.

USTR seeks comments on review of Notorious Markets

On August 25, 2016, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [request for comments](#) identifying Internet and physical markets based outside the United States that should be included in the 2016 Notorious Markets List (List). In 2010, USTR began publishing the Notorious Markets List separately from the annual Special 301 Report as an “Out-of-Cycle Review.” The List identifies online and physical marketplaces that reportedly engage in and facilitate substantial copyright piracy and trademark counterfeiting.

Written comments are due by 11:59 PM (EDT) on October 7, 2016. Rebuttal or other information to be considered during the review is due by 11:59 PM (EDT) on October 21, 2016.

USTR requests comments on Russia’s WTO commitments

On August 17, 2016, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [notice](#) announcing that the interagency Trade Policy Staff Committee (TPSC) will convene a public hearing and seek public comment to assist USTR in the preparation of its annual report to the Congress on Russia’s compliance with the commitments made in connection with its accession to the WTO.

Persons wishing to testify at the hearing, must provide written notification and a summary of the testimony by Tuesday, September 20, 2016. Written comments also are due by Tuesday, September 20, 2016. A hearing will be held in Washington DC on Friday, September 30, 2016.

USTR requests comments on China’s WTO commitments

On August 16, 2016, USTR published in the *Federal Register* a [notice](#) announcing that the interagency Trade Policy Staff Committee (TPSC) will convene a public hearing and seek public comment to assist USTR in the preparation of its annual report to the Congress on China’s compliance with the commitments made in connection with its accession to the WTO.

Persons wishing to testify at the hearing, must provide written notification and a summary of the testimony by Wednesday, September 21, 2016. Written comments also are due by Wednesday, September 21, 2016. A hearing will be held in Washington DC on Wednesday, October 5, 2016.

ITC launches new import monitoring tool

On August 23, 2016, the United States International Trade Commission (ITC) [launched](#) the [Import Monitoring Tool](#). The ITC said it is providing this web-based tool to allow users to monitor changes in U.S. imports for the latest eight quarters. The tool was developed in response to the provisions of section 603 of the [Trade Facilitation and Trade Enforcement Act of 2015](#).

Using this tool, a person will be able to find the major changes in the value of U.S. imports by tariff line (in the U.S. Harmonized Tariff Schedule (HTS), tariff lines are designated using 8-digits, e.g. 2501.00.00). When initially entering the tool, one will see the top 100 tariff lines ranked in descending order based on the largest absolute change during the latest two quarters. With a few simple mouse clicks, a person will be able to easily:

- Adjust the ranking criteria to a percentage change basis.
- Isolate a group of tariff lines from a specific HTS chapter, heading, or subheading.
- Isolate the changes for a specific import partner.
- View the corresponding change in the quantity of imports.

ITC requests input for its biennial report on the ATPA

On August 23, 2016, the ITC published in the *Federal Register* a [notice of opportunity to submit information relating to matters to be addressed in the Commission's 17th report on the impact of the Andean Trade Preference Act \(ATPA\)](#) [Inv. No. 332-352]. Section 206 of the ATPA (19 U.S.C. 3204) requires the ITC to report biennially to the Congress and President by September 30 of each reporting year on the economic impact of the Act on U.S. industries and U.S. consumers, as well as on the effectiveness of the Act in promoting drug related crop eradication and crop substitution efforts by beneficiary countries. The Commission prepares these reports under investigation No. 332–352, *Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution*.

The President's authority to provide preferential treatment under the ATPA provisions expired on July 31, 2013. During the period covered by the report, calendar years 2014 and 2015, no importations entering the United States should have received preferential treatment under the ATPA program. In addition, two of the four countries originally eligible for designation for ATPA benefits, Peru and Colombia, entered into free trade agreements with the United States prior to July 31, 2013, and were no longer eligible for designation.

The deadline for filing written submissions September 6, 2016. The deadline for transmittal of Commission report to Congress is September 30, 2016.

ITC investigations

The ITC initiated (I), terminated (T), requested information or comments (RFC), issued a report (R), or scheduled a hearing (H) regarding the following investigations (other than 337 and antidumping, countervailing duty or safeguards) this month: (*Click on the investigation title to obtain details from the Federal Register notice or ITC Press Release*)

| Investigation. No. and title | Requested by: |
|--|---------------|
| Inv. No. 332-352 - Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution (I/RFC) | Statutory |

State proposes to extend import restrictions MOU with Cyprus

On August 10, 2016, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 9668] of Proposal to Extend the [Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Cyprus Concerning the Imposition of Import Restrictions on Pre-Classical and Classical Archaeological Objects and Byzantine and Post-Byzantine Period Ecclesiastical and Ritual Ethnological Materials](#) (US - Cyprus MOU), as the Government of Cyprus has informed the U.S. Government of its interest in an extension. Pursuant to the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, and pursuant to 19 U.S.C. 2602(f)(1), an extension of the US - Cyprus MOU is hereby proposed. A copy of the US - Cyprus MOU, the Designated List of restricted categories of material, and related information can be [found here](#).

State proposes to extend import restrictions MOU with Peru

On August 10, 2016, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 9667] of Proposal to Extend the [Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Peru Concerning the Imposition of Import Restrictions on Archaeological Material from the Prehispanic Cultures and Certain Ethnological Material from the Colonial Period of Peru](#) (US - Peru MOU), as the Government of Peru has informed the U.S. Government of its interest in an extension. Pursuant to the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, and pursuant to 19 U.S.C. 2602(f)(1), an extension of the US - Peru MOU is hereby proposed. A copy of the US - Peru MOU, the Designated List of restricted categories of material, and related information can be [found here](#).

GAO issues report on CBP's collection of AD/CVD

The Government Accountability Office (GAO) recently released a report entitled, [Antidumping and Countervailing Duties - CBP Action Needed to Reduce Duty Processing Errors and Mitigate Nonpayment Risk](#) (GAO-16-542) that reviews efforts by U.S. Customs and Border Protection (CBP) to improve the collection of AD/CV duties. The report (1) examined the status and composition of uncollected AD/CV duties, (2) the extent to which CBP has taken steps to improve its collection of such duties, and (3) the extent to which CBP assesses and mitigates the risk to revenue from potentially uncollectible AD/CV duties. GAO analyzed CBP AD/CV duty entry data for fiscal years 2001 through 2014, AD/CV duty billing data as of mid-May 2015, and Department of Commerce data for fiscal years 2002–2015. GAO also reviewed agency documents, interviewed agency and private sector officials, and analyzed CBP data to assess the risk of duty nonpayment.

GAO estimates that about \$2.3 billion in antidumping (AD) and countervailing (CV) duties owed to the U.S. government were uncollected as of mid-May 2015, based on its analysis of AD/CV duty bills for goods entering the United States in fiscal years 2001–2014. CBP reported that it does not expect to collect most of

that debt. GAO found that most AD/CV duty bills were paid and that unpaid bills were concentrated among a small number of importers, with 20 accounting for about 50 percent of the \$2.3 billion uncollected. CBP data show that most of those importers stopped importing before receiving their first AD/CV duty bill.

GAO said that CBP has undertaken efforts to improve its collection of AD/CV duties or to protect against the risk of unpaid final duty bills through bonding, but these efforts have yielded limited results. CBP's limited analysis of the risk to revenue from potentially uncollectible AD/CV duties (nonpayment risk) misses opportunities to identify and mitigate nonpayment risk.

GAO recommended that CBP (1) issue guidance to collect and analyze data on a regular basis to find and address the causes of AD/CV duty liquidation errors and track progress; (2) regularly conduct a comprehensive risk analysis that considers likelihood as well as significance of risk factors related to duty nonpayment; and (3) take steps to use its data and risk assessment strategically to mitigate AD/CV duty nonpayment consistent with U.S. law and international trade obligations. CBP concurred with all three recommendations.

ATF to cease pilot for ITDS/ACE PGA message set

On August 31, 2016, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) published in the *Federal Register* a [notice](#) [Docket No. ATF 2015R-15] that announces cessation of the pilot program that tested the transfer of data between the Participating Government Agency (PGA) Message Set in the Automated Commercial Environment (ACE) and ATF's Web-based data analytics system. ACE is the Web-based portal for the collection and use of international trade data maintained by U.S. Customs and Border Protection (CBP). The PGA Message Set is the data related to merchandise regulated by an agency, such as ATF, that CBP will receive electronically from importers for its use as well as for the PGA's use. The data enables ATF to determine the actual items imported. Although this notice announces the cessation of the pilot program, the mandatory filing date for filing entries in ACE has yet to be determined. Importers should be aware that no changes have been made to the requirement that importers submit their copy of the Form 6A (with Sections I and III completed) to ATF within 15 days of release from CBP custody.

NMFS to end tests ITDS/ACE for data for fish imports and exports

On August 16, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) published in the *Federal Register* a [notice](#) announcing that the National Customs Automation Program (NCAP) tests are ending on September 20, 2016. CBP and NMFS/NOAA previously announced tests under NCAP concerning the electronic transmission of certain data for NMFS regulated commodities through the Automated Commercial Environment (ACE) and through the Automated Export System (AES).

The tests included electronic data submission for imports (published in the *Federal Register* on June 5, 2015) and for exports (published in the *Federal Register* on June 3, 2016). During the imports test, entry filers were able to use the Automated Broker Interface (ABI) and the Document Image System (DIS) to transmit the NMFS Partner Government Agency (PGA) message data and forms required for NMFS to make admissibility determinations for entries subject to the monitoring programs for tunas, swordfish and toothfish, under the Highly Migratory Species International Trade Program (HMS), the Antarctic Marine Living Resources Trade Monitoring Program (AMR), and the Tuna Tacking and Verification Program

(TTVP). During the exports test, exporters were able to use the Automated Export System (AES) and the DIS to transmit the NMFS PGA data and forms required for NMFS to collect required information on exports subject to these same trade monitoring programs.

It has been determined that ACE and AES are capable of accepting NMFS-regulated electronic entries. NMFS regulations effective on September 20, 2016 (published on August 3, 2016 – see below) will require the use of ACE or AES, as applicable, for electronic filings of regulated imports or exports of fish products. Accordingly, CBP and NMFS announce that the NCAP tests are ending on September 20, 2016. All importers and exporters of fish products regulated by NMFS are encouraged to use ACE or AES, as applicable, for their electronic filings in advance of September 20, 2016, when such filings will become mandatory.

The NMFS ACE and AES tests conclude on September 20, 2016. ACE entries and AES export declarations for NMFS-regulated products may be continued until the conclusion of the tests. For NMFS regulated fishery products, use of ACE and AES to file electronically is required beginning September 20, 2016.

NMFS issues revised requirements for importers and exporters

On August 3, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) published in the *Federal Register* a [final rule](#) [Docket No. 090223227-6560-03] that sets forth regulations to revise procedures and requirements for filing import, export, and re-export documentation for certain fishery products to meet requirements for the *SAFE Port Act of 2006*, the *Magnuson-Stevens Fishery Conservation and Management Act (MSA)*, other applicable statutes, and obligations that arise from U.S. participation in regional fishery management organizations (RFMOs) and other arrangements to which the United States is a member or contracting party.

Specifically, NMFS sets forth regulations to integrate the collection of trade documentation within the government-wide International Trade Data System (ITDS) and require electronic information collection through the automated portal maintained by U.S. Customs and Border Protection (CBP). Under this integration, NMFS will require annually renewable International Fisheries Trade Permits (IFTP) for the import, export, and re-export of certain regulated seafood commodities that are subject to trade monitoring programs of RFMOs and/or subject to trade documentation requirements under domestic law. These trade monitoring programs enable the United States to exclude products that do not meet the criteria for admissibility to U.S. markets, including products resulting from illegal, unregulated, and unreported (IUU) fishing activities. This final rule consolidates existing international trade permits for regulated seafood products under the Antarctic Marine Living Resources (AMLR) and Highly Migratory Species International Trade Permit (HMS ITP) programs and expands the scope of the permit requirement to include regulated seafood products under the Tuna Tracking and Verification Program (TTVP). This final rule also stipulates data and trade documentation for the above programs which must be provided electronically to CBP and addresses recordkeeping requirements for these programs in light of these changes. Trade documentation excludes any programmatic documents that are not required at the time of entry/export (e.g., biweekly dealer reports).

This final rule is effective September 20, 2016, except for the revision to § 300.184, which is effective August 3, 2016.

CBP announces ACE as sole EDI system for electronic drawback and duty deferral filings

On August 30, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) announcing that effective October 1, 2016, the Automated Commercial Environment (ACE) will be the sole electronic data interchange (EDI) system authorized by the Commissioner of CBP for processing electronic drawback and duty deferral entry and entry summary filings. This document also announces that the Automated Commercial System (ACS) will no longer be a CBP authorized EDI system for purposes of processing the electronic filings specified in this notice. This notice also announces a name change for the ACE filing code for duty deferral and the creation of a new ACE filing code for all electronic drawback filings, replacing the six distinct drawback codes previously filed in ACS.

CBP proposes revisions to TSCA import certification

On August 29, 2016, CBP published in the *Federal Register* a [notice of proposed rulemaking](#) [USCBP-2016-0056] to amend the CBP regulations regarding the requirement to file a *Toxic Substances Control Act* (TSCA) certification when importing into the customs territory of the United States chemicals in bulk form or as part of mixtures and articles containing a chemical or mixture. The proposed regulations include an electronic option for filing TSCA certifications, consistent with the *Security and Accountability for Every Port Act of 2006*. This document also proposes to clarify and add certain definitions, and to eliminate the paper-based blanket certification process. The document was prepared in consultation with the Environmental Protection Agency (EPA), the agency with primary responsibility for implementing TSCA. Comments must be received on or before September 28, 2016. CBP is particularly interested in comments on the following issues:

- Does collection of the names, phone number, and email address of the TSCA import certifier impact your business/industry? If so, how (to the extent possible, please quantify impacts)?
- Does the electronic submission of TSCA certifications to ACE affect your business/industry? If so, how (to the extent possible, please quantify impacts)?

CBP issues regulations increasing administrative exemption to \$800

On August 26, 2016, CBP Published in the *Federal Register* an [interim final rule](#) [CBP Dec. No. 16-13; USCBP-2016-0057] that amends the CBP regulations to implement section 901 of the *Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA) (Public Law No. 114-125) by raising from \$200 to \$800 the value of certain articles that may be imported by one person on one day free of duty and tax. The document also makes clarifying and conforming amendments to the regulations.

The TFTEA was signed into law on February 24, 2016. Prior to enactment of the TFTEA, section 321(a)(2)(C) of the *Tariff Act of 1930* (19 U.S.C. 1321(a)(2)(C)) authorized CBP to provide an administrative exemption to admit free from duty and tax shipments of merchandise (other than bona fide gifts and certain personal and household goods) imported by one person on one day having an aggregate fair retail value in the country of shipment not less than \$200. Section 901(c) of the TFTEA amended section 1321(a)(2)(C) by increasing the value of this administrative exemption from \$200 to \$800. Section 901 did not change the administrative exemption for bona fide gifts and personal or household articles accompanying travelers under 1321(a)(2)(A) and 1321(a)(2)(B).

Interested persons are invited to participate in this rulemaking by submitting written data, views, or arguments on all aspects of the interim rule. In particular, CBP is seeking comments on how CBP can maintain the collection of data required by Partner Government Agencies (PGAs) for imported merchandise to prevent unlawful importations when shipments are admitted through “release from manifest.” (Generally, such shipments are entered by the carrier and released by CBP based on information contained on the manifest or bill of lading provided by the carrier.) CBP is aware that the manifest information may not contain all the necessary information required by PGAs for admissibility purposes.

Pursuant to section 901(d) of TFTEA, the effective date of the statutory amendment was the 15th day after the date of enactment, i.e., effective as of March 10, 2016. The regulations were effective upon publication but persons wishing to submit comments must do so on or before September 26, 2016.

CBP revises Burmese jade regulations

On August 23, 2016, CBP published in the *Federal Register* a [final rule](#) [Docket No. USCBP-2016-0054; CBP Dec. 16-12] that amends CBP regulations to update the provisions relating to the prohibition on importation of jadeite or rubies mined or extracted from Burma, and articles of jewelry containing jadeite or rubies mined or extracted from Burma, following the expiration of the *Burmese Freedom and Democracy Act of 2003*, as amended by the *Tom Lantos Block Burmese JADE (Junta's Anti-Democratic Efforts) Act of 2008*. The CBP regulations are amended to reflect the import prohibitions set forth in Executive Order 13651 of August 6, 2013.

While E.O. 13651 reimposes the prohibition on the importation of jadeite and rubies mined or extracted from Burma and articles of jewelry containing such jadeite and rubies, it does not impose any conditions on the importation of jadeite and rubies mined or extracted from a country other than Burma or articles of jewelry containing jadeite or rubies mined or extracted from a country other than Burma as the BFDA, as amended by the JADE Act, did. Accordingly, CBP has amended section 12.151 by removing paragraphs (c) through (f) which detail the certification and recordkeeping requirements for non-Burmese covered articles (referred to in section 12.151 as “regulated articles”). It has also made conforming changes to other provisions and amended the (a)(1)(A) recordkeeping list to remove the records previously required to support the certification of non-Burmese covered articles under section 3A(c)(1) of the BFDA.

CBP advises parties who plan to temporarily export any jadeite or rubies or any article of jewelry containing jadeite or rubies, whether of Burmese origin or not, to register those articles prior to export through CBP Form 4455 (Certificate of Registration), CBP Form 4457 (Certificate of Registration for Personal Effects Taken Abroad), or a carnet issued by the U.S. Council for International Business. If one of these three documents is not presented to CBP at the time of re-importation into the United States, the importer must present documentary evidence that supports the claim that the subject articles were exported and reimported by the same person without having been advanced in value or improved in condition by any process or other means while outside the United States. Without such documentation, the articles are subject to seizure by CBP.

CBP issues interim regulations on investigation of claims of AD/CVD evasion

On August 22, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* [interim regulations and a solicitation of comments](#) [USCBP-2016-0053; CBP Dec. 16-11] regarding investigation of claims of evasion of anti-dumping and countervailing duties, in accordance with section 421 of the *Trade Facilitation and Trade Enforcement Act of 2015* (TFTEA; Pub. L. 114-125, 130 Stat. 122, 155, Feb. 24, 2016). TFTEA contains Title IV-*Prevention of Evasion of Antidumping and Countervailing Duty Orders* (short title “*Enforce and Protect Act of 2015*” or EAPA) which establishes a formal process for CBP to investigate allegations of the evasion of AD/CVD orders and requires that regulations be prescribed as necessary and within 180 days. The CBP regulations create a new Part 165 to implement the EAPA provisions, and a new Trade Remedy Law Enforcement Directorate (TRLED) to conduct the investigations.

According to the CBP document,

Evasion refers to entering merchandise into the customs territory of the United States for consumption by an act or omission that is material and false, and which results in antidumping or countervailing duties being reduced or not applied to or collected on such merchandise.

Examples of evasion could include, but are not limited to, the misrepresentation of the merchandise’s true country of origin (e.g., through fraudulent country of origin markings on the product itself or false sales), false or incorrect shipping and entry documentation, or misreporting of the merchandise’s physical characteristics. CBP is responsible for ensuring that the appropriate duties are collected on imports of merchandise. U.S. Immigration and Customs Enforcement (ICE) is responsible for conducting criminal investigations of the evasion of AD/CVD orders.

Prior to enactment of EAPA, parties submitting allegations of evasion were not afforded an opportunity to participate in the investigation. In addition, CBP did not have an obligation to notify parties that submitted evasion allegations of the outcome of CBP’s review.

EAPA requires CBP to initiate an investigation within 15 business days of receipt of a properly filed allegation from an interested party or referral from another Federal agency that reasonably suggests that merchandise covered by an AD/CVD order has entered the customs territory of the United States (CTUS) through evasion and requires that CBP take certain actions with specified timeframes. EAPA requires CBP to determine, not later than 300 calendar days (or 360 calendar days in extraordinarily complicated cases) after the date of initiation of an EAPA investigation, whether there is substantial evidence that merchandise covered by an AD/CVD order was entered into the CTUS through evasion. EAPA further requires CBP, no later than five business days after making a determination, to communicate the determination to the interested party who made an allegation that initiated the evasion investigation.

Procedures, including questionnaires and interim measures are provided. EAPA provides a period of 30 business days after a determination for the interested party who made the allegation of evasion or the person determined to have entered the covered merchandise subject to the evasion determination to request a de novo administrative review. And not later than 60 business days after such a request for a review of an initial determination is properly filed, CBP must complete the review and issue a final administrative determination. Judicial review in the U.S. Court of International Trade (CIT) is also provided.

The interim regulations are effective immediately. Comments are due October 21, 2016.

CBP proposes amendments for vehicle imports subject to EPA

On August 17, 2016, CBP published in the *Federal Register* a [notice of proposed rulemaking](#) [USCBP-2016-0011] to amend the CBP regulations relating to the importation into the United States of certain vehicles and engines subject to federal antipollution emission standards under the *Clean Air Act* (CAA). Compliance with these emission standards must be demonstrated to CBP by either filing, or retaining and producing upon request, the appropriate U.S. Environmental Protection Agency (EPA) declaration form or by establishing that the subject imports are exempt from this requirement. CBP is proposing to amend its regulations to harmonize the documentation requirements applicable to different classes of vehicles and engines that are subject to the CAA's emission standards. CBP also proposes to permit the required EPA emission compliance forms to be filed with CBP electronically. CBP is proposing other non-substantive amendments to update regulatory citations and delete obsolete provisions. The proposed changes set forth in this document support consistency in the administration of CBP's vehicle and engine imports program. In addition, electronic filing of EPA declaration forms will support key modernization initiatives, expedite the entry and clearance process, enhance targeting and enforcement objectives, and connect CBP with partner government agencies and the trade community through a single window access point. Comments on the proposed rule must be received on or before September 16, 2016.

Import restrictions imposed on archaeological and ethnological material of Syria

On August 15, 2016, CBP published in the *Federal Register* a [final rule](#) [CBP Dec. 16–10] that amends the CBP regulations to reflect the imposition of import restrictions on archaeological and ethnological material of Syria pursuant to the *Protect and Preserve International Cultural Property Act* (Pub. L. 114–151) (the Act).

UN Security Council Resolution 2199 (2015) condemns the destruction of cultural heritage in Syria, particularly by the terrorist organizations Islamic State in Iraq and the Levant (ISIL) and Al-Nusrah Front (ANF), and obligates all member nations to assist in the protection of Syria's cultural heritage. Paragraph 17 of the Resolution states that all Member States shall take appropriate steps to prevent the trade in Syrian cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Syria since March 15, 2011. The Act directs the President to exercise the authority under section 304 of the *Convention on Cultural Property Implementation Act* (Pub. L. 97–446, 19 U.S.C. 2601 et seq.) (CCPIA) to impose import restrictions set forth in section 307 of the CCPIA (19 U.S.C. 2606) with respect to any archaeological or ethnological material of Syria, without regard to whether Syria is a State Party to the 1970 UNESCO Convention, and without the need for a formal request from the Government of Syria. On August 2, 2016, the Assistant Secretary for Educational and Cultural Affairs, Department of State, acting pursuant to delegated authority under the Act, made a Decision that, pursuant to the CCPIA, import restrictions be imposed with respect to any archaeological and ethnological material of Syria, as defined in the Act. Importation of designated archaeological and ethnological material of Syria is restricted unless the conditions set forth in 19 U.S.C. 2606 and 19 C.F.R. 12.104c are met.

The *Federal Register* document also contains the Designated List of Archaeological and Ethnological Material of Syria that describes the types of objects or categories of archaeological or ethnological material that are subject to import restrictions, if unlawfully removed from Syria on or after March 15, 2011. The final rule was effective on publication.

CBP publishes quarterly interest rates

On August 12, 2016, CBP published in the *Federal Register* a [general notice](#) that advises the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning July 1, 2016, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the interest rate for underpayments will be 4 percent for both corporations and non-corporations. This notice is published for the convenience of the importing public and U.S. Customs and Border Protection personnel.

CBP to conduct NCAP test for Protests in ACE

On August 12, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) that announces CBP's plan to conduct a National Customs Automation Program (NCAP) test to assess new functionalities related to the electronic filing and processing of protests and new notification procedures for protests filed electronically in the Automated Commercial Environment (ACE). During the test, participants will be able to submit additional arguments and supporting information electronically, with their electronic protest in ACE. In addition, participants will be able to submit requests for further review, requests for accelerated disposition, requests to set aside denial of further review, and requests to void denial of a protest electronically in ACE. This notice also announces the testing of electronic protest status notifications from CBP. The test will be known as the ACE Protest Test.

The ACE Protest Test will commence on August 29, 2016, and will continue until concluded by a notice published in the *Federal Register*. Comments concerning this notice and any aspect of the test may be submitted at any time during the test to the address set forth below.

CBP modifies NCAP for Protests and ACE Portal Accounts

On August 8, 2016, CBP published in the *Federal Register* a [general notice](#) that announces CBP's plan to modify the National Customs Automation Program (NCAP) test concerning Automated Commercial Environment (ACE) Portal Accounts to establish the ACE Protest Filer Account. After CBP deploys the ACE Protest Module test at a later date, participants with an ACE Protest Filer Account will be able to file an electronic protest in ACE. The document also clarifies that CBP's previously published terms and conditions governing access to and use of the NCAP test of ACE Portal Accounts apply to all ACE Portal Accounts, including all ACE Portal Account types created after the previously published terms and conditions. All other aspects of the ACE Portal Accounts Test remain the same as set forth in previously published *Federal Register* notices.

The modifications and clarifications of the ACE Portal Account Test made by this notice are effective on August 8, 2016. The clarification to the terms and conditions applies to all ACE Portal Accounts regardless of when the account was created.

On August 8, 2016, in [CSMS# 16-000678](#), CBP advised that on August 27, 2016, CBP will deploy protest filing in ACE, at which time all electronic protests must be filed via the ACE Secure Data Portal (ACE Portal). An Information Notice with full details of what to expect for protest functionality in ACE is [available here](#). In order to electronically file protests after August 27, 2016, you must obtain a Protest Filer Account. For parties that already hold an ACE Account, you may add the Protest Filer business partner type to your existing ACE Account by navigating to the Protest Filer from the “View” dropdown menu, under the Accounts Tab of the ACE Portal, and completing the required information. Completion of this account set up will allow users to access the Protest module after its deployment on 8/27/16. Parties that do not currently hold an ACE Account may create a Protest Filer Account using the [web form here](#). Completion and submission of this form will automatically create an ACE Account, which can be used to access the Protest Module after its deployment on August 27, 2016.

CBP will transition all electronic filing of protests to the Automated Commercial Environment (ACE) on August 29, 2016. As previously messaged to the public by CBP, the Agency planned the cutover for this transition to begin on August 27, 2016. As a result of the cutover, the legacy Automated Commercial System (ACS) will be offline. Because of the unique circumstance of the unavailability of ACS on August 28, 2016, for protest filing, and because August 28, 2016, falls on a Sunday, CBP will accept electronic protest filings that were due on August 28, 2016, to be filed in ACE on the next business day on August 29, 2016. A third Federal Register notice will be issued, and is pending, that will establish rules for protest submission through the ACE Portal.

Miscellaneous CBP, ICE or DHS Federal Register documents

The following documents were published in the *Federal Register* by CBP, U.S. Immigration and Customs Enforcement (ICE), or relating to CBP and ICE by the Department of Homeland Security (DHS). [Note that multiple listings of approved gaugers and laboratories reflects different locations and/or products.]

| F.R. Date | Subject |
|-----------|---|
| 08-04-16 | CBP: Agency Information Collection Activities: Record of Vessel Foreign Repair or Equipment Purchase (N) [CBP Form 226] |
| 08-05-16 | CBP: Agency Information Collection Activities: Request for Information (N) [Passenger List/Crew List - Form I-418] |
| 08-09-16 | DHS: Privacy Act of 1974: Implementation of Exemptions: Department of Homeland Security/U.S. Immigration and Customs Enforcement–015 LeadTrac System of Records [Docket No. DHS–2016–0052] (PR) |
| | DHS: Privacy Act of 1974: Department of Homeland Security/ICE–015 LeadTrac System of Records [Docket No. DHS–2016–0053] (N) |
| 08-10-16 | CBP: Notice of Revocation of Customs Brokers’ Licenses: Correction (N) |
| 08-24-16 | CBP: Agency Information Collection Activities: Application to Use the Automated Commercial Environment (ACE) (N/E) |
| 08-29-16 | CBP: Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory [Davie, FL] (N) |
| 08-31-16 | CBP: Agency Information Collection Activities: Arrival and Departure Record (Forms I-94 and I-94W) and Electronic System for Travel Authorization (N) |

“Lever-Rule” application(s) filed

CBP has received the following application(s) for “Lever-Rule” protection pursuant to 19 C.F.R. §133.2(f). In the event that CBP determines the goods under consideration are physically and materially different from the goods authorized for sale in the United States, CBP will publish a notice in the *Customs Bulletin* indicating

that the referenced trademark is entitled to “Lever-rule” protection with respect to those physically and materially different goods.

| Customs Bulletin Date | Applicant | Products Covered by the Application | Trademark |
|--------------------------|--|--|---|
| 08-03-16 | Abbott Labs, Abbott Diabetes Care Inc., Abbott Diabetes Care Sales Corporation | Certain blood glucose testing strip products | “FREESTYLE” (U.S. TM Reg. No. 3,111,863; CBP No. TMK 16-00346) “FREESTYLE LITE” (U.S. TM Reg. No. 3,488,499; CBP No. TMK 16-00348); “DESIGN ONLY (Butterfly Design)” (U.S. TM Reg. No. 4,210,535; CBP No. TMK 16-00349) |

CBP ICPs and other publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised Informed Compliance Publications (ICPs) in the, “*What Every Member of the Trade Community Should Know About...*” series, other publications and fact sheets:

- [U.S. Customs and Border Protection Valuation Encyclopedia \(1980-2015\)](#) June 2016
- [Pharmaceuticals Center of Excellence Team Number Changes](#)
- [Fact Sheet: Forced Labor Procedures](#)
- [Fact Sheet: Kimberley Process Clean Diamond Trade Act](#)
- [Quick Reference Guide – ACE Protest for Trade Ver. 1.0 August 2016](#)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

The following CBP Cargo Systems Messaging Service (CSMS) notices were issued during the period covered by this Update. ACE Certification and Production Outages which have already occurred and problems which have been resolved are not included below.

| Date | CSMS# | Title |
|----------|---------------------------|---|
| 08-01-16 | 16-000657 | *New Date/Time* Protest Business Webinar |
| | 16-000658 | ACE PRODUCTION Maintenance, Tues Aug 2, 2016 @0600ET, impact ACE CargoRel & EntrySumm |
| 08-02-16 | 16-000659 | Doubling of Piece Count against Ocean Bills |
| | 16-000660 | Update to CSMS# 16-000659 |
| | 16-000661 | Clarification to ACE Protest Federal Register Notice |
| | 16-000663 | Warehouse Entry Summary Validations |
| 08-03-16 | 16-000664 | Update to CSMS# 659 & 660 - Doubling of Piece Count Quantity |
| | 16-000665 | ACE CATAIR Documentation Posted to CBP.gov |
| | 16-000666 | ACE PRODUCTION deployment, Thursday August 4, 2016 @0600ET, impact ACE CargoRel & EntrySumm |
| | 16-000667 | ACE CERTIFICATION deployment, Thurs August 4, 2016 @0700ET, impact ACE CargoRel & EntrySumm |
| | 16-000668 | ACE Processing Delays, Wednesday, 8/3/16 |
| | 16-000669 | Update on License, Permit, and Certification Issues on ACE Entries |
| | 16-000670 | Quota Entry Summary Filing |

| Date | CSMS# | Title |
|---------------------------|--|---|
| 08-04-16 | 16-000671 | Updated CATAIR Appendix PGA |
| 08-05-16 | 16-000672 | Harmonized System Updates (HSU) 1608, 1609 and 1610 |
| | 16-000674 | Update for Filing FDA Prior Notice |
| 08-07-16 | 16-000675 | Some ACE users receiving [the following error message at log-in] |
| | 16-000676 | Some ACE users receiving proxy error at login - steps to resolve are enclosed |
| 08-08-16 | 16-000677 | FRN published announcing ACE Protestant Account Type |
| | 16-000678 | ACE Protest – Information Notice, Protest Filer Account, and 8/27 Cutover |
| | 16-000679 | Pharmaceuticals Center of Excellence Team Number Changes |
| 08-09-16 | 16-000681 | Updated ACE Entry Summary Business Process Document – 08/08/2016 |
| 08-10-16 | 16-000684 | ACE PRODUCTION Cargo Release deployment, Wednesday August 10, 2016 @1530ET |
| | 16-000685 | ACE PRODUCTION PGA Maintenance, Thurs August 11, 2016 @0600ET, impact CargoRIs & EntrySumm |
| | 16-000686 | UPDATE: ACE Resumes Normal Processing, Wednesday, 8/10/2016 |
| | 16-000687 | ACE PRODUCTION Quota deployment, Thursday August 11, 2016 @0500ET |
| | 16-000688 | ACE PRODUCTION Quota deployment, Thursday August 11, 2016 @0500ET |
| 08-11-16 | 16-000689 | Reconciliation and Drawback Technical Webinars Recordings Available |
| | 16-000690 | *New Date/Time* Reconciliation Business Webinar |
| | 16-000691 | FDA Foreign Supplier Verification Programs (FSVP) |
| | 16-000692 | Correction - New Date/Time for ACE Reconciliation Business Webinar - August 19, 2016 |
| | 16-000693 | Initial (Partial) Identification of HTS Codes for EPA TSCA Pilot |
| | 16-000694 | Updated Information on ACE PGA Pilot Statuses Now on CBP.gov |
| 08-12-16 | 16-000695 | HSU 1611: Harmonized System Update (HSU) 1611 Created 08/11/16 |
| | 16-000696 | Published FRN Announcing a NCAP Test for the Electronic Filing of Protests in ACE |
| | 16-000697 | |
| | 16-000698 | Enforcement of NHTSA HTS Flagging for Weekly Type 06 Entry Summaries |
| | 16-000699 | ACE Portal Login Issues |
| | 16-000700 | Updated NMFS PGA Message Set IG and NMFS Webinars |
| | 16-000702 | PGA Pilot Status Report |
| 16-000703 | | |
| 08-16-16 | 16-000707 | Updated APHIS-Lacey Act Implementation Guide and Samples V3.1, June 2016 |
| | 16-000708 | |
| | 16-000709 | Updated EPA CATAIR Guidelines and PGA Message Set Samples V8 |
| | 16-000710 | Updated AMS CATAIR Guidelines, July 2016 |
| | 16-000711 | Publication of Federal Register Notice Announcing the Conclusion of the NMFS Pilot |
| | 16-000712 | The EPA Non-Road Vehicles and Engines Pilot is Now Open to All Importers |
| | 16-000713 | RESOLVED: ACE Accounts Portal error, Tuesday, August 16, 2016 |
| 16-000714 | Updated ATF Supplemental Guidelines for ACE V1.14, July 22, 2016 | |
| 08-17-16 | 16-000715 | ACE-CATAIR-IG-ACH Debit/Entry Summary Presentation Update |
| | 16-000717 | ACE PRODUCTION deployment, Thursday August 18, 2016 @0600ET, impact ACE CargoRel & EntrySum |
| | 16-000718 | Updated ACE CATAIR Documentation Posted to CBP.gov |
| | 16-000719 | AESTIR Appendix Q Available on cbp.gov |
| | 16-000720 | Correction: AESTIR Appendix Q Available on cbp.gov |

| Date | CSMS# | Title |
|----------|---------------------------|--|
| | 16-000722 | ACE CERTIFICATION Quota deployment, Thursday August 18, 2016 @0600ET |
| 08-19-16 | 16-000725 | Updated PGA Pilots Status Report |
| | 16-000726 | Final Statements not Generated today, Friday, August 19, 2016 |
| | 16-000727 | Publication of Federal Register Notice of Proposed Rulemaking for Vehicles and Engines |
| | 16-000728 | Protest Webinar – August 23, 2016 |
| 08-22-16 | 16-000731 | Guidance for Cargo Moving In-Bond from an FTZ to a Bonded Warehouse |
| | 16-000736 | Correction: ACE CERTIFICATION Reconciliation Deployment, Tuesday, August 23, 2016 @ 0700ET |
| 08-23-16 | 16-000737 | ACE Reconciliation Technical & Business Webinar – August 24, 2016 |
| | 16-000738 | ACE AESDirect WebLink Recent Change |
| | 16-000739 | |
| | 16-000740 | FDA - Division of Import Operations Launches New Website for Stakeholders |
| | 16-000741 | FDA ACE Reject Document Posted to FDA.gov |
| 08-24-16 | 16-000742 | ACE PRODUCTION deployment, Thursday Aug 25, 2016 @0600ET, impact ACE Cargo Rel & EntrySumm |
| | 16-000743 | PRODUCTION ACE PGA deployment, Thursday August 25, 2016 @ 0600ET |
| | 16-000744 | Reminder: Protest in ACE beginning August 27, 2016 |
| 08-26-16 | 16-000745 | Published IFR Concerning Administrative Exemption on Value Increased for Certain Articles |
| | 16-000746 | Entry Cancellations Without Port Code |
| | 16-000747 | Planned Port of Entry for Cargo Release |
| | 16-000749 | ACE CERTIFICATION Reconciliation Deployment, Friday August 26, 2016 |
| | 16-000750 | Automated Commercial Environment (ACE) Export Reports: Revised Certification of Authority |
| | 16-000751 | Reconciliation Technical Discussion for Software Developers |
| 08-29-16 | 16-000755 | NPRM Published on TSCA Chemical Substance Import Certification Process Revisions |
| | 16-000756 | |
| | 16-000757 | 2016 ACE Trade User Satisfaction Survey |
| | 16-000758 | CORRECTION to ACE CERTIFICATION Reconciliation Deployment, Tuesday, August 23, 2016 |
| | 16-000763 | ACE Entry Summary Business Process Trade 7.4 – 08/26/2016 |
| 08-30-16 | 16-000764 | Updated ACE Documentation Available on CBP.gov |
| | 16-000766 | Updated ACE Documentation Available on CBP.gov |
| | 16-000767 | HTS query testing in ACE-Certification |
| | 16-000768 | New FRN Concerning Electronic Drawback and Duty Deferral Entry and Entry Summary Filings |
| | 16-000769 | |
| 08-31-16 | 16-000771 | Harmonized System Update (HSU) 1612 created August 30, 2016 |
| | 16-000772 | Deactivation of CBP Boston Port Codes 0181, 0409, 0499, 0601, 0602, 0603 for Cargo |
| | 16-000773 | ACE PRODUCTION deployment, Thursday Sept. 1, 2016 @0600ET, impact ACE CargoRel & EntrySumm |
| | 16-000774 | ACE CERTIFICATION Liquidations deployment, Wed. August 31, 2016 @1800 ET |

Foreign Trade Zones

The following documents were published in the *Federal Register* by the Foreign-Trade Zones Board:

| F.R. Date | Document |
|-----------|---|
| 08-02-16 | Foreign-Trade Zone (FTZ) 279-Terrebonne Parish, Louisiana; Notification of Proposed Production Activity; Thoma-Sea Marine Constructors, LLC, Subzone 279A (Shipbuilding), Houma and Lockport, Louisiana [B-49-2016] |
| 08-05-16 | Authorization of Limited Production Activity - Foreign-Trade Zone (FTZ) 186 – Waterville, Maine e Flemish Master Weavers Subzone 186A (Area Rugs) Sanford, Maine [B-18-2016] |
| | Reorganization of Foreign-Trade Zone 172 under Alternative Site Framework Oneida County, New York [Order No. 2006] Reorganization of Foreign-Trade Zone 70 (Expansion of Service Area) under Alternative Site Framework Detroit, Michigan [Order No. 2007] |
| 08-08-16 | Foreign-Trade Zone 193—Pinellas County, Florida; Application for Reorganization and Expansion Under Alternative Site Framework [B-50-2016] |
| | Expansion of Subzone 116C, Premcor Refining Group Inc., Port Arthur, Texas [Order No. 2004] Approval of Subzone Status, Barrett Distribution Centers, Inc., Franklin, Massachusetts [Order No. 2005] |
| 08-09-16 | Expansion of Foreign-Trade Zone 225 Under Alternative Site Framework Springfield, Missouri [Order No. 2008] |
| | Reorganization of Foreign-Trade Zone 103 Under Alternative Site Framework Grand Forks, North Dakota [Order No. 2011] |
| | Expansion of Foreign-Trade Zone 149 Under Alternative Site Framework Freeport, Texas [Order No. 2009] |
| 08-10-16 | Expansion of Subzone 149C Phillips 66 Company Brazoria County, Texas [Order No. 2010] |
| | Foreign-Trade Zone (FTZ) 46G – Cincinnati, Ohio - Authorization of Production Activity Givaudan Flavors Corporation (Flavor Products) Cincinnati, Ohio [B-21-2016] |
| | Foreign-Trade Zone (FTZ) 126 – Reno, Nevada - Notification of Proposed Production Activity Tesla Motors, Inc. Subzone 126D [B-51-2016] |
| | Approval of Subzone Status Rooms to Go (PR), Inc. Toa Baja, Puerto Rico [S-49-2016] |
| 08-15-16 | Foreign-Trade Zone 92—Gulfport, Mississippi; Application for Expansion of Subzone 92B; Huntington Ingalls Industries; Pascagoula, Mississippi [S-112-2016] |
| 08-16-16 | Foreign-Trade Zone 283 – West Tennessee Area - Application for Reorganization (Expansion of Service Area) under Alternative Site Framework [B-53-2016] |
| | Approval of Expanded Subzone Status - Space Systems/Loral, LLC, Palo Alto, Menlo Park, Mountain View and San Jose, California [S-90-2016] |
| | Foreign-Trade Zone (FTZ) 134 – Chattanooga, Tennessee - Notification of Proposed Production Activity, Wacker Polysilicon North America LLC (Polysilicon) Charleston, Tennessee [B-52-2016] |
| 08-17-16 | Approval of Subzone Status: Westlake Chemical Corporation, Geismar, Louisiana [S-75-2016] |
| 08-19-16 | Foreign-Trade Zone (FTZ) 22— Chicago, Illinois, Authorization of Production Activity, Omron Automotive Electronics, Inc. (Automotive Electronic Components), St. Charles, Illinois [B-24-2016] |
| 08-22-16 | Foreign-Trade Zone 124 -- Gramercy, Louisiana, Application for Expansion of Subzone 124D LOOP LLC, Lafourche and St. James Parishes, Louisiana [B-54-2016] |
| | Foreign-Trade Zone 262 -- Southaven, Mississippi, Application for Subzone, ASICS America Corporation, Byhalia, Mississippi [S-117-2016] |
| | Foreign-Trade Zone (FTZ) 133 – Quad-Cities, Iowa/Illinois, Authorization of Production Activity, Deere & Company, Subzone 133D, (Construction and Forestry Equipment) Davenport, Iowa [B-25-2016] |
| 08-23-16 | Foreign-Trade Zone (FTZ) 158 – Vicksburg/Jackson, Mississippi - Authorization of Limited Production Activity - Max Home, LLC (Upholstered Furniture) Iuka and Fulton, Mississippi [B-17-2016] |
| | Approval of Subzone Status - Next Level Apparel, Ashford, Alabama [S-78- |

| F.R. Date | Document |
|-----------|--|
| | 2016] |
| 08-25-16 | Foreign-Trade Zone (FTZ) 281 – Miami, Florida - Notification of Proposed Production Activity - Carrier InterAmerica Corporation (Heating, Ventilating and Air Conditioning Systems) Miami, Florida [B-55-2016] |
| 08-30-16 | Approval of Subzone Status - Givaudan Flavors Corporation, East Hanover, New Jersey [S-81-2016] |
| | Foreign-Trade Zone (FTZ) 26 – Atlanta, Georgia - Authorization of Production Activity, Eastman Kodak Company, Subzone 26N (Aluminum Printing Plates) Columbus, Georgia [B-28-2016] |
| | Foreign-Trade Zone (FTZ) 76 – Bridgeport, Connecticut - Authorization of Production Activity, ASML US, Inc., (Optical, Metrology, and Lithography System Modules) Newtown and Wilton, Connecticut [B-26-2016] |

EPA bans exports of certain mercury compounds

On August 26, 2016, the Environmental Protection Agency (EPA) published in the *Federal Register* a [notice](#) [EPA-HQ-OPPT-2016-0411; FRL-9950-21] advising the public that, effective January 1, 2020, the *Frank R. Lautenberg Chemical Safety for the 21st Century Act* (the Act), which amended the *Toxic Substances Control Act* (TSCA), prohibits the export of: mercury (I) chloride or calomel; mercury (II) oxide; mercury (II) sulfate; mercury (II) nitrate; and cinnabar or mercury sulphide, unless those mercury compounds are exported to member countries of the Organization for Economic Co-operation and Development for environmentally sound disposal, on the condition that no mercury or mercury compounds so exported are to be recovered, recycled, or reclaimed for use, or directly reused, after such export. EPA was directed by Congress to publish in the *Federal Register* a list of mercury compounds that are prohibited from export, not later than 90 days after the date of enactment of the Act. EPA is not soliciting comments on this notice.

ITA seeks applicants for Civil Nuclear Trade Advisory Committee

On August 3, 2016, the International Trade Administration (ITA), U.S. Department of Commerce (Commerce), published in the *Federal Register* a [notice](#) of an opportunity to apply for membership on the Civil Nuclear Trade Advisory Committee (CINTAC). The purpose of the CINTAC is to provide advice to the Secretary of Commerce regarding the development and administration of programs to expand U.S. exports of civil nuclear goods and services in accordance with applicable U.S. laws and regulations, which will be used by Commerce in its role as a member of the Civil Nuclear Trade Working Group of the Trade Promotion Coordinating Committee and of the TeamUSA interagency group to promote U.S. civil nuclear trade.

All applications for immediate consideration for appointment must be received by the Office of Energy & Environmental Industries by 5:00 p.m. (EDT) on September 2, 2016. After that date, ITA will continue to accept applications under this notice for a period of up to two years from the deadline to fill any vacancies that may arise.

Treasury publishes list of countries requiring cooperation with an international boycott

On August 5, 2016, the Department of the Treasury published in the *Federal Register* a [current list of countries](#) which require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the *Internal Revenue Code of 1986*).

On the basis of the best information currently available to the Department of the Treasury, the following countries require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the *Internal Revenue Code of 1986*): Iraq, Kuwait, Lebanon, Libya, Qatar, Saudi Arabia, Syria, United Arab Emirates, and Yemen.

FinCEN proposes customer I.D., anti-money laundering programs, and beneficial ownership requirements for certain banks

On August 25, 2016, the Financial Crimes Enforcement Network (FinCEN), Treasury, published in the *Federal Register* a [notice of proposed rulemaking](#) to implement section 326 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act) and to remove the anti-money laundering program exemption for banks that lack a Federal functional regulator, including, but not limited to, private banks, non-federally insured credit unions, and certain trust companies. The proposed rule would prescribe minimum standards for anti-money laundering programs for banks without a Federal functional regulator to ensure that all banks, regardless of whether they are subject to Federal regulation and oversight, are required to establish and implement anti-money laundering programs, and would extend customer identification program requirements and beneficial ownership requirements to those banks not already subject to these requirements.

Written comments may be submitted to FinCEN on or before October 24, 2016.

BIS amends Entity List

On August 23, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 160719631-6631-01] that amends the *Export Administration Regulations* (EAR) by adding ten persons under fourteen entries to the Entity List. The ten persons who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. These ten persons will be listed on the Entity List under the destinations of Iraq, the Philippines, Syria, and Turkey.

BIS proposes to align TMP exports with IMMEX regime time periods

On August 23, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [proposed rule](#) [Docket No. 160519443-6443-01] that would align the time limit of License Exception Temporary Imports, Exports, Reexports, and Transfers (in-country) (TMP), which authorizes, among other things, certain temporary exports to Mexico, with the time limit of Mexico's *Decree for the Promotion of Manufacturing, Maquiladora and Export Services* (IMMEX) program. Currently, TMP allows for the temporary export and reexport of various items subject to the EAR, as long as the items are returned no later than one year after export, reexport, or transfer if not consumed or destroyed during the period of authorized use. Other than a four-year period for certain personal protective equipment, the one-year limit extends to all items shipped under license exception TMP. However, the one-year period does not align with the time constraints of Mexico's IMMEX program, which allows imports of items for manufacturing operations on a time limit that may exceed 18 months. This rule proposes to amend TMP to complement the timeline of the IMMEX program. Under this proposed amendment, items temporarily exported or reexported under license exception TMP and imported under the provisions of the IMMEX program would be authorized to remain in Mexico for up to four years from the date of export or reexport.

Comments must be received by October 24, 2016.

BIS extends validity of ZTE Temporary General License

On August 19, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160106014–6728–04] that extends the Temporary General License published on March 24, 2016 (81 Fed. Reg. 15633). The March 24 final rule created a temporary general license that restored, for a specified time period, the licensing requirements and policies under the EAR for exports, reexports, and transfers (in-country) as of March 7, 2016, to two entities (ZTE Corporation and ZTE Kangxun) that were added to the Entity List on March 8, 2016. At this time, the U.S. Government has decided to extend the temporary general license until November 28, 2016. In order to implement this decision, this final rule revises the temporary general license to remove the expiration date of August 30, 2016, and to substitute the date of November 28, 2016.

OMB clearance sought for International Import Certificate

On August 17, 2016, the Department of Commerce published in the *Federal Register* a [notice](#) advising the public that it will seek Office of Management and Budget (OMB) clearance for BIS to collect information to issue an International Import Certificate (Form BIS-645P). The United States and several other countries have increased the effectiveness of their respective controls over international trade in strategic commodities by means of an Import Certificate procedure. For the U.S. importer, this procedure provides that, where required by the exporting country, the importer submits an international import certificate to the U.S. Government to certify that he/she will import commodities into the United States and will not reexport such commodities, except in accordance with the export control regulations of the United States. The U.S. Government, in turn, certifies that such representations have been made.

BIS/State revise EAR and ITAR to harmonize destination control statements

On August 17, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 150107020-6464-02] that implements changes that were proposed on May 22, 2015, in a proposed rule entitled *Revisions to the Export Administration Regulations (EAR): Harmonization of the Destination Control Statements*. This final rule revises the destination control statement in § 758.6 of the Export Administration Regulations (EAR) to harmonize the statement required for the export of items subject to the EAR with the destination control statement in § 123.9(b)(1) of the *International Traffic in Arms Regulations* (ITAR).

Prior to the effective date of the BIS final rule, the EAR required exporters to include a destination control statement (DCS), specified in § 758.6 (Destination control statement and other information furnished to consignees) of the EAR, on certain export control documents that accompanied a shipment for most exports. The purpose of the DCS was to alert parties outside the United States that receive the item that the item was subject to the EAR, the item was exported in accordance with the EAR, and that diversion contrary to U.S. law was prohibited.

The BIS final rule is also part of Commerce's retrospective regulatory review plan under Executive Order (E.O.) 13563.

The BIS final rule is published in conjunction with the publication in the August 17, *Federal Register* of a Department of State (Directorate of Defense Trade Con-

trols) [final rule](#) revising § 123.9(b)(1) and other sections of the ITAR. Both final rules are part of the President's Export Control Reform Initiative. In addition to revising the DCS in ITAR §123.9 to harmonize the language with the EAR, the State final rule also makes conforming changes to ITAR §§124.9 and 124.14, and makes several minor edits for clarity. ITAR §§124.7, 124.12, 125.2, and 125.7, among others are also revised.

Prior to the effective date of the State final rule, the ITAR, under § 123.9(b)(1), included the same type of DCS requirement as BIS, but with slightly different text than that which was required by the EAR. The purpose of the DCS requirements was the same under both sets of export control regulations. As a general principle of the Export Control Reform (ECR) effort, wherever the ITAR and EAR have provisions that are intended to achieve the same purpose, the U.S. Government will harmonize the corresponding provisions. The State rule removes the requirement that the DCS be placed on shipping documents and requires the DCS on the commercial invoice.

The State final rule also adds clarifying language to various provisions of the ITAR pertaining to the use of exemptions to the license requirements and the export of items subject to the EAR, when the EAR items are shipped with items subject to the ITAR. These revisions include guidance on the use of license exemptions for the export of such items, as well as clarification that items subject to the EAR are not defense articles, even when exported under a license or other approval, such as an exemption, issued by the Department of State. The rule also adds a paragraph (c) to ITAR §126.9, which permits any person to make a written request for an interpretation of the requirements in the form of an advisory opinion.

Both rules are effective November 15, 2016.

BIS amends EAR regarding Tritium production

On August 8, 2016, BIS published in the *Federal Register* an [interim final rule](#) [Docket No. 160303184–6184–01] that amends the EAR to make certain items subject to the EAR and to impose on those items a license requirement for export and reexport to all destinations, except Canada. Specifically, this rule classifies certain specified targets “specially designed” for the production of tritium and related “development” and “production” technology under Export Control Classification Numbers (ECCNs) 0A521 and 0E521, respectively, on the Commerce Control List (CCL). As described in the final rule that established the 0Y521 series and that was published in the *Federal Register* on April 13, 2012, items are added to the 0Y521 series upon a determination by the Department of Commerce, with the concurrence of the Departments of Defense and State, and other agencies as appropriate, that the items should be controlled for export because the items provide at least a significant military or intelligence advantage to the United States or foreign policy reasons justify control. In this matter, the Department of Energy also concurred in the control imposed. The items identified in this rule are controlled for regional stability (RS) Column 1 reasons. The only license exception available for these items is for exports, reexports, and transfers (in-country) made by or consigned to a department or agency of the U.S. Government.

This rule is effective August 8, 2016. Comments must be received by October 7, 2016.

Miscellaneous BIS and ITA Federal Register documents

The following documents were published in the *Federal Register* by the Bureau of Industry and Security (BIS) or the International Trade Administration (ITA) :

| F.R. Date | Subject |
|-----------|--|
| 08-24-16 | BIS: Transportation and Related Equipment Technical Advisory Committee; Notice of Partially Closed Meeting (N/H) [Sept. 7, 2016] |
| | BIS: Regulations and Procedures Technical Advisory Committee; Notice of Meeting (N/H) [Sept. 13, 2016] |
| | BIS: Materials Technical Advisory Committee; Notice of Partially Closed Meeting (N/H) [Sept. 8, 2016] |
| 08-25-16 | BIS: President's Export Council Subcommittee On Export Administration; Notice of Partially Closed Meeting (N/H) [Sept. 15, 2016] |
| | ITA: President's Export Council: Meeting of the President's Export Council; Notice of an Open Meeting (N/H) [Sept. 14, 2016] |
| 08-29-16 | BIS: National Defense Stockpile Market Impact Committee Request for Public Comments on the Potential Market Impact of the Proposed Fiscal Year 2018 Annual Materials Plan [Docket No. 160816751-6751-01] (N/RFC) |

Restrictive measures and additions to OFAC, State BIS blocking orders, designations, sanctions and entity lists

During the past month, the following notices adding, removing or continuing persons (including entities) to/from restrictive measures lists were published in the *Federal Register* by the Office of Foreign Assets Control (OFAC) or by the State Department (State) or the Bureau of Industry and Security (BIS):

| F.R. Date | Applicable orders |
|-----------|--|
| 08-05-16 | State: Review of the Designation as a Foreign Terrorist Organization of Harakat ul-Jihad-i-Islami (and other aliases) [Public Notice: 9665] (N) |
| | State: Executive Order 13224 Designation of Jamaat-ul-Ahrar, aka JuA, aka Jamaatul Ahrar, aka Jamaat-ul-Ahrar, aka Jamat-ul-Ahrar, aka Aafia Siddique Brigade, aka Jamaat-e-Ahrar, aka Jamatul Ahrar, aka Tehreek-i-Taliban Jamaat-ul-Ahrar, aka Tehrik-e-Taliban Pakistan Jamaat-e-Ahrar, aka Jamaat-ul-Ahrar TTP, aka TTP-JA, aka TTP-JuA as a Specially Designated Global Terrorist [Public Notice: 9664] (N) |
| | Executive Order 13224 Designation of Mohamed Abrini, aka Mohammed Abrini, aka Mohammad Abrini as a Specially Designated Global Terrorist [Public Notice: 9663] (N) |
| 08-08-16 | OFAC: Sanctions Actions Pursuant to Executive Order 13315, as Amended by Executive Order 13350 (N) [removing the name of an individual] |
| 08-09-16 | OFAC: Unblocking of Specially Designated Nationals and Blocked Persons, Foreign Narcotics Kingpin Designation Act (N) [five individuals and six entities] |
| | OFAC: Unblocking of Specially Designated Nationals and Blocked Persons, Executive Order 12978 (N) [four individuals] |
| 08-10-16 | State: In the Matter of the Review of the Designation of Liberation Tigers of Tamil Eelam (and other aliases) as a Foreign Terrorist Organization pursuant to Section 219 of the Immigration and Nationality Act [Public Notice: 9669] (N) |
| 08-18-16 | OFAC: Unblocking of Specially Designated National and Blocked Person Pursuant to Executive Order 13288, as Amended by Executive Order 13469, and Executive Order 13391 (N) [one individual] |
| 08-26-16 | State: Review of the Designation as a Foreign Terrorist Organization of Jemaah Islamiya (and other aliases) [Public Notice: 9690] (N) |
| 08-29-16 | OFAC: Sanctions Actions Pursuant to Executive Order 13667 (N) [two individuals] |

CPSC proposes exempting toys containing certain plastics from phthalate testing

On August 17, 2016, the Consumer Product Safety Commission (CPSC) published in the *Federal Register* a [proposed rule](#) [Docket No. CPSC–2016–0017] that would determine that certain plastics with specified additives would not contain the specified phthalates prohibited in children’s toys and child care articles. Based on these determinations, the specified plastics with specified additives would not require third party testing for compliance with the mandatory phthalates prohibitions on children’s toys and child care articles. Comments must be submitted by October 31, 2016.

FTC and CPSC Federal Register documents

The following Federal Trade Commission (FTC) and Consumer Product Safety Commission (CPSC) documents which may be of interest to importers were published *Federal Register* during the past month:

| F.R. Date | Subject |
|-----------|--|
| 08-05-16 | CPSC: Children’s Sleepwear Seminar (N) [10-20-16] |
| 08-10-16 | FTC: Guide Concerning Fuel Economy Advertising for New Automobiles (N/E) |
| 08-17-16 | CPSC: Prohibition of Children’s Toys and Child Care Articles Containing Specified Phthalates: Determinations Regarding Certain Plastics [Docket No. CPSC-2016-0017] (PR) |

TTB and ATF announcements and Federal Register documents

The Alcohol and Tobacco Tax and Trade Bureau (TTB) and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) have posted the following information or regulatory actions of interest to international traders:

| Date | Subject |
|----------|---|
| 08-30-16 | TTB: Reclassification of Specially Denatured Spirits and Completely Denatured Alcohol Formulas and Related Amendments [Docket No. TTB–2013–0005; T.D. TTB–140; Re: Notice No. 136] (FR) |
| 08-31-16 | ATF: Electronic Collection and Transfer of Import Information: Cessation of PGA Message Set Pilot Program [Docket No. ATF 2015R–15] (N) |

FDA issues final rule on registration and listing of U.S. and foreign establishments for human and animal drugs

On August 31, 2016, the Food and Drug Administration (FDA) published in the *Federal Register* a [final rule](#) [Docket No. FDA–2005–N–0464 (formerly Docket No. 2005N–0403)] amending its regulations governing drug establishment registration and drug listing. These amendments reorganize, modify, and clarify current regulations concerning who must register establishments and list human drugs, human drugs that are also biological products, and animal drugs.

The final rule requires electronic submission, unless waived in certain circumstances, of registration and listing information. This rulemaking pertains to finished drug products and to active pharmaceutical ingredients (APIs) alone or together with one or more other ingredients. The final rule describes how and when owners or operators of establishments at which drugs are manufactured or processed must register their establishments with FDA and list the drugs they manufacture or process. In addition, the rule makes certain changes to the National

Drug Code (NDC) system. The FDA is taking this action to improve management of drug establishment registration and drug listing requirements and make these processes more efficient and effective for industry and for the FDA. This action also supports implementation of the electronic prescribing provisions of the *Medicare Prescription Drug, Improvement, and Modernization Act of 2003* (MMA) and the availability of current drug labeling information through DailyMed, a computerized repository of drug information maintained by the National Library of Medicine.

The final rule contains some changes from the proposed rule, including revised definitions of the terms “active pharmaceutical ingredient,” “commercial distribution,” “content of labeling,” “importer,” “manufacture,” “private label distributor,” “relabel,” “repack,” and “representative sampling of any other labeling.” A full list of the substantive changes is at 81 Fed. Reg. 60172-60175.

The final rule is effective on November 29, 2016. See section IV of the *Federal Register* document for compliance dates.

FDA issues FSMA facility and importer reinspection and recall fee rates for FY 2017

On August 1, 2016, the Food and Drug Administration (FDA) published in the *Federal Register* a [notice](#) [Docket No. FDA-2016-N-0007] announcing the fiscal year (FY) 2017 fee rates for certain domestic and foreign facility reinspections, failures to comply with a recall order, and importer reinspections that are authorized by the *Federal Food, Drug, and Cosmetic Act* (the FD&C Act), as amended by the *FDA Food Safety Modernization Act* (FSMA). These fees are effective on October 1, 2016, and will remain in effect through September 30, 2017.

FDA Federal Register documents

The FDA has posted the following *Federal Register* guides, notices or documents which may be of interest to international traders:

| F.R. Date | Subject |
|-----------|---|
| 08-01-16 | Food Labeling; Calorie Labeling of Articles of Food in Vending Machines; Extension of Compliance Date [Docket No. FDA-2011-F-0171] (FR/E) |
| | Food Safety Modernization Act Domestic and Foreign Facility Reinspection, Recall, and Importer Reinspection Fee Rates for Fiscal Year 2017 [Docket No. FDA-2016-N-0007] (N) |
| 08-08-16 | Refuse To Accept Procedures for Premarket Tobacco Product Submissions [Docket No. FDA-2016-N-1555] (PR) |
| | Refuse To Accept Procedures for Premarket Tobacco Product Submissions [Docket No. FDA-2016-N-1555] (FR) |
| | Breast Cancer Fund, Center for Environmental Health, Center for Food Safety, Center for Science in the Public Interest, Clean Water Action, Consumer Federation of America, Earthjustice, Environmental Defense Fund, Improving Kids' Environment, Learning Disabilities Association of America, and Natural Resources Defense Council; Filing of Food Additive Petition; Reopening of Comment Period [Docket No. FDA-2016-F-1253] (N/RO) |
| | Standard Preparations, Limits of Potency, and Dating Period Limitations for Biological Products; Confirmation of Effective Date [Docket No. FDA-2016-N-1170] (FR) |
| 08-12-16 | Dietary Supplements: New Dietary Ingredient Notifications and Related Issues; Revised Draft Guidance for Industry; Availability [Docket No. FDA-2011-D-0376] (N) |
| | USDA/DEA/FDA: Statement of Principles on Industrial Hemp (N) |
| 08-16-16 | Calorie Labeling of Articles of Food in Vending Machines; Draft Guidance for Industry; Availability [Docket No. FDA-2011-F-0171] (N) |

| F.R. Date | Subject |
|-----------|---|
| | Calorie Labeling of Articles of Food in Vending Machines: Guidance for Industry; Small Entity Compliance Guide; Availability [Docket No. FDA-2011-F-0171] (N) |
| 08-17-16 | Substances Generally Recognized as Safe [Docket No. FDA-1997-N-0020 (formerly 97N-0103)] (FR) |
| 08-24-16 | The Food and Drug Administration Food Safety Modernization Act; Extension and Clarification of Compliance Dates for Certain Provisions of Four Implementing Rules [Docket Nos. FDA-2011-N-0920, FDA-2011-N-0921, FDA-2011-N-0922, FDA-2011-N-0143] (FR/E) |
| | Hazard Analysis and Risk-Based Preventive Controls for Human Food; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-2343] (N) |
| | New Animal Drugs for Use in Animal Feed; Category Definitions [Docket No. FDA-2016-N-1896] (PR) |
| | New Animal Drugs for Use in Animal Feed; Category Definitions [Docket No. FDA-2016-N-1896] (FR) |
| 08-25-16 | Classification of Activities as Harvesting, Packing, Holding, or Manufacturing/Processing for Farms and Facilities; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-2373] (N) |
| | Current Good Manufacturing Practice Requirements for Food for Animals; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-1229] (N) |
| | Human Food By-Products for Use as Animal Food; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-1220] (N) |
| 08-29-16 | Food Labeling; Technical Amendments [Docket No. FDA-2016-N-0011] (FR) |
| 08-30-16 | Enforcement Policy on National Health Related Item Code and National Drug Code Numbers Assigned to Devices; Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2016-D-0199] (N) |
| | Voluntary Sodium Reduction Goals: Target Mean and Upper Bound Concentrations for Sodium in Commercially Processed, Packaged, and Prepared Foods; Draft Guidance for Industry; Extension of Comment Periods [Docket No. FDA-2014-D-0055] (N/E) |
| 08-31-16 | Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs [Docket No. FDA-2005-N-0464 (formerly Docket No. 2005N-0403)] (FR) |
| | Submission of Warning Plans for Cigars; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-2495] (N) |

FAS issues information notice on Chinese requirements for shipments from Zika-infected countries

On August 19, 2016, the Foreign Agricultural Service (FAS) issued an [“Update on China’s Requirements for Shipments From Zika-Infected Countries”](#) which reflects the FAS’s understanding of China’s measures impacting goods exported from the United States with regard to control of the Zika virus, as of August 19, 2016. The document is not official USDA guidance regarding compliance with China’s new policies for shipments from Zika-affected countries. The guidance follows:

Since March of 2016, China’s General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) has required all countries on its Zika-infected list to comply with disinsection requirements (not to be confused with disinfection). Disinsection in this case means killing live mosquitoes, their larva, and eggs. Following the World Health Organization’s (WHO) August 2, 2016 listing of the United States as a country reporting mosquito-borne Zika virus transmission, Chinese authorities now require mosquito disinsection for all U.S.-origin shipments to China. As of August 5, forty other countries, including Mexico and Brazil, are subject to these requirements. On August 18, staff from the U.S. Embassy in Beijing met with AQSIQ’s Department of Supervision and Health Quarantine. The following reflect our understanding of AQSIQ’s responses during that meeting:

1. Chinese authorities require all cargo shipments originating from the United States to provide proof of disinsection upon arrival at the Chinese port, both either

- air or sea. This applies to all vessels that left the United States on or after August 5, with the exception of containers kept at or under a temperature of 15°C (59°F).
2. Disinsection treatment may be carried out by either physical or chemical means, and does not require fumigation. Physical means could include trapping, air curtains, or other integrated pest-management techniques. Chemical means could include surface spraying, space spraying, or fumigation, depending on the shipper's choice. The treatment used should take into account human health and safety.
 3. Treatment can be carried out at any point during the shipping process. For example, it is acceptable for containers to be disinfected before loading, certified as mosquito free, then loaded in a mosquito-free environment.
 4. Proof of disinsection does not need to be government-issued.
 5. Either the vessel or the container must be certified, not the goods themselves.
 6. The information to be included on the certificate has already been provided in the notice sent out by AQSIQ. If you do not have a copy, FAS can share with you.
 7. All shipments found to contain live mosquito eggs, larvae, or mosquitoes during inspection at the Chinese port will be subject to disinsection, including shipments that are chilled below 15 degrees Celsius (59 degrees Fahrenheit). Chinese authorities will direct a third party to perform any required disinsection in accordance with WHO guidelines as outlined in the AQSIQ announcement. The cost will vary at each port of entry, but AQSIQ estimates that it will be about RMB 200 (\$30) for a 20-foot container and RMB 400 (\$60) for a 40-foot container.
 8. All WHO member countries where Zika is present will be treated in the same manner.
 9. AQSIQ has not contacted airlines, shipping lines, exporters, etc., about the mosquito treatment requirements. Rather, AQSIQ leaves it up to each CIQ (branch office) at the port of entry to give out this information.
 10. AQSIQ will perform a Zika risk assessment for Florida and neighboring states, based in part on the U.S. Centers for Disease Control and Prevention (CDC) documentation of control measures. AQSIQ will use the assessment to determine whether to apply a regional approach in its Zika response.
 11. China's policy applies to Zika and yellow fever, and will remain in effect until March 2017, subject to adjustment or renewal depending on the situation.

FAS adjusts dairy tariff rate import quota licensing for 2016 TRQ year

On August 26, 2016, the Foreign Agricultural Service (FAS) published in the *Federal Register* a [notice](#) that announces the revised appendices for Dairy Tariff-Rate Import Quota Licensing for the 2016 quota year reflecting the cumulative annual transfers from Appendix 1 to Appendix 2 for certain dairy product import licenses permanently surrendered by licensees or revoked by the Licensing Authority. See the *Federal Register* notice for the countries and adjusted quantities.

APHIS and other USDA notices issued

During the past month, the Animal and Plant Health Inspection Service (APHIS) and other US Department of Agriculture (USDA) agencies issued the following *Federal Register* notices during the past month which may be of interest to international traders. [USDA=Office of the Secretary, FAS=Foreign Agricultural Service, AMS=Agricultural Marketing Service, FSIS=Food Safety Inspection Service]:

| F.R. Date | Subject |
|-----------|---|
| 08-01-16 | AMS: Minimum Quality and Handling Standards for Domestic and Imported Peanuts Marketed in the United States; Change to the Quality and Handling |

| F.R. Date | Subject |
|-----------|---|
| | Requirements [Doc. No. AMS-FV-15-0066; FV16-996-1 FR] (FR) |
| 08-03-16 | AMS: National Organic Program (NOP); Sunset 2016 Amendments to the National List [Document Number AMS-NOP-15-0052; NOP-15-12] (FR) |
| 08-04-16 | AMS: U.S. Standards for Grades of Fresh Fruits and Vegetables, Fruits and Vegetables for Processing, Nuts, and Specialty Crops [Doc. Number AMS-FV-14-0090, FV-16-327] (N) |
| | APHIS: Importation of Fresh Mango Fruit From Vietnam Into the Continental United States [Docket No. APHIS-2016-0026] (PR) |
| 08-05-16 | AMS: Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2016 Amendments) [Doc. # AMS-CN-16-0012] (FR) |
| 08-09-16 | AMS: Removal of Program To Assess Organic Certifying Agencies in 7 CFR Part 37 [Doc. # AMS-LPS-15-0054] (FR) |
| | APHIS: Concurrence with OIE Risk Designations for Bovine Spongiform Encephalopathy [Docket No. APHIS-2015-0055] (N) |
| 08-10-16 | APHIS: Notice of Decision to Authorize the Importation of Fresh Figs From Peru Into the Continental United States [Docket No. APHIS-2016-0011] (N) |
| | APHIS: Notice of Decision to Authorize the Importation of Fresh Pomegranates From Peru Into the Continental United States [Docket No. APHIS-2016-0012] (N) |
| 08-11-16 | AMS: Livestock Mandatory Reporting: Reauthorization of Livestock Mandatory Reporting and Revision of Swine and Lamb Reporting Requirements [Doc. # AMS-LPS-15-0070] (FR) |
| | AMS: National Dairy Promotion and Research Program; Amendments to the Order [Document No. AMS-DA-14-0074] (FR) [<i>modifies number of importer members</i>] |
| 08-12-16 | APHIS: Importation of Orchids in Growing Media From the Republic of Korea Into the Continental United States [Docket No. APHIS-2015-0091] (PR) |
| | USDA/DEA/FDA: Statement of Principles on Industrial Hemp (N) |
| 08-23-16 | AMS: Amendment to the Beef Promotion and Research Rules and Regulations [No. AMS-LPS-15-0084] (PR) |
| | FSIS: Statements That Bioengineered or Genetically Modified (GM) Ingredients or Animal Feed Were not Used in the Production of Meat, Poultry, or Egg Products [Docket No. FSIS-2016-0027] (N/RFC) |
| 08-24-16 | FAS: Assessment of Fees for Dairy Import Licenses for the 2017 Tariff-Rate Import Quota Year (N) |
| | APHIS: Importation of Fresh Persimmons From New Zealand Into the United States [Docket No. APHIS-2015-0052] (PR) |
| | APHIS: Importation of Fresh Raspberry Fruit From Morocco Into the Continental United States [Docket No. APHIS-2015-0053] (PR) |
| 08-26-16 | APHIS: Importation of Lemons From Chile Into the Continental United States [Docket No. APHIS-2015-0051] (PR/RO) |
| | FAS: Adjustment of Appendices for Dairy Tariff-Rate Import Quota Licensing for the 2016 Tariff-Rate Quota Year (N) [<i>see Federal Register notice for countries and quantities.</i>] |
| | AMS: Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Revision of Time Frame for Continuance Referenda [Document Number AMS-SC-16-0054] (IR) |
| 08-30-16 | AMS: National Organic Program: Notice of Interim Instruction on Material Review [Document Number AMS-NOP-16-0069; NOP-16-08] (N) |
| | APHIS: Viruses, Serums, Toxins, and Analogous Products; Packaging and Labeling [Docket No. APHIS-2008-0008] (FR) |
| | APHIS: Importation of Fresh Persimmon with Calyxes from Japan into the United States [Docket No. APHIS-2015-0098] (PR) |
| 08-31-16 | AMS: National Organic Program: Notice of Draft Guidance on Treated Lumber [Doc. No. AMS-NOP-16-0028; NOP-16-01] (N) |

FAS GAIN reports

Below is a partial list of Global Agriculture Information Network (GAIN) reports that were recently issued by the US Foreign Agriculture Service (FAS) in the *Food and Agricultural Import Regulations and Standards* (FAIRS) series as well as other reports related to import or export requirements. These provide valuable information on regulatory standards, export guides, and MRL (maximum residue limits). Information about, and access to, other GAIN reports may be found at the FAS [GAIN reports website](#).

- Brazil [Ministry of Agriculture Paves the Way for US Corn Imports](#)
- EU [Final EU Public Consultation On Product Environmental Footprint](#)
- India [Compliance Date Extended for Limits of Trans Fatty Acids](#)
- India [WTO Notified Plant Quarantine Eighth Amendment 2016](#)
- India [Modified Guidelines on Labeling of Imported Primary Food Packages](#)
- India [Final Amendment on Food Product Standards and Labeling Regulations](#)
- India [FSSAI Invites Comments on Cereal and Cereal Products](#)
- India [WTO Notified Import Requirements for Poultry and Poultry Products](#)
- India [Indian Government Rolls Out Single Window Import Clearances](#)
- Indonesia [Indonesia Expands U.S. Plant Products Eligible for Recognition](#)
- Indonesia [Indonesia Eases Import Rules for Meat Products](#)
- Japan [Japan proposes the revision of MRLs for 10 agricultural chemicals](#)
- Jordan [Jordan bans partially hydrogenated oil in dairy products](#)
- Kazakhstan [Draft SPS Measure to WTO](#)
- Netherlands [Exporter Guide](#)
- Panama [Panama Pulls Non-Iodized Salt Off the Shelves](#)
- Peru [Peru publishes Aquaculture Regulation looking to promote its growth](#)
- Peru [New Biotechnology Regulations Maintain Status Quo](#)
- Romania [New Romanian law on food trading triggers adjustments in the supply](#)
- Russia [Draft GOR Regulation on Phyto Control of Imported Planting Seeds](#)
- Russia [Regulation on Phytosanitary Risk Assessment Approved](#)
- South Africa [Regulations relating to the reduction of sodium in certain foodstuff](#)
- Turkey [Amendment Proposed on Rice Regulations in Turkey](#)
- Turkey [Turkey Composite Products Guidelines Subject to Veterinary Controls](#)

NMFS/NOAA finalizes fish/fish product import provisions of MMPA and proposes 2017 List of Fisheries under the MMPA

On August 15, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), published in the *Federal Register* a [final rule](#) [Docket No. 0907301201–6406–03] that implements the import provisions of the *Marine Mammal Protection Act* (MMPA). The rule establishes conditions for evaluating a harvesting nation's regulatory program to address incidental and measures to address intentional mortality and serious injury of marine mammals in fisheries that export fish and fish products to the United States. Un-

der the rule, fish and fish products from fisheries identified by the Assistant Administrator in the List of Foreign Fisheries can only be imported into the United States if the harvesting nation has applied for and received a comparability finding from NMFS. The rule establishes procedures that a harvesting nation must follow and conditions to meet, to receive a comparability finding for a fishery. The rule also establishes provisions for intermediary nations to ensure that intermediary nations do not import, and re-export to the United States, fish or fish products subject to an import prohibition. Agency actions and recommendations under this rule will be in accordance with U.S. obligations under applicable international law, including, among others, the World Trade Organization (WTO) Agreement. The final rule is effective on January 1, 2017.

On August 15, 2016, the NMFS/NOAA also published in the *Federal Register* a [proposed List of Fisheries](#) (LOF) for 2017 [Docket No. 160219129–6129–01], as required by the MMPA. The proposed LOF for 2017 reflects new information on interactions between commercial fisheries and marine mammals. NMFS must classify each commercial fishery on the LOF into one of three categories under the MMPA based upon the level of mortality and serious injury of marine mammals that occurs incidental to each fishery. The classification of a fishery on the LOF determines whether participants in that fishery are subject to certain provisions of the MMPA, such as registration, observer coverage, and take reduction plan (TRP) requirements. Comments must be received by September 14, 2016.

CITA makes determination under CAFTA-DR Annex 3.25

On August 3, 2016, the Committee for the Implementation of Textile Agreements (CITA) published in the *Federal Register* a [determination](#) to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement. CITA has determined that certain two-ply polyester yarn [Subheading 5402.33.60, HTSUS], as specified in the *Federal Register* document, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

Government procurement – IRS publishes rules on tax on certain foreign procurement

On August 18, 2016, the Internal Revenue Service (IRS) published in the *Federal Register* [final regulations](#) [TD 9782] under section 5000C of the *Internal Revenue Code* (IRC) relating to the 2 percent tax on payments made by the U.S. government to foreign persons pursuant to certain contracts. The regulations affect U.S. government acquiring agencies and foreign persons providing certain goods or services to the U.S. government pursuant to a contract. The *Federal Register* document also contains final regulations under section 6114, with respect to foreign persons claiming an exemption from the 2 percent tax under an income tax treaty.

Section 5000C of the IRC was added by Public Law 111–347 (the Act), 124 Stat. 3623. Section 5000C(a) imposes on any foreign person that receives a specified Federal procurement payment a tax equal to 2 percent of the amount such payment. Section 5000C(b) defines the term specified Federal procurement payment as any payment made pursuant to a contract with the Government of the United States (U.S. government) for goods or services if the goods are manufactured or produced or the services are provided in any country that is not a party to an international procurement agreement with the United States. Section 301(a)(3) of the Act provides that section 5000C applies to payments received pursuant to contracts entered into on and after January 2, 2011. Additionally, section

301(b)(1)(c) of the Act states that this section must be applied in a manner consistent with U.S. obligations under international agreements. Section 5000C(d)(1) provides that the amount deducted and withheld under chapter 3 shall be increased by the amount of tax imposed under section 5000C.

The “international procurement agreements” that are referred to above are the *WTO Agreement on Government Procurement* and the various free trade agreements that include procurement provisions. “U.S. obligations under international agreements” include income tax treaties in effect that prevent the imposition of the tax. There are certain other exemptions from the tax set forth in the regulations. However, payments to foreign persons providing certain goods or services from an eligible least developed country to the U.S. government (listed in the *Federal Acquisition Regulation*) are not exempt, since they are not the result of an international procurement agreement or international obligation.

The regulations are effective on August 18, 2016.

Government procurement – DFARS proposal re: sourcing of electronic parts

On August 2, 2016, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a [proposed rule](#) [Docket DARS–2016–0014] to amend the *Defense Federal Acquisition Regulation Supplement* (DFARS) to implement a section of the *National Defense Authorization Act for Fiscal Year 2016* that makes contractors and subcontractors subject to approval (as well as review and audit) by appropriate DoD officials when identifying a contractor-approved supplier of electronic parts.

Comments on the proposed rule should be submitted in writing to the address shown in the *Federal Register* document on or before October 3, 2016, to be considered in the formation of a final rule.

Government procurement – Detection and avoidance of counterfeit electronic parts—further implementation

On August 2, 2016, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a [final rule](#) [Docket DARS–2015–0038] amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to implement a requirement of the *National Defense Authorization Act for Fiscal Year 2012*, as modified by a section of the *National Defense Authorization Act for Fiscal Year 2015*, that addresses required sources of electronic parts for defense contractors and subcontractors. Effective August 2, 2016.

Government procurement – DFARS adds Japan and Slovenia to qualifying country list

On August 2, 2016, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a [final rule](#) [Docket DARS–2016–0021] amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to add Japan and Slovenia as qualifying countries. The Secretary of Defense recently signed reciprocal defense procurement agreements with these countries. These agreements were placed into force on June 4, 2016, for Japan and June 21, 2016, for Slovenia. The agreements remove discriminatory barriers to procurements of supplies and services produced by industrial enterprises of the other country to the extent mutually beneficial and consistent with national laws, regulations, policies, and international obligations. These agreements do not cov-

er construction or construction material. Japan and Slovenia are already designated countries under the World Trade Organization *Government Procurement Agreement*.

Other related government procurement actions

AGENCIES: GSA: GENERAL SERVICES ADMIN.; NASA: NATIONAL AERONAUTICS AND SPACE ADMIN.; DoD: DEPARTMENT OF DEFENSE; DARS: DEFENSE ACQUISITION REGULATIONS SYSTEM

| F.R. Date | Subject |
|-----------|--|
| 08-30-16 | DARS: Defense Federal Acquisition Regulation Supplement: Costs Related to Counterfeit Electronic Parts (DFARS Case 2016-D010) [Docket DARS-2016-0002] (FR) |
| | DARS: Defense Federal Acquisition Regulation Supplement: Request for Audit Services in France, Germany, the Netherlands, or the United Kingdom (DFARS Case 2016-D027) [Docket DARS-2016-0029] (FR) |
| | DARS: Defense Federal Acquisition Regulation Supplement: Pilot Program for Streamlining Awards for Innovative Technology Projects (DFARS Case 2016-D016) [Docket DARS-2016-0030] (PR) |

Federal Register documents

The following [Federal Register](#) documents which may be of interest to international traders were published during the past month by various Federal agencies:

| F.R. Date | Subject |
|-----------|---|
| 08-02-16 | Defense Acquisition Regulations System (DARS): Defense Federal Acquisition Regulation Supplement: Amendments Related to Sources of Electronic Parts (DFARS Case 2016-D013) [Docket DARS-2016-0014] (PR) |
| | DARS: Defense Federal Acquisition Regulation Supplement: Detection and Avoidance of Counterfeit Electronic Parts-Further Implementation (DFARS Case 2014-D005) [Docket DARS-2015-0038] (FR) |
| | DARS: Defense Federal Acquisition Regulation Supplement: New Qualifying Countries-Japan and Slovenia (DFARS Case 2016-D023) |
| | DARS: Defense Federal Acquisition Regulation Supplement; Technical Amendments [Docket DARS-2016-0023] (FR) |
| | Environmental Protection Agency (EPA): Cloquintocet-mexyl: Pesticide Tolerances [EPA-HQ-OPP-2012-0843; FRL-9947-78] (FR) |
| | National Highway Transportation Safety Administration (NHTSA): Notice of Receipt of Petition for Decision That Nonconforming Model Year 2014 Bentley Flying Spur Saloon/Continental Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2016-0059; Notice 1] (N) |
| 08-03-16 | National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): Trade Monitoring Procedures for Fishery Products: International Trade in Seafood; Permit Requirements for Importers and Exporters [Docket No. 090223227-6560-03] (FR) |
| 08-04-16 | US Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Amending the Formats of the Lists of Endangered and Threatened Wildlife and Plants [Docket No. FWS-R9-ES-2008-0063; 92300-1113-0000-9B] (FR) |
| 08-05-16 | Energy: Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies [Docket Number EERE-2016-BT-STD-0022] (PR) |
| | Energy: Energy Conservation Program: Energy Conservation Standards for Commercial Water Heating Equipment; Reopening of Comment Period [Docket Number EERE-2014-BT-STD-0042] (PR/RO) |
| | EPA: Guidance for Pesticide Registrants on Pesticide Resistance Management Labeling and Guidance for Herbicide Resistance Management Labeling, Education, Training, and Stewardship; Extension of Comment Period [EPA-HQ-OPP-2016-0242 and EPA-HQ-OPP-2016-0226; FRL-9949-39] (N/E) |

| F.R. Date | Subject |
|-----------|--|
| 08-08-16 | EPA: Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2015-0561; FRL-9949-19] (FR) |
| 08-10-16 | State: Notice of Meeting of the Cultural Property Advisory Committee [Public Notice: 9654] (N/H) [Oct. 25-27, 2016] |
| | Transportation: Revisions to Civil Penalty Amounts (IR) |
| 08-11-16 | EPA: Aminocyclopyrachlor; Pesticide Tolerances [EPA-HQ-OPP-2011-0144; FRL-9944-48] (FR) |
| 08-11-16 | EPA: Halauxifen-methyl; Pesticide Tolerances [EPA-HQ-OPP-2012-0919; FRL-9946-30] (FR) |
| 08-11-16 | EPA: Access to Confidential Business Information by the U.S. Consumer Product Safety Commission [EPA-HQ-OPPT-2003-0004; FRL-9949-41] (N) |
| 08-11-16 | EPA: Access to Confidential Business Information by the National Institute for Occupational Safety and Health [EPA-HQ-OPPT-2003-0004; FRL-9949-40] (N) |
| 08-11-16 | EPA: Access to Confidential Business Information by Battelle Memorial Institute [EPA-HQ-OPPT-2003-0004; FRL-9949-62] (N) |
| 08-12-16 | Drug Enforcement Adm. (DEA): Applications to Become Registered Under the Controlled Substances Act to Manufacture Marijuana to Supply Researchers in the United States [Docket No. DEA-447] (Policy Statement) |
| 08-12-16 | USDA/DEA/FDA: Statement of Principles on Industrial Hemp (N) |
| 08-12-16 | DEA: Denial of Petition to Initiate Proceedings to Reschedule Marijuana [Docket No. DEA-426] (N) |
| 08-12-16 | DEA: Denial of Petition to Initiate Proceedings to Reschedule Marijuana [Docket No. DEA-427] (N) |
| 08-12-16 | EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2014-0008; FRL-9949-53] (N) |
| 08-15-16 | NMFS/NOAA: Fish and Fish Product Import Provisions of the Marine Mammal Protection Act [Docket No. 0907301201-6406-03] (FR) [see summary above] |
| 08-15-16 | NMFS/NOAA: List of Fisheries for 2017 [Docket No. 160219129-6129-01] (PR) [see summary above] |
| 08-15-16 | Energy: Energy Conservation Program: Energy Conservation Standards for Portable Air Conditioners [Docket Number EERE-2013-BT-STD-0033] (PR/RO) |
| 08-15-16 | Energy: Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies; Correction [Docket No. EERE-2016-BT-STD-0022] (PR/C) |
| 08-15-16 | Energy: Energy Conservation Program for Certain Industrial Equipment: Energy Conservation Standards for Small, Large, and Very Large Air-Cooled Commercial Package Air-Conditioning and Heating Equipment and Commercial Warm Air Furnaces; Correction [Docket Numbers EERE-2013-BT-STD-0007 and EERE-2013-BT-STD-0021] (FR/C) |
| 08-15-16 | EPA: n-Butyl 3-hydroxybutyrate and Isopropyl 3-hydroxybutyrate; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2015-0719; FRL-9949-49] (FR) |
| 08-16-16 | EPA: Flumioxazin; Pesticide Tolerances [EPA-HQ-OPP-2015-0652; FRL-9949-21] (FR) |
| 08-16-16 | EPA: Draft Guidance for Pesticide Registrants on the Determination of Minor Use; Notice of Availability; Extension of Comment Period [EPA-HQ-OPP-2015-0814; FRL-9950-39] (N/E) |
| 08-17-16 | Energy: Energy Conservation Program: Test Procedures for Ceiling Fans; Correction [Docket No. EERE-2013-BT-TP-0050] (FR/C) |
| 08-17-16 | Energy: Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers [Docket No. EERE-2016-BT-TP-0030] (PR/H) |
| 08-18-16 | Energy: Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps; Correction [Docket No. EERE-2009-BT-TP-0004] (FR/C) |
| 08-18-16 | Energy: Energy Conservation Program: Energy Conservation Standards for Residential Dehumidifiers [Docket Number EERE-2012-BT-STD-0027] (N) |
| 08-18-16 | EPA: Lambda-Cyhalothrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment [EPA-HQ-OPP-2016-0422; FRL-9949-85] (N) |
| 08-18-16 | EPA: Pesticide Product Registrations; Receipt of Applications for New Active |

| F.R. Date | Subject |
|-----------|---|
| | Ingredients [EPA-HQ-OPP-2015-0021; FRL-9949-75] (N) |
| | EPA: Pesticide Product Registrations; Receipt of Applications for New Uses [EPA-HQ-OPP-2015-0022; FRL-9949-74] (N) |
| | EPA: Pesticide Product Registration; Receipt of Applications for New Uses and New Active Ingredients [EPA-HQ-OPP-2014-0009 and EPA-HQ-OPP-2014-0011; FRL-9950-20] (N) |
| | Internal Revenue Service: Tax on Certain Foreign Procurement [TD 9782] (FR) |
| 08-19-16 | International Trade Administration (ITA): Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty (N) |
| 08-22-16 | Energy: Energy Conservation Program: Energy Conservation Standards for Dehumidifiers [Docket Number EERE-2012-BT-STD-0027] (FR/C) |
| | Energy: Energy Conservation Program: Test Procedures for Cooking Products [Docket No. EERE-2012-BT-TP-0013] (Supp. PR) |
| 08-23-16 | Homeland Security: Civil Monetary Penalty Adjustments for Inflation; Correction [Docket No. DHS-2016-0034] (FR/C) |
| | Energy: Call for U.S.-China Energy Performance Contracting Pilot Projects To Be Recognized at the 7th Annual U.S.-China Energy Efficiency Forum (N/E) |
| 08-24-16 | Energy: Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [Docket No. EERE-2016-BT-TP-0029] (Supp. PR) |
| | EPA: Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2016-0491; FRL-9951-06] (PR) |
| | EPA: Certain New Chemicals; Receipt and Status Information for July 2016 [EPA-HQ-OPPT-2016-0481; FRL-9950-88] (N) |
| 08-25-16 | EPA: Natamycin; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0811; FRL-9949-03] (FR) |
| 08-26-16 | DEA: Schedules of Controlled Substances: Placement of Thiafentanil into Schedule II [Docket No. DEA-375] (IR/RFC) |
| | EPA: Mercury Compounds; Prohibition of Export [EPA-HQ-OPPT-2016-0411; FRL-9950-21] (N) |
| 08-29-16 | Energy: Energy Conservation Program: Test Procedure for Compact Fluorescent Lamps [Docket No. EERE-2015-BT-TP-0014] (FR) |
| | EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2015-0032; FRL-9950-22] (N/RFC) |
| 08-30-16 | Energy: Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Test Procedures for Consumer and Commercial Water Heaters [Docket No. EERE-2015-BT-TP-0007] (Supp. PR) |
| | Energy: Notice of Revised Procedures Affecting Applications and Authorizations for the In-Transit Movement of Natural Gas (N) |
| | EPA: Citrus tristeza virus expressing spinach defensin proteins 2, 7, and 8; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0034; FRL-9947-19] (FR) |
| 08-31-16 | DEA: Schedules of Controlled Substances: Temporary Placement of Mitragynine and 7-Hydroxymitragynine into Schedule I [Docket No. DEA-442] (N) |

Commerce proposes to modify basis of normal value regulations

On August 25, 2016, Enforcement and Compliance, International Trade Administration (ITA), Department of Commerce (Commerce) published in the *Federal Register* a [proposed rule](#) [Docket Number 160815742-6742-01] that would modify the (antidumping) regulations pertaining to the use of constructed value or third country sales for purposes of determining normal value, where the exporting country does not constitute a viable market, and is seeking comments from parties. This modification, if adopted, will specify that, where the exporting country does not constitute a viable market, Commerce normally will calculate normal value based upon constructed value. This modification would invert the preexisting order of preference that, where the exporting country does not constitute a viable market, Commerce normally calculates normal value based on sales in a

viable third country. Commerce proposes this modification in light of certain advantages of constructed value over third country sales, such as availability of cost of production information and comparability to U.S. prices. To be assured of consideration, written comments must be received no later than September 26, 2016

Commerce modifies applicability date for ADD price adjustment rule

On August 2, 2016, Enforcement and Compliance, International Trade Administration (ITA), Department of Commerce published in the *Federal Register* a [final rule](#) [Docket No. 140929814–6136–02] modifying the applicability date contained in the final rule published in the *Federal Register* on March 24, 2016. The original applicability date language did not convey the Commerce Department’s intention, *i.e.*, to apply the newly amended regulations to all segments of proceedings initiated on or after the effective date contained in the rule. This action is necessary to ensure that there is no ambiguity in the application of the modified regulations.

The final rule is effective September 1, 2016 and will apply to all segments of proceedings initiated on or after September 1, 2016.

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

The Americas - South America

Argentina

Boletin Oficial publications

The following Decrees, Administrative Decisions and Resolutions (Res.) which may be of interest to international traders were published in the *Boletin Oficial de la Republica Argentina* (Official Gazette) or the *Customs Bulletin* during the period covered by this Update [Unofficial translation].

| BO Date | Subject |
|----------|--|
| 01-08-16 | Decree 901/2016 (29-07-16) Exempting payment of import duty and other taxes on products from countries participating in the “XIII Festival of Communities and Crafts of the World”. |
| 08-08-16 | Nat. Adm. of Medicines, Food and Medical Technology (ANMATM): Disp. No 8592/2016 (03-08-16) Marketing ban on certain cosmetic products |
| 17-08-16 | Federal Administration of Public Revenue (AFIP): Gen. Res. No 3928 (12-08-16) Mercosur Common Nomenclature (NCM). Tariff classification of goods in the nomenclature, in accordance with the procedure provided in the General Resolution No. 1,618. |
| 18-08-16 | AFIP: Gen. Res. No 3931 (12-08-16) Mercosur Common Nomenclature (NCM). Tariff classification of goods in the nomenclature, in accordance with the procedure provided in the General Resolution No. 1,618 |
| | AFIP: Gen. Res. No 3932 (12-08-16) Protection of archaeological and paleontological heritage. Law No. 25,743. |
| | AFIP: Gen. Res. No 3930 (12-08-16) Values preventive approach. General Resolution No. 2730 and its amendment. Further standard |
| | AFIP: Gen. Res. No 3929 (12-08-16) Values preventive approach. General Resolution No. 2730 and its amendment. Further standard |
| 19-08-16 | AFIP: Circular 3/2016 Subject: ACE No 18- 114th and 115th Additional Protocol to Economic Complementation Agreement No 18, concluded between Argentina, Brazil, Paraguay and Uruguay (MERCOSUR States Parties). |
| 19-08-16 | Decree 950/2016 (18-08-16) Exempting from duties and taxes products from |

| BO Date | Subject |
|----------|---|
| | countries participating in the "International Fair of Villa Gesell" |
| 24-08-16 | Decree 961/2016 (23-08-16) Exempting from duties and taxes products from countries participating in the "IX Expo Productos y Artesanías del Mundo" |
| | AFIP: Gen. Res. Nº 3934 (23-08-16) Process. Law No. 27,260. Book II. Title I "voluntary reporting system and outstanding tenure domestic, foreign and other goods in the country and abroad currency". Title III "benefits compliant taxpayers" and Title VII, Article 85. General Resolution No. 3,919. amending standard. |
| | AFIP: Res. Nº 20/2016 (23-08-16) Charges for Special Services, called summary, its adequacy |
| 29-08-16 | ANMATM: Disp. Nº 9574/2016 (25-08-16) Prohibition on the use and marketing of household health products |
| | ANMATM: Disp. Nº 9575/2016 (25-08-16) Prohibition on the use and marketing of household health products |
| | ANMATM: Disp. Nº 9576/2016 (25-08-16) Prohibition on the use and marketing of medical products |
| | ANMATM: Disp. Nº 9578/2016 (25-08-16) Prohibition on the use and marketing of medical products |
| | ANMATM: Disp. Nº 9579/2016 (25-08-16) Prohibition on the use and marketing of certain cosmetic products |
| | ANMATM: Disp. Nº 9582/2016 (25-08-16) Prohibition on the use and marketing of medical products |
| | ANMATM: Disp. Nº 9584/2016 (25-08-16) marketing ban on certain medical products |
| | ANMATM: Disp. Nº 9586/2016 (25-08-16) Prohibition on the use and marketing of household health products |
| | ANMATM: Disp. Nº 9589/2016 (25-08-16) Prohibition on the use and marketing of medical products |
| 30-08-16 | Decree 967/2016 (29-08-16) Exempting from duties and taxes products from countries participating in the "39° Feria COAS de las Naciones 2016" |
| 31-08-16 | ANMATM: Disp. Nº 9659/2016 (26-08-16) Marketing ban on certain medical products |

Brazil

Executive Secretariat of CAMEX is incorporated into the Itamaraty

Decree No. 8823 of July 28, 2016, established that, from 5 August 2016, the Executive Secretary of the Foreign Trade Chamber - CAMEX, which previously operated in the Ministry of Industry, Trade and Services, will be part of the Ministry of Foreign Affairs. Thus, documents addressed to CAMEX must be filed with the General Protocol of the Foreign Affairs Ministry (known as Itamaraty, after the palace it occupies), located on the Esplanade of Ministries, Block "H", Annex II, ground floor, CEP 70170-900 Brasilia / DF. The web portal www.camex.gov.br will still be accessible.

Diário Oficial da União publications

The following notices, Ordinances (Portarias), Circulars and Resolutions of interest to international traders were published in the *Diário Oficial da União* (Official Gazette) during the period covered by this Update.

| DOU Date | Subject |
|----------|--|
| 08-08-16 | SECEX Circular Nº 50 (05-08-16) makes public the update of price undertaking to support Brazilian imports of citric acid, sodium citrate, potassium citrate, calcium citrate and mixtures (NCM 2918.14.00 and 2918.15.00). |
| 22-08-16 | CAMEX Res. Nº 76 (19-08-16) Grants temporary reduction in the rate of import duty under the terms of Resolution Nº. 08/08 of the MERCOSUR Common Market Group |

| DOU Date | Subject |
|----------|--|
| 23-08-16 | SECEX Ordinance № 38 (22-08-16) - Terminates the special procedure of non - preferential origin check with the disqualification of Taiwan origin to the crockery objects product table, regardless of their degree porosity (NCM 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00), declared as produced by Wei Hand Int'l Co business. Limited |
| | SECEX Ordinance № 39 (22-08-16) - Terminates the special procedure of non - preferential origin check with the disqualification of Taiwan origin to the crockery objects product table, regardless of their degree porosity (NCM 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00), declared as produced by Chiqin Yong Industry Co business. Limited |

Antidumping and countervailing duty cases

See separate [Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews](#) section below.

Chile

National Customs postings and Diario Oficial

The following documents, which may be of interest to international traders were posted to the National Customs Service (NCS) [website](#) or published in the [Diario Oficial de la República de Chile](#) (Official Gazette) or [Partial list; Unofficial translation].

| Date | Subject |
|----------|---|
| 03-08-16 | NCS: Resolution № 4317 Amendments to the Compendium of Customs Rules |
| 09-08-16 | Foreign Affairs: Decree № 63 Promulgating the Eighth Additional Protocol to Economic Complementation No. 35, Concluded Between the Parties of MERCOSUR States and the Republic of Chile |
| | Foreign Affairs: Decree № 62 Promulgating The Act of Correction to the Text Of the Fifty Third Additional Protocol to Economic Complementation Agreement № 35, Concluded Between the Governments of States Parties of Mercosur and the Government of the Republic of Chile |
| | Foreign Affairs: Decree № 56 Promulgating Decision № 10 Free Trade Commission of the Free Trade Agreement Between the Republic of Chile and the United States of America on Updating the Specific Origin Rule Applicable To Heading 96.19 of Section B of Annex 4.03 of the Indicated Treaty Derived From the Fifth Amendment to the Harmonized Commodity Description and Coding System (Harmonized System), 2012 version |
| 11-08-16 | NCS: Resolution № 4524 Amending Resolution No. 6000, 2004 |
| | NCS: Resolution № 4501 Amending Resolution No. 3816, 2001 |
| 12-08-16 | Hacienda: Decree № 263 Declaring as an international fair "World Latin Trends 2016" |
| 13-08-16 | Hacienda: Decree № 274 Applying rebates of customs duties for importing wheat and wheat flour meslin |
| 24-08-16 | NCS: Resolution (Exempt) № 4845, 2016.- In lieu of Section 5 of Resolution (Ex.) No. 4,464, 2016 |
| 26-08-16 | Hacienda: Decree № 269 Declaring as an International Fair "2016 Exposition Exponaval" |
| | Hacienda: Decree № 268 Declaring as an International Fair "La Feria Expo Hospital 2016" |
| 27-08-16 | Hacienda: Decree № 281 Rebates of 2016.- Applying to customs duties of imports of raw sugar, refined sugar grade 1 and 2, and refined sugar grade 3 and 4, and substandard |
| | NCS: Ex. Res. № 4900 Vacancies contest to provide customs agents and approves rules indicating |
| | NCS: Ex. Res. № 4867 Launches new entry control export cargo |

| Date | Subject |
|------|---|
| | NCS: Ex. Res. № 4603 Amending Resolution No. 1300, 2006 |
| | NCS: Ex. Res. № 4484 Amending Compendium of Customs Regulations |
| | NCS: Res. № 4483 Amending Compendium of Customs Regulations |

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has recently redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present are available. Post entry [Classification, valuation and origin decisions on claims](#) (fallos de reclamaciones) at the first and second instance levels from 2003 to the present are also available.

Colombia

TPTA information

Information, on the *Colombia-United States Trade Promotion Agreement* including presentations, rules of origin and TRQ information (all in Spanish) may be [found here](#). Sample (non-mandatory) Certificates of Origin are [available here](#).

Tariff Classification Resolutions

The Dirección de Impuestos y Aduanas Nacionales (DIAN – Customs and Tax Directorate issues tariff classification resolutions. For tariff classification resolutions issued in 2016 visit the [DIAN website here](#). For prior years (2008-2015), please see [Tariff Resolutions here](#).

MinCIT, MinHacienda and DIAN Documents

The following documents of interest to international traders were posted by the [Ministry of Commerce, Industry and Tourism](#) (MinCIT), [Ministry of Finance](#) (Hacienda) or the [National Directorate of Taxes and Customs](#) (DIAN). Not all agricultural products circulars are listed:

| Date | Subject |
|----------|--|
| 07-07-16 | MinCIT: Decree № 1084 (07-07-16) Partially modifying Decree 1625 of 2015 |
| 08-07-16 | MinCIT: Resolution 099 of 2016 “Whereby the final determination in the administrative investigation initiated by Resolution 029 of 20 February 2015 adopted” [AD Tile and ceramic coatings –China] |
| | MinCIT: Resolution 097 of 2016 “Whereby the final determination in the administrative investigation initiated by Resolution 100 of June 1, 2015 is adopted” [AD Leather shoe uppers - China] |
| | DIAN: Res. № 3141 of 2016 by which the term of duration of the implementation of the customs transit operation is suspended |
| 15-07-16 | MinCIT: Circular 017 of 2016 “Implementation of new development pilot Simultaneous Inspection System - SIIS of VUCE” |
| 29-07-16 | MinCIT: Decree № 1230 (29-07-16) Partially modifying Decree 1625 of 2015 |
| | DIAN: Circular 2491 - Ad valorem taxes applicable to agricultural products or by-products, etc. |
| 02-08-16 | MinCIT: Circular 018 of 2016 “circular 012 2016 Modification - By which export quotas of raw and salted hides are regulated, and leather wet blue (“ wet-blue “) Established by Decree 586 of 2016”. |
| 01-08-16 | MinCIT: Decree № 1246 (01-08-16) Partially amending the Customs Tariff |
| 09-08-16 | MinCIT: Circular 019 of 2016 “Resolution 2016 000190 and 00192 - regulate export quotas granted by Mexico to goods originating in Colombia”. |

| Date | Subject |
|----------|---|
| 10-08-16 | MinCIT: Decree № 1287 (10-08-16) Partially modifying Decree 1625 of 2015 |
| | MinCIT: Decree № 1288 (10-08-16) Partial amendment to the Customs Tariff and adopting safeguard measures [PVC 3916.20.00.10 excluding FTA Parties of Colombia] |
| 11-08-16 | DIAN: Cir. № 27 Reference prices for agricultural products |
| 12-08-16 | DIAN: Cir. № 2517 Ad valorem taxes applicable to agricultural products or by-products, etc. |
| 16-08-16 | MinCIT: Circular 20 of 2016 "Decree 1288 of 2016 tariff schedule Partial Amendment and a safeguard measure is adopted" |
| 24-08-16 | MinCIT: Resolution 131 (24-08-16) Whereby the term is extended responses to questionnaires and the preliminary determination in an administrative investigation opened by Resolution 098 of July 8, 2016 [AD plasterboard – Mexico] |
| 26-08-16 | DIAN: Cir. № 30 Reference prices for agricultural products |

Peru

Tariff Classification database

A searchable [Tariff Classification Resolution \(ruling\) database](#) (from 2006 through the present) is available. It may be searched by the tariff number, resolution number, or description. The database currently has approximately 7400 resolutions, some with photographs.

SUNAT and *El Peruano* publications

The following documents of interest to international traders were posted during the past month by [SUNAT](#) (National Customs Superintendent and Tax Administration) or in the legal standards section of [El Peruano](#) (the Official Gazette) (dd-mm-yy):

| Date | Subject |
|----------|--|
| 02-08-16 | Agriculture and Irrigation: Directorial Resolution No. 0019-2016-MINAGRI-SENASA-DSA Establishes specific mandatory health requirements for various goods from Argentina Denmark and Canada |
| 04-08-16 | Agriculture and Irrigation: Directorial Resolution No. 0020-2016-MINAGRI-SENASA-DSA Establishes specific health requirements mandatory for the importation of animals from Spain |
| 06-08-16 | Economy and Finance: Vice Ministerial Resolution No. 012-2016-EF / 15.01 Reference prices and additional variables rights referred to Supreme Decree No. 115-2001-EF applicable to imports of sugar corn rice and whole milk powder |
| 08-08-16 | Congress of the Republic Law № 30498 Law that promotes the donation of food and facilitates the transport of donations in natural disasters |
| 09-08-16 | Agriculture and Irrigation: Directorial Resolution No. 0021-2016-MINAGRI-SENASA-DSA Additional time suspending imports of live birds SPF eggs fertile eggs and other poultry products capable of transmitting or serving as a vehicle of avian influenza from various departments of France; and suspending imports of live birds SPF eggs fertile eggs and other poultry products capable of transmitting or serving as a vehicle of Influenza from the department of Tarn France |
| 15-08-16 | Agriculture and Irrigation Directorial Resolution No. 0031-2016-MINAGRI-SENASA-DSV Updated phytosanitary requirements necessary to import cranberry plant origin and provenance Chile |
| 17-08-16 | Agriculture and Irrigation: Directorial Resolution No. 0032-2016-MINAGRI-SENASA-DSV Modify the phytosanitary requirements necessary compliance imported strawberry plants originating in and coming Chile |
| 19-08-16 | Agriculture and Irrigation: Directorial Resolution No. 0027-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance on the importation of plants of hazel origin and provenance Chile |
| | Agriculture and Irrigation: Directorial Resolution No. 0028-2016-MINAGRI- |

| Date | Subject |
|----------|---|
| | SENASA-DSV Phytosanitary requirements necessary to establish compliance on the importation of plants Almond origin and provenance Chile |
| | SUNAT: Resolution No. 039-2016-SUNAT / 600000 Providing for the application of discretion in the administration of penalties for infringements |
| 20-08-16 | SUNAT: Resolution No. 211-2016 / SUNAT They supersede designation and designate position of trust in Chief of the Office of Ombudsman Taxpayer and Customs User SUNAT |
| 21-08-16 | SUNAT: Resolution No. 212-2016 / SUNAT Working trip authorize the National Customs and Tax Administration to participate in the Meeting of Experts on the Andean Committee on Customs Valuation Customs Matters to be held in the city of Guayaquil Republic of Ecuador |
| 25-08-16 | Pres. of Council of Ministers: Supreme Resolution N° 196-2016-PCM - Constituting an Extraordinary Commission for the APEC 2016 High Level meeting modify the RS No. 024-2016-PCM |
| 28-08-16 | SUNAT: Resolution No. 040-2016-SUNAT / 600000 Apply discretion in the administration of penalties for offenses relating to permit control of the Tax Administration report and appear before it |
| 30-08-16 | SUNAT: Resolution No. 214-2016 / SUNAT Approve provisions concerning the benefit of refund of Excise Tax provisions of Law No. 29518 Law establishing measures to promote the formalization of interprovincial public transport of passengers and cargo |
| | SUNAT: Resolution No. 215-2016 / SUNAT Appointment of SUNAT Cabinet Advisory |

Uruguay

Uruguay ratifies TFA

The WTO [announced](#) that Uruguay has ratified the *WTO Trade Facilitation Agreement* (TFA). Uruguay's WTO ambassador Gustavo Miguel Vanerio Balbela presented his country's instrument of ratification to WTO Director-General Roberto Azevêdo on 30 August. Uruguay submitted its [Category A](#) notification to the WTO on 31 July 2014, outlining which substantive provisions of the TFA they intend to implement upon entry into force of the Agreement.

Venezuela

Official Gazette

| Date | Subject |
|----------|--|
| 04-08-16 | Food, Health/Industry and Trade: Joint Resolutions that incorporates into National law the MERCOSUR Resolutions specified therein. |

Asia-Pacific

[Please note that material pertaining to the Eurasian Economic Union (EAEU) and the Customs Union between Russia, Armenia, Belarus, Kazakhstan and the Kyrgyz Republic is shown under EUROPE.]

Australia

Importation of lever action shotguns with capacity of more than five rounds

The Australian Government has extended the ban on the importation of lever action shotguns with a magazine capacity of more than five rounds and magazines with a capacity of more than five rounds for use with lever action shotguns.

The extension of this ban is enabled by the [Customs \(Prohibited Imports\) Amendment \(Shotguns and Shotgun Magazines\) Regulation 2016](#), which amends the [Customs \(Prohibited Imports\) Regulations 1956](#). The ban commences on 7 August 2016 and will remain in place until the review of the National Firearms Agreement (NFA) is concluded and the agreed outcomes are implemented.

DIBP notices and advices

The following Department of Immigration and Border Protection (DIBP) Notices and Cargo advices (ACCA) were issued during the period covered by this Update:

| Date | Series and № | Title |
|----------|--------------------------------|---|
| 05-08-16 | DIBP № 2016/26 | Importation of lever action shotguns with a magazine capacity of more than five rounds |
| 25-08-16 | DIBP № 2016/27 | Biannual indexation of customs duty rates for certain tobacco and tobacco products – 1 September 2016 |

Australian Gazettes

The following documents were published in the *Government Notices Gazette*, the *Tariff Concessions Gazette* (TC) or other Gazettes as noted(dd-mm-yy):

| Date | Matter |
|----------|---|
| 01-08-16 | Declaration under subsection 132B of the Customs Act 1901 (Tobacco products classified) (29/7/2016) |
| 02-08-16 | Notice of Substituted Rates of Customs Duty for Excise-Equivalent Goods - Notice (No. 3) 2016 |
| 03-08-16 | Notice of Rates of Exchange Tariff Concessions Gazette 16-29 |
| 10-08-16 | Tariff Concessions Gazette 16-30 |
| 11-08-16 | Notice of Rates of Exchange |
| 17-08-16 | Tariff Concessions Gazette 16-31 |
| 24-08-16 | Tariff Concessions Gazette 16-32 |
| 31-08-16 | Tariff Concessions Gazette 16-33 |

Australian Tariff Precedents

The Department of Immigration and Border Protection (DIBP) and one of its predecessors, Australian Customs and Border Protection Service (ACBP) publish and post its [Tariff Precedent Files](#). Tariff Precedents are considered statements from Customs made to provide guidance on various classification issues.

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

China (including Hong Kong SAR)

China revamps the cross-border e-Commerce Regime

From April to May 2016, the Ministry of Finance (“MOF”), General Administration of Customs (“GAC”), China Food and Drug Administration (“CFDA”) and State Administration of Taxation (“SAT”), published several new regulations to revamp China’s cross-border e-commerce regulatory regime.

This regulatory regime was initially introduced by GAC in early 2014, in order to regulate the sale of goods by overseas retailers directly to Chinese customers through approved e-commerce platforms (referred to as the “Pilot Program”). In parallel, China continued to allow individual consumers to purchase consumer goods through foreign websites not falling under the Pilot Program, and have the goods imported into China through traditional courier or postal channels, so long as the goods satisfied the quantity and value requirements for “personal articles” (referred to as the “Personal Article Program”).

The recent regulatory changes have substantial impact on both programs. We set forth below the key aspects of these changes.

Pilot Program

1. Tax policy

Before the new regulations came into effect, goods imported under the Pilot Program were subject to Personal and Postal Article Tax (“PPT”), which is a single duty applied to the importation of personal articles through postal and courier services or carry-on luggage. If the amount of PPT payable is less than RMB 50 (approximately USD 8) per shipment, PPT would be exempted.

Starting from 8 April 2016, all qualifying goods imported into China under the Pilot Program are exempt from customs duty, but subject to import VAT and consumption tax (“CT”), and the exact CT and VAT rates vary depending on the tariff classifications of the goods. Both taxes, if applicable, are collected at a 30% discount under the Pilot Program, but cannot be exempted regardless of the value of the goods.

2. Value limit and quota

The new regulations provide that the value of each shipment of goods under the Pilot Program should not exceed RMB 2,000 (approximately USD 320), and the annual quota of goods imported by each individual under the Pilot Program is RMB 20,000 (approximately USD 3,200).

The new value limit and quota are bright-line rules that leave no room for discretion. Consequently, the portion of imported products in excess of such limit or quota will be subject to customs duty, import VAT and CT that apply as if the goods are imported as ordinary commercial goods. In the case where a shipment only contains one inseparable product that exceeds RMB 2,000, the entire prod-

uct would be deemed to be an ordinary commercial good, and full import duties and taxes should apply, regardless of the end-use of the goods.

3. New product regulatory requirements

Previously, the regulations did not articulate whether the goods imported under the Pilot Program should meet China's product regulatory requirements, including labelling and other applicable national standards.

The new regulations introduced a "positive list" regime, whereby only products listed as "permitted" on the two tariff code-based catalogues can be imported under the Pilot Program, subject to the regulatory requirements specified in the relevant portions of the catalogues.

Whilst the two "positive lists" cover all the major categories of consumer goods (food, cosmetics, infant milk formula, health food, medical device, electric appliance, apparels, bottled wine, etc.), the product regulatory requirements specified on these two lists would constitute a substantial constraint to some of these products, in particular, cosmetics, infant milk formula, health food, non-dairy infant formula and medical formula products, medical devices, etc. ("Special Products"). The requirements that apply to these products include:

- a. Special Products should be subject to the same pre-importation registration or approval requirements as those that apply to ordinary commercial goods imported into China; and
- b. All imports through the "bonded sale" model of the Pilot Program should undergo the same commodity inspection and quarantine ("CIQ") procedures as ordinary commercial goods, which would involve labelling inspection, laboratory testing and other examinations based on China's national standards, where applicable.

As background, "bonded sale" and "direct shipment" are two models of shipment permitted under the Pilot Program. The second requirement above only applies to the "bonded sale" model, where the goods are routed through a free trade zone before being dispatched to the individual Chinese buyers. The "direct sale" model in contrast refers to goods that are shipped directly to the individual Chinese buyers by designated courier service providers, are not subject to this requirement.

As these requirements received strong reactions from the industry, GAC issued a notice on 24 May 2016 to postpone the implementation of these two requirements until 11 May 2017.

4. Return of goods

The new regulations facilitate the return of goods under the Pilot Program. Specifically, the import taxes on the imported goods can be deferred until 30 days after they are released by Customs. If the goods are returned out of the customs territory of China within 30 days after the date of original importation, the import taxes would be no longer payable.

5. Withholding agents

The new regulations also provide for "withholding agents" that are responsible for import customs declarations and duty payments for e-commerce goods. Specifically, third party logistics agents ("3PL"), e-commerce platforms or other e-commerce operators involved in the supply of e-commerce goods are designated as "withholding agents", which are obliged to withhold the import taxes payable




from the payments received from end customers and to pay these over to the Customs authorities. In addition, such withholding agents are responsible for filing import declarations which include, among other information, tariff codes and dutiable values of the imported goods.

Personal Article Program

Goods purchased by Chinese customers from foreign websites not approved by Chinese authorities under the Pilot Program can be imported under the Personal Article Program and are subject to PPT.

Simultaneous with the publication of the new e-commerce regulations for the Pilot Program, the Tariff Committee of the State Council of PRC amended the PPT schedule. The new PPT schedule, also effective from 8 April 2016, provides for substantially higher PPT rates.

We set forth below a chart comparing the import taxes applicable to the goods falling under both programs before and after the regulatory change (assuming, for illustrative purposes, that the value of the goods is \$100):

| Product categories (examples) | Pilot Program | | Personal Article Program | |
|---|---|--|---|---|
| | Before 8 April | After 8 April | Before 8 April | After 8 April |
| Cosmetics  | PPT = $100 \times 50\% = \underline{\$50}$ | CT (without discount) = $100 / (1-30\%) \times 30\% = \43 CT (with discount) = $43 \times 0.7 = \$30$ Import VAT (with discount) = $(100 + 43) \times 17\% \times 0.7 = \17 Total import taxes = $\underline{\$47}$ | PPT = $100 \times 50\% = \underline{\$50}$ | PPT = $100 \times 60\% = \underline{\$60}$ |
| Apparel  | PPT = $100 \times 20\% = \underline{\$20}$ | Import VAT = $100 \times 17\% \times 0.7 = \11.9 Total import taxes = $\underline{\$11.9}$ | PPT = $100 \times 20\% = \underline{\$20}$ | PPT = $100 \times 30\% = \underline{\$30}$ |
| Food  | PPT = $100 \times 10\% = \underline{\$10}$ | Import VAT = $100 \times 17\% \times 0.7 = \11.9 Total import taxes = $\underline{\$11.9}$ | PPT = $100 \times 10\% = \underline{\$10}$ | PPT = $100 \times 15\% = \underline{\$15}$ |

Practical Implications

- The Pilot Program has been implemented for over two years. During this period, there was a clear attempt by the regulators toward standardizing the regulatory requirements for ordinary commercial sales and cross-border e-commerce sales.
- By increasing PPT rates, China Customs also intends to divert sales from unregulated foreign websites to approved and closely supervised e-commerce platforms under the Pilot Program.

- Notwithstanding the one-year grace period on enforcing the product regulatory requirements for goods imported under the Pilot Program, it is very likely that these requirements will be fully enforced once the grace period expires. Therefore, early preparations in this regard would be useful to e-commerce sellers and other participants of the Pilot Program. That should entail an assessment of products currently sold through e-commerce platforms in order to determine whether it is feasible to bring them into full compliance with China's national standards and labelling requirements, where applicable.
- Lastly, as China is tightening the regulation of imports under the Pilot Program, it is uncertain whether the authorities would continue to allow the same products to be imported through the traditional Personal Article Program without appropriate regulatory oversight.

Should you wish to obtain further information or want to discuss any issues raised in this alert with us, please contact: [Eugene Lim](#) (Singapore), [Anne Peng](#) (Hong Kong), [Frank Pan](#) (Shanghai), [Si Ying Kong](#) (Hong Kong) or [Di Wu](#) (Beijing).

MOFCOM and GAC notices

The following Ministry of Commerce (MOFCOM) and General Administration of Customs (GAC) notices were posted during the period covered by this Update (mm-dd-yy):

| Date | Series and № | Subject |
|----------|--|---|
| 07-25-16 | GAC № 43, 2016 | GAC and NDRC approval of certain processing trade units |
| 08-17-16 | NDRC and MOFCOM Ann. № 19 | 2016 agricultural import tariff quotas redistribution Announcement |
| | GAC № 44, 2016 | Provisional anti-dumping measures announcement on iron-based amorphous alloy strip originating in Japan and the United States |
| 08-18-16 | MOFCOM Decree № 2 | Repeals and modifies some regulations and normative documents |
| 08-19-16 | GAC № 45, 2016 | Anti-dumping duties announcement on imports of high-performance stainless steel seamless pipe originating in the EU and Japan |
| 08-25-16 | MOFCOM and GAC Ann. № 45 | Regarding the processing trade |
| | MOFCOM, MOF, GAC Bulletin № 29 | Guiding Catalogue of the key development areas of service outsourcing industry [dated 06-13-16] |
| 08-31-16 | GAC № 46, 2016 | Re: Cancellation of processing trade [dated 08-26-16] |

Antidumping and Countervailing Duty Cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

India

Other CBEC and DGFT notifications, circulars and instructions

The following Central Board of Excise and Customs (CBEC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than adjudication officers, anti-dumping, countervailing duty and safeguard) and Directorate General of Foreign Trade (DGFT) notifications were issued during the period covered by this Update:

| Date | Series and № | Subject |
|-------------|---|--|
| CBEC | | |
| 03-08-16 | 105/2016-Cus (NT) | Exchange Rate notfn. with effect from 04.08.2016 thereby amending Notfn. 102/2016-Cus (NT) |
| 04-08-16 | 106/2016-Cus (NT) | Rate of exchange of conversion of the foreign currency with effect from 5th Aug., 2016 |
| 11-08-16 | 107/2016-Cus (NT) | Amending Export Manifest (Aircraft) Regulations, 1976 |
| | 108/2016-Cus (NT) | Amending Import Manifest (Aircraft) Regulations, 1976 |
| 12-08-16 | 109/2016-Cus. (NT) | Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver |
| 13-08-16 | 110/2016-Cus (NT) | Amends notification no. 110/2015-Customs (NT) dated 16.11.2015 to specify All Industry Rates of drawback for export of garments under Special Advance Authorization Scheme under para 4.04A of FTP 2015-20. |
| | 45/2016-Cus (T) | Exemption for import of fabrics under Special Advance Authorization Scheme under para 4.04A of FTP 2015-20 for manufacture and export of garments. |
| 18-08-16 | 112/2016-Cus (NT) | Rate of exchange of conversion of the foreign currency with effect from 19th Aug., 2016 |
| 22-08-16 | 113/2016-Cus (NT) | Rescinds Customs (Provisional Duty Assessment) Regulations, 2011 - Notification No. 81/2011-Customs (N.T.) dated the 25th November, 2011 |
| 23-08-16 | 46/2016-Cus (T) | Further amends Notification No. 96/2008-Customs dated 13.08.2008 so as to include 'Republic of Guinea-Bissau' in the list of countries eligible for preferential tariff under the said notification. |
| 26-08-16 | 114/2016-Cus (NT) | Regarding setting up of a Container Freight Station |
| | 115/2016-Cus (NT) | Handling of Cargo in Customs Areas (Amendment) Regulations, 2016 |
| | 117/2016-Cus (NT) | Exchange Rate notfn. with effect from 27th Aug., 2016 thereby amending Notfn. 112/2016-Cus (NT) |
| | 118/2016-Cus (NT) | Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver |
| DGFT | | |
| 01-08-16 | Not. 18/2015-2020 | Amendment in Sl. No. 57, Chapter 10 of Schedule 2 of ITC (HS) regarding conditions for export of Basmati Rice |
| | Trade Notice No.12/2016 | Reconstitution of Board of Trade (BoT) |
| 04-08-16 | Not. 19/2015-2020 | Import/export policy for Human Biological Samples for commercial purposes: amendment Schedule-1 (Import Policy) and Schedule-2 (Export Policy) of ITC (HS), 2012. |
| | Not. 20/2015-2020 | Continuation of Minimum Import Price (MIP) on 66 HS Codes of Iron and Steel under Chapter 72 of ITC (HS), 2012 - Schedule -1 (Import Policy): amendment in import Policy Conditions. |
| 11-08-15 | Not. 21/2015-2020 | Special Advance Authorisation Scheme for export of Articles of Apparel and Clothing Accessories. Amendments in FTP 2015-2020 |
| 12-08-16 | Not. 22/2015-2020 | C.I.F. value of Import of consumer electronic items at any one time by any person through port or otherwise for personal use is enhanced to Rs.50,000. |
| 13-08-16 | Not. 23/2015-2020 | Removal of mandatory warehousing requirements for EOUs, STPIs, EHTPs etc. - amendment in paras 6.01, 6.13, 6.19 and 6.28 of FTP 2015-2020 |
| 29-08-16 | Not. 24/2015-2020 | Export of Red Sanders wood by Government of Andhra Pradesh & Directorate of Revenue Intelligence (DRI) - Revision of quantity allocation to Govt of Andhra Pradesh and extension of time for export by Govt. of Andhra Pradesh and DRI |

| Date | Series and № | Subject |
|----------|---|---|
| 31-08-16 | Trade Notice No.15/2016 | Special Advance Authorisation Scheme for export of Articles of Apparel and Clothing Accessories |

Antidumping and countervailing duty cases

See separate [Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews](#) section below.

Japan

Japan continues to suspend retaliatory duties against U.S. products

On 22 August 2016, Japan notified the WTO (see [Doc. WT/DS217/70](#)) that it will continue to suspend retaliatory duties against certain U.S. products. The retaliatory tariffs were authorized by the WTO after it found the U.S. *Continued Dumping and Subsidy Offset Act of 2000* (“CDSOA,” more commonly referred to as the “Byrd Amendment”) violated WTO rules. The Byrd Amendment was eventually repealed but disbursements to domestic producers under it continue for some pre-2007 cases (US\$89 million in FY 2015). Japan charged the retaliatory duties until 2014. However, since 2014 Japan’s level of authorization established through arbitration under Article 22.6 of the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”) would be marginal. Japan has reserved the right to reimpose the retaliatory tariffs should the level of disbursement increase in the future. Retaliatory duties were also authorized for the EU, Canada and Mexico. The EU continues to impose retaliatory duties on four U.S. products.

Malaysia

Federal Government Gazette

The following documents were published in the [Warta Kerajaan Persekutuan - Federal Government Gazette](#)

| Date | Matter |
|----------|--|
| 01-08-16 | P.U. (A) 218/2016 Customs (Prohibition of Exports) (Amendment) (No. 2) Order 2016 - Customs Act 1967 |
| | P.U. (A) 219/2016 Customs (Prohibition of Imports) (Amendment) (No. 2) Order 2016 - Customs Act 1967 |
| 03-08-16 | P.U. (B) 351/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967 |
| 17-08-16 | P.U. (B) 361/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967 |
| 19-08-16 | P.U. (A) 225/2016 Customs Duties (Exemption) (Amendment) (No. 2) Order 2016 - Customs Act 1967 |
| | P.U. (B) 362/2016 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967 |
| 24-08-16 | P.U. (A) 226/2016 Customs (Import Licence Fee for Motor Vehicle) (Amendment) (No. 2) Regulations 2016 - Customs Act 1967 |
| 26-08-16 | P.U. (A) 227/2016 Food Regulations (Amendment) (No. 2) 2016 - Food Act 1983 |
| 29-08-16 | P.U. (B) 381/2016 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967 |
| | P.U. (B) 382/2016 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967 |
| 30-08-16 | P.U. (A) 232/2016 Food Regulations (Amendment) (No. 2) 2016 - Corrigendum - Food Act 1983 |

Customs rulings

Monthly compendiums of Customs classification rulings (with images where available) are available on the recently redesigned Royal Malaysian Customs Department website. Although the rulings are written in Malay, the product is usually listed in English and there are often English language descriptions and references to rulings in English from other Customs administrations. The rulings may be found under the topic: [Keputusan Ketetapan Kastam](#).

New Zealand

Importer guidelines for microbial agricultural chemicals

Before being imported, manufactured, sold, or used in New Zealand, agricultural compounds (including trade name products that contain a micro-organism) must be registered under the [Agricultural Compounds and Veterinary Medicines Act](#) (the ACVM Act) unless the trade name product is exempt under the [ACVM \(Exemptions and Prohibited Substances\) Regulations 2011](#).

This August, the Ministry for Primary Industries released a guidance document, [Microbial Agricultural Chemicals - Application information for registration under the Agricultural Compounds and Veterinary Medicines Act 1997](#) (dated 11 August 2016), which will assist importers and manufacturers of such products when applying for their registration as the current information requirement documents focus on chemical based agricultural chemicals.

Ministry of Health opens consultation on legal status of e-cigarettes

On 2 August 2016, the Ministry of Health [posted](#) a summary of its consultation on the regulation of electronic cigarettes (e-cigarettes). Currently, the sale and supply of nicotine e-cigarettes are prohibited, although smoking tobacco, may be sold legally. Users obtain nicotine e-cigarettes through importation and illegal local sales. The Ministry believes existing provisions for the regulation of e-cigarettes, found primarily in the *Smoke-free Environments Act 1990* (SFEA) and the *Medicines Act 1981*, are not adequate. The legal status of e-cigarettes is currently confusing and, as a consequence, the laws are not routinely enforced. The Ministry is consulting on policy options for the regulation of e-cigarettes, including possible amendments to the SFEA. This consultation aims to clarify the legal position.

The Ministry has issued - [Policy Options for the Regulation of Electronic cigarettes - A consultation document](#) - that proposes that all e-cigarettes (with and without nicotine) are made available for sale and supply lawfully in New Zealand, but that they are subject to some of the same restrictions as legal, smoked tobacco products. The consultation will also look at whether other controls for smoked tobacco products should apply to e-cigarettes, and how to enhance the quality and safety of e-cigarettes.

The Ministry says that evidence around the risks and benefits of e-cigarettes is not yet conclusive. But it is time now to develop regulations that maximise the potential benefits of e-cigarettes and minimise any risks, not only to smokers but also the wider population.

A [consultation submission form](#) with specific questions to guide submissions is due by 5 pm Monday 12 September 2016.

New Zealand Gazette

The following international trade related documents were published in the *New Zealand Gazette* (dd-mm-yy):

| Date | Matter |
|----------|--|
| 12-07-16 | Tariff Concession (Advertisement) Notice No. 2016/20 |
| | Tariff Concession Approvals, Withdrawals and Declines Notice (No. 20) 2016 |
| 26-07-16 | Tariff Concession (Advertisement) Notice No. 2016/21 |
| 09-08-16 | Tariff Concession (Advertisement) Notice No. 2016/22 |
| | Tariff Concession Approvals, Withdrawals and Declines Notice (No. 22) 2016 |
| 18-08-16 | Notice of the Making of Rules Under Section 288 of the Customs and Excise Act 1996 - Customs (Export Entry) Amendment Rules 2016 [Eff. 01-10-16] |
| 23-08-16 | Tariff Concession Approvals, Withdrawals and Declines Notice (No. 23) 2016 |
| 25-08-16 | European Union Sheepmeat and Goatmeat (228,254 tonnes), and United States Beef and Veal (213,402 tonnes) Reserved Quota Allowance Applications for the 2017 Quota Year |

Singapore

Notices, circulars, etc.

| Date | Reference | Matter |
|----------|---------------------------------|---|
| 15-08-16 | Notice 06/2016 | New Manufacturing Cost Statement (MCS) Template for Certificate of Origin (CO) Application With Singapore Customs |
| 25-08-16 | Cir. No 09/2016 | Addition of Coins and Removal of 'Spot Price Criterion' for Investment Precious Metals |

Vietnam

Government documents

The following Government laws, decrees, decisions, notices and other documents related to international trade were posted by the General Department of Vietnam Customs on its [website](#). Translations are automated and unofficial [dd-mm-yy]:

| Date | Reference and Matter |
|----------|---|
| 02-08-16 | Official Letter No. 7376 / TCHQ-GSQL's 02.08.2016 General Administration of Customs on the import of raw materials export production |
| 03-08-16 | Resolution 69 / NQ-CP 2016 approving the Agreement on Cooperation and administrative assistance in the customs field between Vietnam and Italy |
| 05-08-16 | Circular 14/2016 / TT-BCT amending Circular 36/2010 / TT-BCT implementing rules and procedures for checking the origin level, amended and Rule goods by specific 2007 Harmonized System version under the Framework Agreement on Trade in goods on comprehensive economic Cooperation between the Association of Southeast Asian Nations (ASEAN) and China issued by the Minister of Industry and Trade |
| 16-08-16 | Official Letter No. 1117 /GSQL-GQ2 dated 16.08.2016 of the General Department of Customs on the procedures to change the purpose of use, transfer domestic consumption of goods temporarily imported for project implementation |
| | Official Letter No. 7899 / TCHQ-TXNK dated 16.08.2016 of the General Department of Customs procedures guiding the commodities imported feed ingredients |
| 19-08-16 | Decision 33/2016 / QĐ-TTg, the Regulations provide, using information electronic customs declarations: Issued by the Prime Minister |
| 23-08-16 | Decision 34/2016 / QĐ-TTg regulating electronic procedures for ships entering and leaving ports, inland waterway ports, offshore oil port through national OSS by the Prime Minister issued |
| 26-08-16 | Official Letter No. 8330 / TCHQ-GSQL dated 26.08.2016 of General Department of Customs guiding customs procedures |

Europe and Middle East

European Union and EFTA

EU, Jordan relax rules of origin for Jordanian exporters employing Syrian refugees

On 30 August 2016, the *Official Journal* published [Decision No 1/2016 of the EU-Jordan Association Committee of 19 July 2016 amending the provisions of Protocol 3 to the Euro-Mediterranean Agreement establishing an Association 'between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, concerning the definition of the concept of originating products' and the list of working or processing required to be carried out on non-originating materials in order for certain categories of products, manufactured in dedicated development zones and industrial areas, and connected with generating employment for Syrian refugees and Jordanians, to obtain originating status \[2016/1436\]](#). The Decision would temporarily relax applicable rules of origin to allow for certain goods produced in facilities located in one of the designated Development Zones and Industrial Areas in Jordan to be subject to less stringent rules of origin for the purpose of determining preferential treatment on import into the Union than would otherwise apply. This temporary relaxation of applicable rules of origin would be part of the Union's support to Jordan in the context of the Syrian crisis and with the aim of mitigating the costs imposed by hosting a large number of Syrian refugees. The Union considers that the requested relaxation of the rules of origin would contribute to the overall objective that was set by Jordan in the framework of the International Conference on Supporting Syria and the Region, held in London on 4 February 2016, of creating approximately 200 000 job opportunities for Syrian refugees.

The relaxation of the rules of origin is subject to certain conditions with a view to ensuring that the benefit goes to exporters that contribute to the Jordanian effort of employing Syrian refugees. The Annex to the Decision applies to goods produced in production facilities located in dedicated development zones and industrial areas within Jordan and contributing to the generation of employment for Syrian refugees and for the Jordanian population. The proofs of origin must contain the following statement in English: 'Derogation — Annex II(a) of Protocol 3 — name of the Development Zone or industrial area and authorisation number granted by the competent authorities of Jordan'.

Annex II to Protocol 3 of the Agreement is amended and complemented by Annex II(a) in order to specify the list of working or processing required to be carried out on non-originating materials in order for such products to obtain originating status. This complementary list of working or processing is based on the origin rules applied by the Union for imports from least-developed countries under the Generalised Scheme of Preferences/Everything But Arms initiative.

The total work force of each production facility located in the designated Areas is required to contain a proportion of Syrian refugees equivalent to at least 15 % during the first and second years after the entry into force of the Annex and to at least 25 % from the beginning of the third year after the entry into force of the Annex. The percentages will take into account the number of Syrian refugees that are employed in formal and decent jobs and on a Full-Time Equivalent basis, and that have received a work permit valid for a minimum period of 12 months under the applicable legislation of Jordan.

The application of the Annex to the Decision may be suspended temporarily in relation to a specific production facility if the conditions laid out in Article 1.1 of the Annex are not met by that facility. The Decision will be effective through 2026, with an EU-Jordan mid-term review.

Information published on measures adopted by EU Member States for the control of exports, transfer, brokering and transit of dual-use items

On 20 August 2016, the *Official Journal* published an information note with respect to [Information on measures adopted by Member States in conformity with Articles 5, 6, 8, 9, 10, 17 and 22 of Council Regulation \(EC\) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items](#) (2016/C 304/03). The Information Note contains tables that provide an overview followed by details on the following measures taken by Member States in implementation of Council Regulation (EC) No. 428/2009:

1. Information provided by Member States in conformity with Article 5(2) of the Regulation (Extension of Brokering Controls);
2. Information provided by Member States in conformity with Article 5(3) of the Regulation (Extension of Brokering Controls);
3. Information provided by Member States in conformity with Article 6(2) of the Regulation (Extension of Transit Controls);
4. Information provided by Member States in conformity with Article 6(3) of the Regulation (Extension of Transit Controls);
5. Information provided by Member States in conformity with Article 8 of the Regulation (Extension of Controls to Non-Listed Items for Reasons of Public Security or Human Rights Considerations);
6. Information provided by Member States in conformity with Article 9(4)(B) of the Regulation (National General Export Authorisations);
7. Information provided by Member States in conformity with Articles 9(6)(A), 9(6)(B) and 10(4) of the Regulation (National Authorities Empowered to Grant Export Licences in the Member States, National Authorities Empowered to Prohibit the Transit of Non-Community Dual-Use Items and National Authorities Empowered to Grant Authorisations for the Provision of Brokering Services — Respectively);
8. Information provided by Member States in conformity with Article 17 of the Regulation (Specially Empowered Customs Offices); and
9. Information provided by member states in conformity with Article 22(5) of the Regulation (Intra-Community Transfers)

Electronic cigarette regulations

The perceived safety of e-cigarettes – nicotine administration devices which do not involve combustion – has led to their increased use and, unsurprisingly, regulatory scrutiny.

At the EU level, the revised Tobacco Products Directive 2014/40/EU (“TPD”) introduces new rules to restrict the supply, manufacture and promotion of e-cigarettes. Member States had to transpose the TPD into national legislation by 20 May 2016. The UK has implemented the TPD through the Tobacco and Related Products Regulations (“TPPR”).

The TPD aims to provide consumers with information to enable them to make informed choices and seeks to create an environment that protects children from the use of these products.

Key Changes

The TPD will affect businesses which produce and manufacture e-cigarettes, along with their retailers. Such businesses must:

- fulfil new size limits for e-liquids and their refill containers as well as use child-proof packaging;
- include a health warning on the unit packet and any outside packaging;
- provide information on addictiveness and toxicity on the packaging and accompanying information leaflet, ensuring such information is not misleading or promotional;
- register with the competent authority of an applicable Member State (in the UK, the MHRA) if engaged in cross-border distance sales of electronic cigarette products in such Member State;
- not advertise or promote, directly or indirectly, e-cigarettes and refill containers on certain media platforms, including television, radio, newspapers and magazines; and
- inform Member States before placing new or modified products on the market and notify the competent authority of a range of product information concerning composition, emissions and sales marketing data. Other changes which will apply to all tobacco products include requirements that graphic warnings cover over 65 percent of package surface area, package standardisation (including a ban on 10-packs), and banning certain flavours like menthol, vanilla and candy (for products with a market share greater than 3 percent, such as menthol, this ban will take effect in 2020).

Advertising agencies across the EU will also need to update their guidance. We note that Ofcom in the UK has already amended the Broadcasting Code in line with the TPPR to reflect advertising restrictions, while the Committee of Advertising Practice is expected to release updated guidance shortly.

All products sold to consumers must comply with the TPD from 20 May 2017, subject to certain transitional measures. Retailers have a year to sell stocks of products which do not comply with the labelling and composition requirements of the TPD.

For further information, please contact [Michelle Bawn](#) or [Jaspreet Takhar](#) of our London office.

Commission issues tariff classification regulations

[See separate section below](#) for tariff classification regulations issued by the European Commission during the period covered by this Update.

Amendments to the CN Explanatory Notes

No amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* were published in the *Official Journal* during the period covered by this Update.

Binding Tariff Information

The European Community has created the Binding Tariff Information (BTI) system as a tool to assist economic operators to obtain the correct tariff classification for goods they intend to import or export.

[Binding Tariff Information](#) is issued on request to economic operators by the [customs authorities of the Member States](#). It is valid throughout the Community, re-

ardless of the Member State which issued it. For information about an existing BTI, you may want to contact the [customs administration of the Member State](#) which issued it. However, remember that, according to the provisions for data protection, there are limitations as to the information an administration can provide. You can search and consult existing BTIs on the [EBTI-database](#).

Official Journal documents

The following documents of interest to international traders (excluding documents relating to day-to-day management of agricultural matters, individual protected designations of origin registrations, approvals or restrictions on specific substances and fishing rights) were published in the *Official Journal of the European Union*:

| OJ Date | Subject |
|----------|---|
| 01-08-16 | Commission Implementing Decision (EU) 2016/1250 of 12 July 2016 pursuant to Directive 95/46/EC of the European Parliament and of the Council on the adequacy of the protection provided by the EU-U.S. Privacy Shield (notified under document C(2016) 4176) |
| 02-08-16 | Commission Implementing Regulation (EU) 2016/1313 of 1 August 2016 amending Implementation Regulation (EU) No 540/2011 as regards the conditions of approval of the active substance glyphosate |
| | Council Decision (EU) 2016/1315 of 18 July 2016 on the position to be adopted, on behalf of the European Union, within the Association Committee established by the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, as regards a temporary amendment to Protocol 3 to that Agreement concerning the definition of the concept of 'originating products' and methods of administrative cooperation as a response in favour of the refugees fleeing the conflict in Syria |
| | Commission Recommendation (EU) 2016/1319 of 29 July 2016 amending Recommendation 2006/576/EC as regards deoxynivalenol, zearalenone and ochratoxin A in pet food |
| 04-08-16 | Commission Implementing Regulation (EU) 2016/1330 of 2 August 2016 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries |
| | Commission Decision (EU) 2016/1332 of 28 July 2016 establishing the ecological criteria for the award of the EU Ecolabel for furniture (notified under document C(2016) 4778) |
| | Various Decisions of the EEA Joint Committee |
| 05-08-16 | Council Decision (EU) 2016/1336 of 18 July 2016 on the position to be adopted on behalf of the European Union within the EU-Central America Association Council as regards the replacement of Appendix 2 to Annex II to the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other |
| 06-08-16 | Commission Implementing Decision (EU) 2016/1344 of 4 August 2016 authorising the placing on the market of organic silicon (monomethylsilanetriol) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2016) 4975) |
| | Commission Implementing Decision (EU) 2016/1345 of 4 August 2016 on minimum data quality standards for fingerprint records within the second generation Schengen Information System (SIS II) (notified under document C(2016) 4988) |
| | Commission Decision (EU) 2016/1349 of 5 August 2016 establishing the ecological criteria for the award of the EU Ecolabel for footwear (notified under document C(2016) 5028) |
| 10-08-16 | Commission Regulation (EU) 2016/1355 of 9 August 2016 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards thiacloprid |
| | Commission Implementing Decision (EU) 2016/1359 of 8 August 2016 amend- |

| OJ Date | Subject |
|----------|---|
| | <p>ing Implementing Decision 2012/270/EU as regards emergency measures to prevent the introduction into and the spread within the Union of <i>Epitrix cucumeris</i> (Harris), <i>Epitrix similaris</i> (Gentner), <i>Epitrix subcrinita</i> (Lec.) and <i>Epitrix tuberis</i> (Gentner) (notified under document C(2016) 5038)</p> <p>Corrigendum to Commission Implementing Regulation (EU) 2016/561 of 11 April 2016 amending Annex IV to Implementing Regulation (EU) No 577/2013 as regards the model of animal health certificate for dogs, cats and ferrets moved into a Member State from a territory or a third country for non-commercial purposes (OJ L 96, 12.4.2016)</p> <p>Commission Implementing Decision (EU) 2016/1362 of 9 August 2016 on recognition of the 'Roundtable on Sustainable Biomaterials EU RED' for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council</p> <p>Commission Implementing Decision (EU) 2016/1361 of 9 August 2016 on recognition of the 'International Sustainability and Carbon Certification system' for demonstrating compliance with the sustainability criteria under Directives 98/70/EC and 2009/28/EC of the European Parliament and of the Council</p> |
| 11-08-16 | <p>Commission Implementing Decision (EU) 2016/1367 of 10 August 2016 concerning certain protective measures relating to African swine fever in Poland (notified under document C(2016) 5278)</p> |
| 12-08-16 | <p>Commission Implementing Decision (EU) 2016/1372 of 10 August 2016 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States, as regards the entries for Latvia and Poland (notified under document C(2016) 5319)</p> <p>Commission Decision (EU) 2016/1371 of 10 August 2016 establishing the ecological criteria for the award of the EU Ecolabel for personal, notebook and tablet computers (notified under document C(2016) 5010)</p> <p>Regulation No 117 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of tyres with regard to rolling sound emissions and/or to adhesion on wet surfaces and/or to rolling resistance [2016/1350]</p> <p>Commission communication in the framework of the implementation of Directive 2014/68/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 292/01]</p> <p>Commission communication in the framework of the implementation of Directive 2014/53/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 292/02]</p> <p>Commission communication in the framework of the implementation of Directive 2014/30/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to electromagnetic compatibility (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 293/03]</p> <p>Commission communication in the framework of the implementation of Directive 2014/34/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 292/04]</p> <p>Commission communication in the framework of the implementation of Directive 2014/33/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 292/05]</p> <p>Commission communication in the framework of the implementation of Regulation (EC) No 765/2008 of the European Parliament and of the Council, Decision</p> |

| OJ Date | Subject |
|----------|--|
| | No 768/2008/EC of the European Parliament and of the Council, Regulation (EC) No 1221/2009 of the European Parliament and of the Council (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 292/06] |
| 13-08-16 | Corrigendum to the List of national authorities designated according to Article 35(3) of Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters (OJ C 130, 13.4.2016) [2016/C 295/05] |
| 17-08-16 | Commission Regulation (EU) 2016/1379 of 16 August 2016 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health |
| | Commission Implementing Regulation (EU) 2016/1380 of 16 August 2016 on a derogation from Article 55(2)(a) of Delegated Regulation (EU) 2015/2446 as regards the rules of origin applicable to regional cumulation for tuna originating in Ecuador |
| | Commission Regulation (EU) 2016/1381 of 16 August 2016 refusing to authorise a health claim made on foods and referring to children's development and health |
| 18-08-16 | Commission Delegated Regulation (EU) 2016/1387 of 9 June 2016 amending Annexes I and III to Council Regulation (EC) No 2173/2005 following a Voluntary Partnership Agreement with Indonesia for a FLEGT licensing scheme for imports of timber into the European Union |
| | Commission Regulation (EU) 2016/1389 of 17 August 2016 authorising a health claim made on foods and referring to children's development and health |
| | Commission Regulation (EU) 2016/1390 of 17 August 2016 refusing to authorise a health claim made on foods and referring to children's development and health |
| 19-08-16 | Commission Regulation (EU) 2016/1396 of 18 August 2016 amending certain Annexes to Regulation (No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies |
| 20-08-16 | Information note — Information on measures adopted by Member States in conformity with Articles 5, 6, 8, 9, 10, 17 and 22 of Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items [2016/C 304/03] |
| 23-08-16 | Commission Implementing Decision (EU) 2016/1405 of 22 August 2016 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2016) 5466) |
| | Commission Implementing Decision (EU) 2016/1406 of 22 August 2016 concerning certain protective measures relating to African swine fever in Poland and repealing Implementing Decision (EU) 2016/1367 (notified under document C(2016) 5467) |
| 25-08-16 | Commission Regulation (EU) 2016/1411 of 24 August 2016 refusing to authorise certain health claims made on foods, other than those referring to the reduction of disease risk and to children's development and health |
| | Commission Regulation (EU) 2016/1412 of 24 August 2016 refusing to authorise a health claim made on foods and referring to the reduction of disease risk |
| | Commission Regulation (EU) 2016/1413 of 24 August 2016 amending Regulation (EU) No 432/2012 establishing a list of permitted health claims made on foods other than those referring to the reduction of disease risk and to children's development and health |
| | Commission Implementing Regulation (EU) 2016/1414 of 24 August 2016 approving the active substance cyantraniliprole, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| | Commission Regulation (EU) 2016/1416 of 24 August 2016 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food |

| OJ Date | Subject |
|----------|--|
| | EFTA Surveillance Authority Decision No 111/15/COL of 31 March 2015 amending the list contained in point 39 of Part 1.2 of Chapter I of Annex I to the Agreement on the European Economic Area listing border inspection posts in Iceland and Norway agreed for veterinary checks on live animals and animal products from third countries and repealing EFTA Surveillance Authority Decision No 311/13/COL [2016/1419] |
| 26-08-16 | Commission Implementing Regulation (EU) 2016/1422 of 24 August 2016 amending Council Regulation (EC) No 992/95 as regards Union tariff quotas for certain agricultural and fishery products originating in Norway |
| | Commission Implementing Regulation (EU) 2016/1423 of 25 August 2016 renewing approval of the active substance picolinafen in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| | Commission Implementing Regulation (EU) 2016/1424 of 25 August 2016 renewing the approval of the active substance thifensulfuron-methyl in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| | Commission Implementing Regulation (EU) 2016/1425 of 25 August 2016 approving the active substance isofetamid in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| | Commission Implementing Regulation (EU) 2016/1426 of 25 August 2016 renewing the approval of the active substance ethofumesate in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| | Regulation No 34 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of vehicles with regard to the prevention of fire risks [2016/1428] |
| | Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 July 2016 to 31 July 2016 (Published pursuant to Article 13 or 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2016/C 312/01] |
| | Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 July 2016 to 31 July 2016 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2016/C 312/02] |
| | Corrigendum to Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 March 2016 to 31 March 2016 (OJ C 154, 29.4.2016) [2016/C 312/03] |
| 27-08-16 | Commission Implementing Regulation (EU) 2016/1429 of 26 August 2016 approving the active substance <i>Bacillus amyloliquefaciens</i> strain MBI 600, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 |
| 30-08-16 | Decision No 1/2016 of the EU-Jordan Association Committee of 19 July 2016 amending the provisions of Protocol 3 to the Euro-Mediterranean Agreement establishing an Association 'between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, concerning the definition of the concept of originating products' and the list of working or processing required to be carried out on non-originating materials in order for certain categories of products, manufactured in dedicated development zones and industrial areas, and connected with generating employment for Syrian refugees and Jordanians, to obtain originating status [2016/1436] |
| 31-08-16 | Commission Implementing Decision (EU) 2016/1441 of 30 August 2016 amend- |

| OJ Date | Subject |
|---------|---|
| | ing the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2016) 5670). |

Restrictive measures established, amended, corrected

During the past month, the following restrictive measures were established, amended or corrected:

| OJ Date | Restrictive Measure |
|----------|---|
| 05-08-16 | Council Decision (CFSP) 2016/1341 of 4 August 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea |
| | Council Regulation (EU) 2016/1333 of 4 August 2016 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea |
| | Council Implementing Decision (CFSP) 2016/1340 of 4 August 2016 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya |
| | Council Implementing Regulation (EU) 2016/1334 of 4 August 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya |
| 09-08-16 | Commission Implementing Regulation (EU) 2016/1347 of 8 August 2016 amending for the 250th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations |
| 12-08-16 | Corrigendum to Council Implementing Regulation (EU) 2016/466 of 31 March 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya (OJ L 85, 1.4.2016) |
| 16-08-16 | Commission Implementing Regulation (EU) 2016/1375 of 29 July 2016 amending Council Regulation (EU) No 267/2012 concerning restrictive measures against Iran |
| 20-08-16 | Commission Implementing Regulation (EU) 2016/1398 of 19 August 2016 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq |
| 27-08-16 | Commission Implementing Regulation (EU) 2016/1430 of 26 August 2016 amending for the 251st time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaeda organisations |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

Individual Countries

France

Notices to importers

The following [notices](#) were posted by Directorate General of Customs and Indirect Taxes (For laws and regulations, decrees, etc. please see listings under *Other EU-EFTA Notices - Import-export related measures*, below):

| Release Date | Ref. No. and Subject |
|--------------|---|
| 01-08-16 | 2016/38 Notice to importers of aspartame from China |
| 02-08-16 | 2016/39-Notice to importers of bars and concrete reinforcing rods steel high resistance to fatigue from China |
| 09-08-16 | 2016/40-Notice to importers of certain cold-rolled steel flat products from China and Russia |
| 11-08-16 | 2016/41-Notice to importers of certain hand pallet trucks originating in China |
| | 2016/42-Notice to importers son of high tenacity polyesters originating in China |
| | 2016/43-Notice to importers of certain sheets non-alloy steel or other alloy steel from China |
| 18-08-16 | 2016/44-Notice to importers of ductile iron pipes and tubes from India |
| | 2016/45-Notice to importers of tuna from Ecuador |
| 24-08-16 | 2016/46-Notice to importers plank boards originating in China |
| | 2016/47-Notice to importers of photovoltaic modules from China |
| | 2016/48-Notice to importers of photovoltaic modules from China |
| 26-08-16 | 2016/49-Notice to importers of certain fish and fishery products originating in Norway |
| 24-08-16 | Duties and taxes on energy products from 1 September 2016 (Official Customs No. Customs 7129; DA 16-040) |

United Kingdom

DIT issues survey to identify trade and investment barriers in 7 overseas markets

On 23 August 2016, the new UK Department for International Trade (DIT) released a "[Survey to identify trade and investment barriers in 7 overseas markets](#)".

The UK government is planning to hold joint economic and trade committee meetings with Brazil, India, Kazakhstan, South Korea, Taiwan and Vietnam by the end of 2016. The aim of these dialogues is to discuss bilateral trade and investment issues and to strengthen the UK's economic, industrial and commercial ties with these markets.

Prior to the start of these meetings DIT wants to hear from UK businesses about their trade priorities in these 7 markets. Insight from UK companies could include:

- your greatest concerns about doing business in and with these countries
- how your concerns might be addressed
- specific recommendations for bilateral initiatives that could improve the business climate
- specific examples of good business practice in these markets and policies which are working well
- what DIT could do to encourage you to think about exporting to these markets

The [Survey](#) should be completed by 7 September 2016. DIT notes that all sensitive information will be handled securely but DIT will follow-up separately on specific deals if they have commercially sensitive information.

Financial sanctions notice on Iran (nuclear proliferation)

On 3 August 2016, a [notice updating the HM Treasury's Consolidated List](#) regarding three entities listed under Council Regulation (EU) 267/2012, which imposes financial sanctions against Iran, was published..

This notice removes the asset freeze against the below three Iranian entities, following Judgments of the General Court of the European Union (please see [here](#) and [here](#) for the relevant judgments):

1. IRISL Club
2. IRISL Multimodal Transport Company
3. Leading Maritime Pte Ltd

These three entities were initially listed on 26 July 2010 by virtue of being owned or controlled by Islamic Republic of Iran Shipping Lines ("IRISL"). In its [first judgment](#), the General Court concluded that the European Council did not adduce sufficient evidence to support its reasons for listing IRISL or 17 other companies that had been listed by virtue of being entities owned or controlled by IRISL. The Court held that the Council had failed to establish that these companies provided support for nuclear proliferation, noting that the mere risk of involvement in proliferation in the future is insufficient and that there must be evidence of actual past involvement.

In its [second judgment](#), the General Court annulled the entries of a further 35 companies. The Court noted that since it had annulled IRISL's listing in the first Judgment (and as this Judgment had not been appealed), the Council could not maintain entries against any entity that had been listed on the sole grounds of being owned or controlled by IRISL. The annulment orders by the General Court in both cases had a retroactive effect.

There has been a delay between the annulment order and de-listing of the above entities as the order takes effect once the period for the European Council to appeal has expired (2 months and 10 days from the date of the judgments).

It is worth noting that the initial listings, undertaken in 2010, of IRISL and of the entities owned or controlled by IRISL occurred when the designation criteria required some form of support for nuclear proliferation. Later criteria have been significantly broader and IRISL and several of its subsidiaries, including IRISL Club and IRISL Multimodal Transport Company, were re-listed on new grounds in late 2013. In addition, despite being removed from the HM Treasury's Consolidated List as per the above, both IRISL Club and IRISL Multimodal Transport Company are still listed on the [UK BIS Iran List](#)).

For additional information, please contact [Ross Denton](#) or [Sunny Mann](#).

BIS merges with DECC, new Department of International Trade takes over ECO.

The U.K. government has reorganized its ministries and sub-ministries. Department for Business, Innovation and Skills (BIS) and the Department of Energy and Climate Change (DECC) have merged to form the Department for Business, Energy and Industrial Strategy (BEIS). The [Export Control Organisation](#) (ECO) has moved to the new Department of International Trade (DIT).

HMRC updates

The following Public Notices, [Customs Information Papers](#) (CIPs) were issued by HM Revenue & Customs:

| Release Date | Ref. No. and Subject |
|--|--|
| Customs Information Papers(CIP) | |
| 04-08-16 | CIP 45 (2016): Information Technology Agreement (ITA) rate changes [updated] |
| 05-08-16 | CIP 48 (2016): Customs Freight Simplified Procedures (CFSP) |
| | CIP 49 (2016): CHIEF short term fallback arrangements |
| | CIP 50 (2016): End Use relief-Bill of Discharge form BOD2 |
| 25-08-16 | CIP 51 (2016): Registered Exporters and changes to the CHIEF system |
| Tariff Notices | |
| 02-08-16 | Tariff Notice 26 (2016): a self-heating patch and belt used for pain relief |
| 03-08-16 | Tariff Stop Press Notice 23 (2016): problems with the online tariff |
| 09-08-16 | Tariff Notice 27 (2016): hammock with stand |
| 18-08-16 | UK Trade Tariff: inland clearance depots and free zone codes |
| 19-08-16 | UK Trade Tariff: customs procedure codes |
| 23-08-16 | Tariff Stop Press Notice 25 (2016): amendments to commodity codes in chapter 29 |
| 24-08-16 | Tariff Notice 30 (2016): toner cartridge |
| 25-08-16 | Tariff Notice 29 (2016): mat and special pen |
| | Tariff Notice 28 (2016): hammock with frame |
| 26-08-16 | Tariff Quota Notice 119 (2016): new tariff quotas for certain fish and fishery products originating in Iceland |
| 31-08-16 | Tariff Stop Press Notice 29 (2016): changes to the monthly trade euro rate |
| Other Notices and Publications | |
| 04-08-16 | Anti-Dumping Duty measure AD2136 |
| | Compliance checks: sending HM Revenue and Customs electronic records - CC/FS22 |
| 11-08-16 | UK Trade Tariff: document, certificate and authorisation codes for harmonised declarations |
| 12-08-16 | Import and export: end-use bill of discharge - full customs authorisation (BOD2) |
| | Import and export: Inward Processing bill of discharge (BOD1) |
| 15-08-16 | HM Revenue and Customs individuals, small businesses and agents customer survey 2015 |
| | Rates and allowances: HMRC interest rates for late and early payments |
| 17-08-16 | Notice 205: official customs seals and trader sealing |
| | Anti-Dumping Duty measure AD2139 |
| | Anti-Dumping Duty measure AD2142 |
| | Anti-Dumping Duty measure AD2143 |
| 18-08-16 | Anti-Dumping Duty measure AD2137 |
| 24-08-16 | Anti-Dumping Duty measure AD2141 |
| | Anti-Dumping Duty measure AD2138 |
| 25-08-16 | Anti-Dumping Duty measure AD2149 |
| | Import and export: Designated Export Place application form (C&E42) |
| 26-08-16 | Anti-Dumping Duty measure AD2147 |
| 31-08-16 | Rates and allowances: monthly euro conversion rates for calculating duty |

ECO Notices to Exporters and DIT documents

The following Export Control Organisation (ECO) [Notices to Exporters](#) and other Department for International Trade (DIT) documents were issued:

| Date | Notice No. and Subject |
|----------|---|
| 17-08-16 | e-Exporting to Korea: a guide for British companies (URN 16/0331 APKOR) |

Other EU-EFTA Notices

Import-export related measures

The following import, export or antibribery measures were published in the on-line editions of the official gazettes of the countries shown during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

| Date* | Measure |
|-----------------------|---|
| France | |
| 03-08-16 | Decree No 2016-1052 of 1 August 2016 concerning the publication of the Agreement between the Government of the French Republic and the Organization of Eastern Caribbean States (OECS) defining the modalities of admission of Martinique for membership associate of the Organization of Eastern Caribbean States (together the revised Treaty of Basseterre, signed on 18 June 2010), signed in Schoelcher February 4, 2015 |
| 05-08-16 | Decree No. 2016-1064 of August 3, 2016 on the exploitation of data transmitted to the Customs by express freight companies and postal service providers |
| | Decree of 27 July 2016 amending the order of 8 July 2010 concerning the contract between the tobacconists in the administration of Customs and Excise in the context of the exercise of retail sales monopoly of manufactured tobacco, the decree of 25 August 2010 on the initial vocational training methods and continue to the retail of manufactured tobacco, the order of 9 December 2010 on operating procedures of the committee responsible for the discipline of tobacconists, decree of 13 December 2011 relating to the arrangement of the tobacco shop and the decree of 24 February 2012 relating to the resale of manufactured tobacco |
| 16-08-16 | Social Affairs and Health: Decree No. 2016-1117 of 11 August 2016 on the manufacture, presentation, sale and use of tobacco products, products of vapotage and smoking products herbal products other than tobacco |
| 17-08-16 | Decree of 16 August 2016 on the prohibition of trade in elephant ivory and rhino horn on the national territory |
| 23-08-16 | Decree No. 2016-1139 of 22 August 2016 supplementing the provisions relating to the manufacture, presentation, sale and use of tobacco products, vapotage of products and smoking products made from other plants than tobacco |
| 25-08-16 | Decree of 22 August 2016 relating to tobacco products, the vapotage and smoking based on plants other than tobacco and the paper for rolling cigarettes |
| Germany | |
| 11-08-16 | Law amending the Animal By-Products Disposal Act and amending the BVL Act (04.08.16) from no. 40 of 08.11.2016, page 1966 |
| Ireland (Eire) | |
| 16-08-16 | S.I. No. 449 of 2016 - European Union (Special Conditions Governing the Import of Certain Food From Certain Third Countries Due to Contamination Risk by Aflatoxins) (Amendment) Regulations 2016 |
| 19-08-16 | S.I. No. 451 of 2016 - European Union (Common Agricultural Policy) (Scrutiny of Transactions) Regulations 2016 |
| 23-08-16 | S.I. No. 453 of 2016 Criminal Justice (Money Laundering and Terrorist Financing) Act 2010 (Competent Authority and State Competent Authority) Regulations 2016 |
| 30-08-16 | S.I. No. 456 of 2016 - European Communities (Pesticide Residues) (Amendment) (No. 2) Regulations 2016 |
| Liechtenstein | |
| 12-08-16 | LGBI № 2016.263 Exchange of Notes between the Principality of Liechtenstein and the European Union concerning the adoption of the Commission Decision of 12 July 2016 replacing the Annex to Implementing Decision 2013/115 / EU on the SIRENE Manual and other implementing rules for the Schengen Information System II (SIS II Implementing Decision) (the Schengen acquis) (LR 0.362.380.065) |

| Date* | Measure |
|-------------------|--|
| 19-08-16 | LGBI № 2016.270 Law of 9 June 2016 the protection, conservation and maintenance of cultural assets (cultural property law; KGG) (LR № 445.0) |
| | LGBI № 2016.275 Law of June 9, 2016 concerning the amendment of the law on the return of cultural goods unlawfully (LR № 461) |
| 25-08-16 | LGBI № 2016.284 Exchange of Notes between the Principality of Liechtenstein and the European Union on the adoption of the Commission Implementing Decision of 4 August 2016 minimum quality standards for fingerprint records in the Schengen Information System II (SIS II) (the Schengen acquis) (LR № 0.362.380.066) |
| Luxembourg | |
| 08-08-16 | Mem A. № 160 - Implementation of new European standards for non-electric field applied in the Grand Duchy of Luxembourg -Implementation of new European standards of electrical engineering applicable in the Grand Duchy of Luxembourg -Implementation of new European standards applicable in the field of telecommunications in the Grand Duchy of Luxembourg |
| Malta | |
| 09-08-16 | № 275 of 2016 - Conformity Assessment of Marine Equipment Regulations, 2016 - Government Gazette of Malta No. 19,619 – 09.08.2016 |
| Norway | |
| 05-08-16 | FOR-2016-08-04-953 Industry and Fisheries Ministry of Agriculture and Food, Ministry of Health Amendments to official controls on products of animal origin (animaliekontrollforskriften) |
| | FOR-2016-08-04-954 Industry and Fisheries Ministry of Agriculture and Food, Ministry of Health Regulations amending the Food Hygiene Regulations |
| 09-08-16 | FOR-2016-08-08-959 Agriculture and Food, Ministry of Health Regulation amending the Regulation on special safeguard measures on imports of certain feed and food from third countries because of aflatoxin risk |
| 18-08-16 | FOR-2016-08-12-974 Industry and Fisheries Ministry Regulations on Public Procurement (Public Procurement Regulations) |
| | FOR-2016-08-12-975 Industry and Fisheries Ministry Regulations on procurement procedures in the utility sectors (Supply Regulations) |
| | FOR-2016-08-12-976 Industry and Fisheries Ministry Regulations on licensing contracts (concession contract regulations) |
| | FOR-2016-08-12-977 Industry and Fisheries Ministry Regulation amending the Regulation on Public Procurement Appeals |
| | FOR-2016-08-12-978 Industry and Fisheries Ministry Regulations on the transitional rules for the Act of 17 June 2016 nr 73. Public Procurement (procurement law) |
| 19-08-16 | FOR-2016-08-10-981 Industry and Fisheries Ministry Regulation amending the Regulation on measurement units and measurement |
| | FOR-2016-08-16-982 Agriculture and Food Regulation amending the Regulation on imports from third countries of certain live animals, bees, bumblebees and fresh meat of certain animals |
| 23-08-16 | FOR-2016-08-22-986 Agriculture and Food Regulation amending the Regulation on administrative tariff reductions for agricultural products |
| 30-08-16 | FOR-2016-08-29-1014 Ministry of Justice Regulation amending the Regulation on prohibited firearms and approved semi-automatic firearms |
| Poland | |
| 09-08-16 | № 1200 Statement of the Minister of Finance dated 25 July 2016. On the uniform text of the Regulation of the Minister of Finance on the designation of the Customs Service the right to perform certain tasks of the Customs Service and to determine the territorial scope of its activities |
| 12-08-16 | № 1226 Regulation of the Minister of Finance dated 10 August 2016. On measures for the implementation of the common agricultural policy |
| | № 1228 The Act of 22 June 2016. Amending the Act - Customs Law and other laws |
| | № 1231 Regulation of the Minister of Finance dated 9 August 2016. On the appointment of heads of customs offices competent to rule on the reimbursement of part of the excise duty paid an undertaking energy-intensive |

| Date* | Measure |
|--------------|---|
| 16-08-16 | № 1253 Statement of the Minister of Agriculture and Rural Development of 28 July 2016. On the uniform text of the Regulation of the Minister of Agriculture and Rural Development on the border phytosanitary control of wood packaging carried out on a random basis |
| 17-08-16 | № 1266 The announcement of the Prime Minister dated 25 July 2016. On the uniform text of the Council of Ministers on the Kostrzyn Special Economic Zone |
| 18-08-16 | № 1277 Regulation of the Minister of Finance dated 16 August 2016. Amending the regulation on the import declaration for the tax on goods and services |
| | № 1281 Regulation of the Minister of Finance dated 8 August 2016. Amending the Regulation on the place of supply of services and reimbursement of the tax unit making the acquisition (import) of goods or services |
| 19-08-16 | № 1290 Regulation of the Minister of Finance dated 17 August 2016. On the request for authorization to use the TIR procedure permits simplification of taking up the goods under the TIR and the use of this simplification |
| | № 1291 Regulation of the Minister of Finance dated 17 August 2016. On deferring the date of payment of customs duties |
| | № 1292 Regulation of the Minister of Finance dated 18 August 2016. On the model application for the creation, modification or abolition of the surface of the free zone and the documents that must be accompanied by |
| | № 1293 Regulation of the Minister of Finance dated 17 August 2016. On customs declarations for postal services |
| | № 1295 Regulation of the Minister of Agriculture and Rural Development of 18 August 2016. Amending Regulation on the measures taken in connection with the occurrence of African swine fever |
| 22-08-16 | № 1303 Statement of the Minister of Infrastructure and Construction, dated 9 August 2016. On the uniform text of the Regulation of the Minister of Transport, Construction and Maritime Economy on the detailed conditions of implementation of international flights to hazardous materials |
| | № 1307 Regulation of the Minister of Finance dated 19 August 2016. On the certificate of non-preferential origin of goods |
| | № 1309 Regulation of the Minister of Agriculture and Rural Development dated 3 August 2016. Amending the Regulation on fees for activities for the approval of active substances, safeners and synergists, and activities for the authorization of plant protection products on the market permits parallel trade and permissions to run research |
| 23-08-16 | № 1310 Proclamation of the Marshal of the Polish Sejm of 22 July 2016. On the uniform text of the Act on the Central Anti-Corruption Bureau |
| 24-08-16 | № 1331 The Act of 22 July 2016. Amending the Act on the Protection of Health against the use of tobacco and tobacco products |
| 26-08-16 | № 1347 The Association Agreement between the European Union and the European Atomic Energy Community and its Member States, on the one hand, and the Republic of Moldova, on the other hand, done at Brussels on 27 June 2014. |
| | № 1348 Government statement of 22 June 2016. On the binding force of the Association Agreement between the European Union and the European Atomic Energy Community and its Member States, on the one hand, and the Republic of Moldova, on the other hand, signed in Brussels on 27 June 2014. |
| 31-08-16 | № 1373 Regulation of the Minister of Development of 22 August 2016. On the method of determining fees for activities related to mandatory conformity assessment of products |
| Spain | |
| 04-08-16 | Health: Resolution of June 6, 2016, the Directorate General of Public Health, Quality and Innovation, by Annex I of the Order of 20 January 1994 laying down procedures for sanitary control are fixed products amending foreign trade destined for human consumption and use and customs facilities enabled its realization. (BOE-A-2016-7517) |
| 11-08-16 | Foreign Affairs: Corrigendum to the Agreement on international transport of perishable goods and special vehicles used in these transports (ATP), done at Geneva on 1 September 1970. (BOE-A-2016-7737) |
| 31-08-16 | Hacienda: Order HAP / 1412/2016, of 29 August, approving the constitution of the Consortium of the Zona Franca de Santander is authorized and its bylaws were approved. (BOE-A-2016-8119) |

| Date* | Measure |
|-----------------------|---|
| Switzerland | |
| 03-08-16 | Ordinance of the FDF on the contribution rate to the export of agricultural commodities (RS 632.111.723.1) |
| | DETEC Ordinance on the information on the energy label for new cars (OEE-VT) (RS 730.011.1) |
| 08-08-16 | Order of OSAv establishing measures to prevent the introduction of African swine fever present in certain Member States of the European Union (RS 916.443.107) |
| | Order of OSAv establishing measures to prevent the introduction in Switzerland of lumpy skin disease (lumpy skin disease) present in Bulgaria and Greece (RS 916.443.112) |
| 09-08-16 | Ordinance of the FOAG on fixing periods and deadlines as well as the authorization of parts quota of fresh vegetables, fresh fruit and fresh cut flowers (Ordinance authorizing imports on the OIELFP) (RS 916.121.100) |
| 16-08-16 | DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106) |
| 22-08-16 | Order of OSAv establishing measures to prevent the introduction of African swine fever present in certain Member States of the European Union (RS 916.443.107) |
| 23-08-16 | Ordinance on the national section of the Schengen Information System (N-SIS) and the SIRENE office (Ordinance N-SIS) (RS 362.0) |
| | Ordinance of the FDF on goods enjoying customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012) |
| | DFI Ordinance on articles intended to come into contact with mucous membranes, skin or hair and hair system, and on candles, matches, lighters and articles of joke (Ordinance on articles intended to come into contact with the human body) (RS 817.023.41) |
| 26-08-16 | Order of OSAv establishing measures to prevent the introduction of African swine fever present in certain Member States of the European Union (RS 916.443.107) |
| | DFI Ordinance regulating the import trade, transit and export of animals and animal products with the EU Member States, Iceland and Norway (OITE-EU-DFI) (RS 916.443.111) |
| 30-08-16 | Ordinance of the FDF on goods enjoying customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012) |
| | Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01) |
| United Kingdom | |
| 10-08-16 | SI 2016/838 - The Ecodesign for Energy-Related Products and Energy Information (Amendment) Regulations 2016 |

Restrictive measures established, amended, corrected

The following restrictive measures (grouped by country) were established, amended or corrected and published in the national official journals or agency websites during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

| Date* | Restrictive Measure |
|-----------------------|---|
| Ireland (Eire) | |
| 29-07-16 | S.I.№ 413 of 2016 -Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) Regulations 2016 |
| Liechtenstein | |
| 06-08-16 | LGBI № 2016.262 Decree of 5 August 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR 946.222.22) |

| Date* | Restrictive Measure |
|--------------------|--|
| 19-08-16 | LGBI № 2016.280 Decree of August 17, 2016 concerning the amendment of the regulation on economic measures against the Republic of Iraq (LR № 946.221.1) |
| | LGBI № 2016.281 Decree of August 17, 2016 concerning amendment of the ordinance on measures against Libya (LR № 946.221.4) |
| Luxembourg | |
| 08-08-16 | Mem. A № 161 Ministerial Regulation of 4 August 2016 amending Annex IC of the Grand Ducal Regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the fight against terrorist financing |
| Switzerland | |
| 04-08-16 | Amendment to the Order of 2 October 2000 instituting measures against persons and entities associated with Usama bin Laden, the group "Al Qaeda" or the Taliban (RS 946 203) [Eff. 03-08-16] |
| 15-08-16 | Amendment to Order of 7 August 1990 establishing economic measures against the Republic of Iraq (RS 946 206) [Eff. 12-08-16] |
| 23-08-16 | Amendment to the Order of 2 October 2000 instituting measures against persons and entities associated with Usama bin Laden, the group "Al Qaeda" or the Taliban (RS 946 203) [Eff. 22-08-16] |
| 23-08-16 | Assets freezing order in the context of Ukraine (O-Ukraine) (RS 196.127.67) |
| 24-08-16 | Amendment to the Ordinance of 14 March 2014 on measures against the Central African Republic (RS 946.231.123.6) |
| 29-08-16 | Amendment to the Ordinance of 5 December 2014 establishing measures against Yemen (RS 946.231.179.8) |
| 31-08-16 | Amendment to the Order of 7 August 1990 establishing economic measures against the Republic of Iraq (RS 946.206) |

Non EU-EFTA European and Middle Eastern Countries

Saudi Arabia

Kingdom allows 100% foreign owned investments

The Saudi Arabian authorities issued a new law allowing for 100% foreign owned investments in the trading sector in the Kingdom. Foreign investment in trading activity in Saudi Arabia is open to companies having a presence in at least 3 markets and the new regulations mandate that the local company must:

1. Have a capital of at least 30 million Saudi Arabian Riyals (SAR) at the time of its incorporation (US\$ 8 million);
2. Invest in Saudi Arabia no less than 200 million Saudi Arabian Riyals (SAR) (including the capital) over the first 5 years starting from the date of its incorporation (US\$ 53 million);
3. Commit to the employment of Saudi Arabian nationals as determined by the Ministry of Labor, and to developing and implementing a plan for such employees to assume leadership positions in the company and ensure its continuity;
4. Train 30% of Saudi Arabian employees annually;
5. Achieve one or more of the following during the first 5 years of the company's incorporation:
 - a) produce in Saudi Arabia 30% of the products it distributes therein;
 - b) allocate at least 5% of its total sales to establish R&D programs in the Kingdom; or

- c) establish in Saudi Arabia a unified center to provide logistics and distribution services and post-sale support.

For additional information, please contact [George Sayen](#), [Karim Nassar](#) or [Zahi Younes](#) at Legal Advisors (Abdulaziz I. Al-Ajlan & Partners in Association with Baker & McKenzie Limited).

Turkey

Developments on the State of Emergency: New Executive Order Enters into Force

On July 31, 2016, the Council of Ministers issued the third executive order on the implementation of the current state of emergency (“**Executive Order**”). The Executive Order amends several laws and regulations; discharges certain members of the military linked to the Fethullah Terrorist Organization (FETO); establishes a national defense university; introduces rules related to the education system of the members of the military; and prohibits the implementation of the bankruptcy suspension mechanism for companies.

What is New?

Most of the abovementioned changes and measures do not impact the business environment except for the prohibition of suspension of bankruptcy for certain companies and cooperatives during the state of emergency period. According to the Executive Order joint stock companies, limited liability companies, partnership in commendam, the capital of which is divided into shares (*sermayesi paylara bölünmüş komandit şirket*) and cooperatives are prohibited from requesting the courts for a “suspension of bankruptcy” during the state of emergency. A suspension of bankruptcy is a mechanism provided under Article 179 of the Bankruptcy and Enforcement Law No. 2004, which allows the applicant in distress to suspend bankruptcy under certain circumstances. According to the Executive Order, all applications made by these entities will be rejected by the courts during the state of emergency.

Conclusion

Similar to the previous executive orders related to the state of emergency issued on July 23, 2016 and July 27, 2016, the aim of this Executive Order is to eliminate threats against national security during the state of emergency and restructure our national defense institutions. The concept of a suspension of bankruptcy has been previously criticized for being easily exploited; many companies engaged in repeated instances of the suspension in order to postpone or avoid paying their creditors for a period of time. Bulent Tufenkci, the Minister of Customs and Trade, explained that the ministry received complaints regarding suspension of bankruptcy requests filed by FETO linked companies after the attempted coup on July 15, 2016. According to Bulent Tufenkci, in order to avoid any misuse of this concept, the Council of Ministers prohibited the requesting of suspension of bankruptcy during the state of emergency. We will keep you posted should there be any further developments regarding extraordinary measures.

For further information, please contact [Birturk Aydin](#) or [Ismail Esin](#) who authored this article.

Ukraine

Ukraine: Central Bank eases certain restrictions on export-import transactions

The Ukrainian central bank, the National Bank of Ukraine (NBU), continues to ease strict currency control measures on the cross-border movement of capital. Another step towards easing of the established restrictions was the adoption of NBU Board Resolution No. 361 “On Amending Certain Legal Acts of the National Bank of Ukraine”, dated 28 July 2016 and effective from 29 July 2016 on liberalization of certain requirements on cross-border payments for export and import operations.

Pursuant to this decision the NBU:

- extended the term for settlement of payments under export-import operations from 90 days to 120 days; and
- mitigated certain requirements for advance payments under import contracts: the requirement of obtaining a letter of credit for making advance payments now applies to contracts with total contract value of over USD 1 million instead of the earlier threshold of USD 500,000.

The decision of the NBU came into effect on 29 July 2016.

At the same time, numerous restrictions approved by the NBU within the last two years remain effective. Please refer to our earlier legal alert in relation to the rest of the contingency measures of the NBU which remain unchanged by following the [link](#).

For additional information, please contact [Ihor Olekhov](#) or [Hanna Shtepa](#) of our Kyiv office.

Legislation (laws, resolutions, orders, etc.)

The following Ukrainian Laws (*Закон України*), Resolutions (*Постанова*), Presidential Decrees (*Указ Президента*), Decrees of the Cabinet of Ministers (*Розпорядження Кабінету Міністрів України*), Regulations (*Положення*), Agency Orders (*Наказ*) and other pieces of legislation were posted on the Parliamentary (*Верховної Ради*) website during the period of coverage of this Update:

| Date | Subject |
|----------|--|
| 08-08-16 | On establishment of the Inter-State fiscal Customs Service Resolution of the Cabinet of Ministers of Ukraine on August 8, 2016 № 495 |

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the new [Eurasian Economic Commission documentation page](#).

| Publication Date | Title |
|--|---|
| Supreme Bodies of the EAEU | |
| 15-08-16 | Intergovernmental Council № 5 (12-08-16) About some questions of import and circulation of goods in the customs territory of the Eurasian Economic Union in connection with the accession of the Republic of Kazakhstan to the World Trade Organization |
| | Intergovernmental Council № 6 (12-08-16) On the implementation of the mechanism of certain categories of goods marking with control (identification) signs |
| | Order of the Eurasian Intergovernmental Council number 13 - Draft Agreement on the Customs Code of the Eurasian Economic Union |
| | Order of the Eurasian Intergovernmental Council number 14 On basic approaches to the creation of a mechanism to ensure the traceability of goods in the member states of the Eurasian Economic Union |
| Council (Совет) of the Eurasian Economic Commission [Решения] | |
| 10-08-16 | № 49 (16-05-16) On the projects of the Supreme Eurasian Economic Council acts related to the entry into force of the Free Trade Agreement between the Eurasian Economic Union and its Member States, on the one hand, and the Socialist Republic of Vietnam, on the other hand, of 29 May 2015 “ |
| 16-08-16 | № 51 (11-07-16) On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of juices, products made of polyurethanes, refrigerators and motor vehicles |
| | № 52 (11-07-16) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of components intended for mounting on vehicles that use natural gas as a motor fuel, as well as some of the decisions of the Eurasian Economic Commission and the High Eurasian economic Council |
| | № 53 (11-07-16) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of motor vehicles with electric motors, as well as some of the decisions of the Eurasian Economic Commission and the Supreme Eurasian Economic Council |
| | № 54 (11-07-16) On the establishment of import customs duties of the Common Customs Tariff of the Eurasian Economic Union on aluminum fluoride and on amendments to the Decision of the Council of the Eurasian Economic Commission on October 14, 2015 № 59 |
| | № 55 (11-07-16) On the draft decision of the Eurasian Intergovernmental Council “On some issues of import and circulation of goods in the customs territory of the Eurasian Economic Union in connection with the accession of the Republic of Kazakhstan to the World Trade Organization” |
| | № 56 (11-07-16) On Amendments to the technical regulations of the Customs Union “On Safety of Wheeled Vehicles” (TR CU 018/2011) |
| 23-08-16 | № 57 (11-07-16) On amendments to some decisions of the Commission of the Customs Union, and on the approval of the list of goods imported into the territory of the Kyrgyz Republic for the construction of the House of receptions and official events |
| | № 58 (11-07-16) On amendments to some decisions of the Commission of the Customs Union in respect of titanium oxide |
| Council Regulations/Orders [Распоряжение] | |
| 20-07-16 | № 13 (17-03-16) Draft Treaty on Trademarks, Service Marks and Appellations of Origin of the Eurasian Economic Union |
| 10-08-16 | № 14 (12-02-16) On the formation of a high-level working group to develop the mechanism of interaction of the states - members of the Eurasian Economic Union in the case of one of the States unilaterally special economic measures |
| | № 15 (16-05-16) Draft Agreement on the management of copyright and related rights on a collective basis |
| Board (Коллегии) of the Eurasian Economic Commission Решения | |
| 18-07-16 | № 81 (12-07-16) About the format and structure of electronic passports vehicles (e-passports chassis vehicles) and electronic passports for self-propelled |

| Publication Date | Title |
|--|--|
| | machines and other types of equipment |
| 28-07-16 | № 82 (26-07-16) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union in relation to crude oil |
| | № 83 (26-07-16) On approving the list of goods that are essential for the domestic market of the Eurasian Economic Union and in respect of which, in exceptional cases, temporary prohibitions or quantitative export restrictions can be entered |
| | № 84 (26-07-16) The classification of a mixture of hydrogenated palm oil fractions for the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union |
| | № 85 (26-07-16) On approval of the interval quantitative values of the external parameters of forecasts for the preparation of official forecasts of socio-economic development of the states - members of the Eurasian Economic Union in 2016 and for the period 2017 - 2019 |
| | № 86 (26-07-16) The classification of the power window in accordance with the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union |
| | № 87 (26-07-16) On Amendments to the Procedure for the introduction of the technical regulations of the Customs Union in the Republic of Armenia |
| | 29-07-16 |
| № 89 (26-07-16) On approval of the organization of verification of measuring instruments | |
| № 90 (02-08-16) On Amendments to the decision of the Board of the Eurasian Economic Commission dated November 12, 2013 № 254 | |
| 10-08-16 | № 91 (08-08-16) On introduction of changes to the list of executive authorities of states - members of the Eurasian Economic Union, authorized representatives are included in the composition of the Advisory Committee on Interaction regulatory authorities at the customs border of the Eurasian Economic Union |
| 31-08-16 | № 92 (30-08-16) On the technological documents regulating information interaction in the implementation of the means of the integrated information system of foreign and mutual trade of the general process of "formation, management and use of a single registry of medical devices registered in the framework of the Eurasian Economic Union" |
| | № 93 (30-08-16) On the technological documents regulating information interaction in the implementation of "The formation, maintenance and use of a single register of authorized organizations of the Eurasian Economic Union, carrying out research (tests) of medical devices for the purpose of registration" means the integrated information system of foreign and mutual trade of the overall process |
| | № 94 (30-08-16) On the technological documents regulating information interaction in the implementation of the means of the integrated information system of foreign and mutual trade of the general process of "formation, management and use of a single information database security monitoring data, medical devices quality and efficiency" |
| | № 95 (30-08-16) On Amendments to the Customs Union Commission Decision of 20 September 2010 № 378 |
| | № 96 (30-08-16) On the classification of body cumulative downhole perforating shaped charges and on the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union |
| | № 97 (30-08-16) On the establishment of tariff quotas for certain types of agri- |

| Publication Date | Title |
|---------------------------|---|
| | <p>cultural goods imported in 2017 on the customs territory of the Eurasian Economic Union, as well as the volumes of tariff quotas in respect of goods imported into the territory of the states - members of the Eurasian Economic Union</p> <p>№ 98 (30-08-16) On establishing the volumes of tariff quotas for certain types of long-grain rice, originating in the Socialist Republic of Vietnam and imported in 2017 on the territory of states - members of the Eurasian Economic Union</p> <p>№ 99 (30-08-16) On Amendments to the Resolution of the Board of the Eurasian Economic Commission on April 21, 2015 № 30 and Repeal of certain decisions of the Board of the Eurasian Economic Commission</p> |
| Board Распоряжение | |
| 08-07-16 | <p>№ 95 (05-07-16) Draft decision of the Council of the Eurasian Economic Commission "On the draft decision of the Supreme Eurasian Economic Council" On approval of the plans for the liberalization of service sectors specified in the Decision of the Supreme Eurasian Economic Council on October 16, 2015 № 30"</p> |
| 18-07-16 | <p>№ 96 (12-07-18) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the technical regulations of the Customs Union" On safety of light industry products "(TR CU 017/2011)"</p> <p>№ 97 (12-07-16) On Amendments to the Advisory Committee on Natural Monopolies</p> <p>№ 98 (12-07-16) Draft decision of the Council of the Eurasian Economic Commission "On amendments to some decisions of the Commission of the Customs Union, and on the approval of the list of certain types of machine tools for the shipbuilding industry, are imported into the territory of the Russian Federation"</p> |
| 28-07-16 | <p>№ 101 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On the draft decision of the Supreme Eurasian Economic Council" On the beginning of the negotiations with the Arab Republic of Egypt on the conclusion of an agreement on free trade zone "</p> <p>№ 102 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union on the artificial fiber rayon"</p> <p>№ 103 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On the application of trigger protective measures and bilateral safeguard measures under the Agreement on free trade between the Eurasian Economic Union and its Member States, on the one hand, and the Socialist Republic of Vietnam, on the other hand, on May 29, 2015 of the year"</p> <p>№ 104 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On the Procedure for the development and adoption of lists of international and regional (interstate) standards, and in their absence - the national (state) standards, as a result of which, on a voluntary basis, compliance with the requirements of technical regulations of the Eurasian Economic Union, and lists of international and regional (interstate) standards, and in their absence - the national (state) standards containing rules and research (testing) and measurement methods, including sampling rules, required for application and implementation of the technical regulations of the Eurasian economic requirements Union and the implementation of conformity assessment of technical regulation objects "</p> |
| 29-07-16 | <p>№ 105 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On approval of the type approval standard sample"</p> <p>№ 106 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On approval of measuring instruments such as the approval of the Procedure"</p> <p>№ 107 (26-07-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the plan for the development of technical regulations of the Eurasian Economic Union and the changes in the technical regulations of the Customs Union"</p> <p>№ 108 (26-07-16) On Amendments to the composition of the working group on the implementation of the agreement on the introduction of common forms of vehicle passport (passport chassis of the vehicle) and the passport of self-</p> |

| Publication Date | Title |
|------------------------------|---|
| | propelled machines and other kinds of equipment and organization of e-passport systems № 109 (26-07-16) On the working group on coordination of works on creation and management of the range of medical products of the Eurasian Economic Union |
| 04-08-16 | № 110 (02-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Technical Regulation of the Eurasian Economic Union" On Restriction of use of hazardous substances in electrical and electronics products " № 111 (02-08-16) About the order of the Council of the Eurasian Economic Commission "On the formation of the joint research group to study the feasibility of an agreement on free trade with the Republic of Singapore" № 112 (02-08-16) About summary of the working group on improving the provisions of the Treaty on the Eurasian Economic Union on May 29, 2014 |
| 10-08-16 | № 113 (08-08-16) Draft decision of the Council of the Eurasian Economic Commission "On the methodology for calculating the permitted level of state support for agricultural measures that have a distorting effect on trade between the countries - members of the Eurasian Economic Union in agricultural products, and forms of notification of the state support of agriculture" № 114 (08-08-16) Draft agreement on measures aimed at the unification of the breeding work with farm animals in the framework of the Eurasian Economic Union № 115 (08-08-16) On Amendments to the Advisory Committee for Cooperation regulatory authorities at the customs border of the Eurasian Economic Union |
| 31-08-16 | № 116 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the annex to the directives for negotiations with China on an agreement on exchange of information about goods and vehicles of international transport conveyed through the customs border of the Eurasian Economic Union and the People's Republic of China" № 117 (30-08-16) On organizational matters of the Advisory Committee on Consumer Protection № 118 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union" № 119 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the list of goods in respect of which the Republic of Kazakhstan in accordance with the commitments undertaken as a condition of joining the World Trade Organization, the rates of import customs duties are applied, lower compared to the rates of the Common Customs duties rate the Eurasian economic Union, and sizes of rates of duties " № 120 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union, the Common Customs Tariff of the Eurasian Economic Union as well as the list of sensitive products for which the decision to change the rate of import duty is taken by the Council of the Eurasian Economic Commission in respect of certain types of fruit puree. " № 121 (30-08-16) On organizational matters of the Advisory Oil and Gas Committee № 122 (30-08-16) On Amendments to the Electricity Advisory Committee № 123 (30-08-16) On Amendments to the composition of the working group on improvement of customs legislation № 124 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the list of goods temporarily imported with full conditional exemption from customs duties and taxes" |
| Board Recommendations | |
| 04-08-16 | № 12 (02-08-16) On the application of the preliminary information on the structure and format of the goods imported into the customs territory of the Eurasian Economic Union, rail and air transport |

| Publication Date | Title |
|------------------|---|
| 17-08-16 | № 13 (21-06-16) On introduction of changes in volume VI of the Explanatory Notes to the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union |
| 31-08-16 | № 14 (30-08-16) About the glossary of terms used in the implementation of the Guidelines for the development of “one stop shop” mechanism in the system of foreign trade regulation |

Classification decisions adopted by the Commission and preliminary decisions adopted by the States-Members

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 1 September 2016. The table, which contains over 22,000 records, lists the tariff codes, a description, rationale (GRIs) for the decision.

Belarus

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through July 2016. It may be searched by tariff code or description (in Russian).

Russian Federation

Preliminary decisions on tariff classification

The Federal Customs Service (FCS) has a [searchable on-line database of preliminary decisions on tariff classification](#). The database has been updated through 1 September 2016. It may be searched by tariff code, description (in Russian) or note number.

Legislation (acts, resolutions, orders, etc.)

The following Russian Federation (RF) Acts, Government Resolutions/Decrees (*Постановление Правительства*) (GR), Federal Customs Service (FCS) Orders and other pieces of legislation were published in the *Rossiyskaya Gazeta* or posted on the Official Portal for Legal Information ([Официальный интернет-портал правовой информации](#)) during the period of coverage of this Update. The italicized portions are summaries inserted by the Official Portal:

| Date | Subject |
|----------|--|
| 01-08-16 | Government Resolution № 732 of 1 Aug. 2016 “On amendments to some acts of the Russian Federation” (<i>in particular, changes in the resolution of the Government of the Russian Federation from January 1, 2016 number 1 “On measures to implement from 1 January 2016 number 1 of the Russian Federation Presidential Decree” On measures to ensure the economic security and national interests of the Russian Federation in international transit of goods from the territory of Ukraine to the Republic of Kazakhstan through the territory of the Russian Federation “ The international transit road and rail transport of goods from the territory of Ukraine to the Republic of Kazakhstan and the Kyr-</i> |

| Date | Subject |
|----------|--|
| | guz Republic through the territory of Russian Federation carried out only from the territory of the Republic of Belarus with the application to the cargo spaces (compartments) of vehicles and rolling stock, premises, containers and other places where there are or may be goods, means of identification (seals), including operating on the basis of GLONASS technology as well as the presence of the drivers of vehicles engaged in road transport of accounting vouchers) |
| 02-08-16 | Government Resolution № 742 of 2 Aug. 2016 "On Amendments to the Regulations on the Ministry of Industry and Trade of the Russian Federation" (expand the powers of the Ministry of Industry and Trade of the Russian Federation. The Ministry also carries purpose of imported goods confirmation) |
| 09-08-16 | Government Resolution № 763 of 9 August 2016 "On Amendments to the Regulations on the Ministry of Agriculture of the Russian Federation" (expand the powers of the said Ministry. The Ministry also takes the form of and procedure for issuing permits for the import of breeding production (material) and is responsible for issuing permits for the import of breeding production (material)) |
| | Government Resolution № 768 of 9 Aug. 2016 "On establishing the kinds of works on quarantine phytosanitary decontamination" (The following types of work: work for the destruction or deprivation of the viability of pests of quarantine products, or (c) the quarantine facilities thermal method, the work of destruction or deprivation of the viability of pests of quarantine products or (c) the quarantine facilities by lowering the temperature (refrigeration); work on the removal or deprivation of the viability of pests of quarantine products, or (c) the regulated objects by the impact of a vacuum, etc. This decree shall enter into force 180 days after its official publication). |
| 10-08-16 | Government Resolution № 782 of 10 Aug. 2016 "On Amendments to the Resolution of the Russian Government dated 31 July 2015 № 774" (Amendments to the Resolution of the Russian Government dated 31 July 2015 № 774 "On Approval of the Rules of the destruction of agricultural products, raw materials and food included in the list of agricultural products, raw materials and food, originating in the United States, European Union countries, Canada, Australia, UK, Norway, Ukraine, the Republic of Albania, Montenegro, the Republic of Iceland and Liechtenstein and who until August 5, 2016 (inclusive) are prohibited import to the Russian Federation." The validity of the said Regulation was extended until 31 December 2017) |
| 11-08-16 | Government Resolution № 787 of 11 Aug. 2016. "The pilot project for the introduction of labeling control (identification) signs on the heading" Articles of apparel, clothing accessories and other articles of fur "and the annulment of the decision of the Russian Federation on March 24, 2016 № 235" (approved by the rules governing the procedure for the implementation of the pilot project on the introduction of marking with control (identification) signs on the heading "articles of apparel, clothing accessories and other articles of fur" products included in the list of goods subject to control labeling (identification) signs. on the period of the pilot project for the introduction of labeling control (identification) signs on the heading "articles of apparel, clothing accessories and other articles of fur" operator information resource labeling control (identification) signs posted in the information and telecommunication network "Internet "is the Federal Tax Service of Russia. FTS of Russia asked to identify an organization that provides for the period of the pilot project the function of issuer control (identification) marks, on the assumption that: the cost of taking into account the value-added tax sewn control (identification) signs up to 15 rubles, the adhesive control (identification) signs - up to 15 rubles, the applicator (hinged) control (identification) of the mark - up to 22 rubles; Shipping issuer control (identification) signs to addresses located in the administrative centers of the Russian Federation, carried out free of charge, and if the delivery address is not located in the administrative center for the delivery fee will be charged according to the rates of the carrier) |
| 17-08-16 | Federal List of Extremist Materials |
| | Organizations and individuals included in the list of organizations and individuals, in respect of which there is evidence of their involvement in extremist activities or terrorism, pursuant to subparagraphs 1 - 3 of paragraph 2.1 of Article 6 of the Federal Law of 07.08.2001 N 115-FZ "On Counteracting |

| Date | Subject |
|----------|---|
| | <p>the legalization (laundering) of proceeds from crime and terrorist financing Organizations and individuals included in the list of organizations and individuals, in respect of which there is evidence of their involvement in extremist activities or terrorism, pursuant to subparagraphs 1 - 3 of paragraph 2.1 of Article 6 of the Federal Law of 07.08.2001 N 115-FZ "On Counteracting the legalization (laundering) of proceeds from crime and terrorist financing " Federal List of Extremist Materials</p> |
| 13-08-16 | <p>Government Resolution № 792 of 13 August 2016 "On the order of the state quarantine phytosanitary control (supervision) at checkpoints across the state border of the Russian Federation" (State control is exercised by the Federal Service for Veterinary and Phytosanitary Supervision and its territorial bodies, as well as the customs authorities in respect of the inspection documents for regulated products . at checkpoints state control at border crossing points is carried out in order to verify the compliance of regulated products phytosanitary requirements of the state - a member of the Eurasian economic Union in whose territory the site is located completion of customs clearance inspection has been done in relation to regulated products of high phytosanitary risk, as well as in relation to regulated products. low phytosanitary risk, its packaging, if their inspection discovered organisms are similar in morphology to the quarantine objects, the symptoms of plant diseases or signs of damage of regulated products by quarantine objects. The Federal Service for Veterinary and Phytosanitary Supervision and Federal Customs Service in the exercise of state control in check points perform information interaction (exchange of information (data), and (or) documents) including the use of information systems and technologies)</p> |
| 15-08-16 | <p>Government Resolution № 797 of 15 Aug. 2016 "On Amendments to the rates of export customs duties on goods exported from the Russian Federation outside the States - parties to the agreements on the Customs Union"</p> |
| 18-08-16 | <p>Government Resolution № 810 of 18 Aug. 2016 "On approval of the Rules of the foreign economic activity in the case of certain types of controlled products regime unlicensed export" (The Rules establishing the order of the Russian legal entities included in the register of the Russian participants of foreign economic activity, are allowed to carry out unlicensed export of certain types of controlled goods, foreign trade operations, providing for the export of certain types of controlled goods from the Russian Federation to foreign countries, which in accordance with the decrees of the President of the Russian Federation subject to the regime of unlicensed export. a prerequisite for the implementation of unlicensed exports of controlled items is the presence of Russian authorized organization of the document confirming the country of origin of those goods, as well as the identification report confirming that they belong to certain types of controlled goods in respect of which installed unlicensed exports of controlled goods mode)</p> |
| 19-08-16 | <p>Pres. Decree № 418 of 19 Aug. 2016 "The special representative of the President of the Russian Federation on trade and economic relations with Ukraine" (DV Livanov appointed Special Representative of the President of the Russian Federation on trade and economic relations with Ukraine) Order of the Russian Federation №1742-r dated August 19, 2016 (About the negotiation of the Protocol between the Federal Customs Service (Russian Federation) and the Customs Administration of the Republic of Macedonia on the exchange of documents and information about the customs value of goods transported between the Russian Federation and the Republic of Macedonia)</p> |
| 20-08-16 | <p>Government Resolution № 825 of 20 August 2016 "On Amendments to the list of technological equipment (including accessories and spare parts), analogues of which are produced in the Russian Federation, whose import into the Russian Federation shall not be subject to value added tax" Government Resolution № 826 of 20 August 2016 "On Amendments to the list of goods that are essential to the internal market of the Russian Federation in respect of which temporary restrictions or export bans can be established in exceptional cases" (In the above list included unwrought lead)</p> |
| 22-08-16 | <p>Russian Federation Government Resolution №832 of August 22, 2016 "On restrictions of admission of certain types of food products originating from for-</p> |

| Date | Subject |
|----------|---|
| | <p>eign countries for the purpose of procurement for state and municipal needs" (Approved list of certain types of food products originating from foreign countries in respect of which are set tolerance limits for procurement purposes for state and municipal needs. it was found that for the purposes of the procurement of certain types of foods included in the list, the customer declines to participate in the competitive ways of determining suppliers all applications (final sentence) to participate in the definition of the supplier, containing proposals for the supply of food products originating from foreign countries (with the exception of states - members of the Eurasian economic Union), provided that participation in the definition of the supplier filed not less than 2 satisfying the requirements of the notice on the implementation of the procurement and (or) the documentation on the purchase orders, which simultaneously: include proposals for the supply of species food products that are the subject of procurement and included in the list of the country of origin are the states - members of the Eurasian economic Union; does not contain proposals for the supply of the same type of food the same manufacturer)</p> |
| 24-08-16 | <p>Presidential Decree №425 from 24 August 2016 "On a property contribution of the Russian Federation to the State Corporation for Assistance to Development, Production and Export of Advanced Technology Industrial Product" Ros-tec "and to amend the list of strategic enterprises and strategic joint-stock companies, approved by Presidential Decree of August 4, 2004 № 1009" (a proposal of the Government of the Russian Federation on the transformation of the federal state unitary Enterprise "Russian scientific center" Applied chemistry "(St. Petersburg), a joint stock company, 100 percent of the shares of which are federal property and transferred as a property contribution of the Russian state Corporation for Assistance developing, producing and exporting high technology industrial products "Rostec." From the section 1 of the list of strategic enterprises and strategic joint-stock companies excluded "Russian Research center" Applied chemistry ", St. Petersburg)</p> |
| 25-08-16 | <p>Presidential Decree №430 from 25 August 2016 "On amendments to some acts of the Russian Federation President" (In particular, the amendments to the Regulations on the Administration of the President of the Russian Federation, approved by Presidential Decree of April 6, 2004 number 490. The structure of the Administration also includes the special representative of the Russian President on the issues of environmental activities, the environment and transport and the special representative of the President of the Russian Federation on trade and economic relations with Ukraine)</p> |
| 26-08-16 | <p>Federal List of Extremist Materials</p> <p>Presidential Decree №440 from 26 August 2016 "On Amendments to Certain Russian Federation President acts on issues of military-technical cooperation between the Russian Federation and foreign states" (in particular, changes in the annex to the Regulation on the procedure of granting Russian organizations the right to conduct foreign trade in military goods, approved by Decree President of Russian Federation on September 10, 2005 number 1062. So, to prepare for the consideration of the management company providing integrated structure, which is a joint-stock company, the right to exercise foreign trade activity in respect to military products must be submitted to the federal executive body, the sphere activities which it applies, the following documents: an extract from the register of shareholders of the company, containing the information supporting the finding of at least 51 percent of the shares of the company in federal ownership and (or) property of the State Corporation for Assistance to development, production and export of Advanced Technology industrial product "Rostec" and the remaining shares owned by Russian legal entities and individuals, as well as the absence of sold and alienated in any other way of shares or the shares transferred as collateral and asset management to foreign states, international organizations, foreign legal entities and individuals, as well as Russian legal entities and natural persons, on which are listed the subjects of their affiliates; Russian Central Bank document on state registration of the issue (additional issue) of securities with indication in it assigned to the individual state registration number; documents confirming the possibility of the management company of an integrated structure (its subsidiary) to determine the decisions taken by the organizations - the developers and manufacturers of</p> |

| Date | Subject |
|------|--|
| | <i>military products, stocks (shares) of which are in the authorized capital of the management company of the integrated structures)</i> |

Africa

Senegal

Senegal ratifies TFA

The WTO [announced](#) that Senegal has ratified the *WTO Trade Facilitation Agreement* (TFA). Senegal deposited its instrument of ratification on 24 August, becoming the 11th least developed country (LDC) to do so. Senegal submitted its [Category A](#) notification to the WTO on 27 October 2014, outlining which substantive provisions of the TFA they intend to implement upon entry into force of the Agreement.

South Africa

South African Customs and Excise Act Amendments of Rules and Tariff Schedules

| Publication Date | Publication Details | Subject | Implementation Date |
|------------------|---------------------|--|---------------------|
| 05-08-16 | GG.40190 R.900 | Amendment of Part 1 of Schedule No. 1, by the substitution of tariff heading 17.01 to reduce the rate of customs duty on sugar from 239.5c/kg to 144.33c/kg – ITAC Minute 03/2016 <ul style="list-style-type: none"> Notice R.900 | 05-08-16 |
| 12-08-16 | GG.40204 R.912 | Amendment of Part 1 of Schedule No. 2, by the termination of anti-dumping duties on bolts and nuts of iron or steel originating in or imported from the People's Republic of China - ITAC Report 528 <ul style="list-style-type: none"> Notice R.912 | |
| 22-08-16 | GG.40223 R.939 | Amendment of Part 1 of Schedule No. 1, by the substitution of tariff heading 1001.9 and 1101.00 to increase the rate of customs duty on wheat and wheaten flour from 122.43c/kg and 183.65c/kg to 159.14c/kg and 238.71c/kg respectively - ITAC Minute 02/2016 <ul style="list-style-type: none"> Notice R939 | 22-08-16 |
| 26-08-16 | GG.40230 R.961 | Amendment of Part 1 of Schedule No. 1, by the substitution, insertion and deletion of various tariff subheadings in tariff headings 87.03 and 87.04 to reduce the rate of customs duty on diesel goods vehicles not exceeding 1 100 kg; petrol and electric passenger vehicles not exceeding 800 kg and electric goods vehicles not exceeding 800 kg, from 25% to free of duty. <ul style="list-style-type: none"> Notice R.961 See also the consequential amendments below (Notice R.962 and Notice R.963) – ITAC Report 519 | 26-08-16 |
| | GG.40230 R.962 | Part 2B of Schedule No. 1 is amended as a consequence of the amendment in Notice R.961 – ITAC Report 519 <ul style="list-style-type: none"> Notice R.962 | |
| | GG.40230 | Part 2B of Schedule No. 6 is amended as a con- | |

| Publication Date | Publication Details | Subject | Implementation Date |
|------------------|---------------------|--|---------------------|
| | R.963 | sequence of the amendment in Notice R.961 – ITAC Report 519 <ul style="list-style-type: none"> • Notice R.963 | |

Other African Countries

| Date | Subject |
|-------------------|--|
| Seychelles | |
| 11-04-16 | S.I. 18 of 2016 Customs Management (Tariff and Classification of Goods) (Amendment) Regulations, 2016 |
| Zimbabwe | |
| 10-06-16 | S.I. № 56 of 2016 Animal Health (Import)(Amendment) Regulations, 2016 (No.6) |
| 17-06-16 | S.I. № 62 of 2016 Customs and Excise (Furniture Manufacturers)(Rebate)(Amendment) Regulations, 2016 (No.1) |
| 22-06-16 | S.I. № 64 of 2016 Control of Goods (Open General Import Licence)(No. 2)(Amendment) Notice, 2016 (No.8) |
| 15-07-16 | S.I. № 73 of 2016 Customs and Excise (Suspension)(Amendment) Regulations, 2016 (No. 149) |

Trade compliance enforcement actions - import, export, IPR, FCPA

The links below will take you to official press releases and summaries of administrative and judicial trade compliance enforcement actions (arrests, indictments, penalties, seizures, convictions, debarments, etc.) involving U.S. and foreign import, export, FCPA/anti-bribery, IPR border enforcement and related matters. Child pornography, controlled substance and currency related seizures and arrests will not be listed, unless connected to trade violations. [Foreign government cases are preceded by the letter (F) in parenthesis].

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.); FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General Services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; TSA= Transportation Security Admin. USCG= US Coast Guard; USPIS=Postal Inspection Service; USDA= US Department of Agriculture; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs.]

| Date of Release | Subject |
|-----------------|--|
| 08-03-16 | 4 Colorado men charged in counterfeit Denver Broncos merchandise scheme (ICE, Colorado) |
| 08-04-16 | Authorities seize more than 3,000 counterfeit items in northern Indiana (ICE, Ind. State Police, South Bend PD) |
| 08-05-16 | Very Incognito Technologies, Inc., doing business as Vipvape [File No. 1623034, Docket No. C-4580] (FTC) |
| 08-15-16 | Pennsylvania man convicted in Houston of distributing counterfeit Viagra and Cialis prescription drugs (ICE, FDA, DOJ) |

| Date of Release | Subject |
|-----------------|---|
| 08-19-16 | In the Matter of: Walter Anders and Terand, Inc. Denial of Export Privileges (BIS) California Woman Sentenced to 50 Months in Prison for Conspiring to Illegally Export Fighter Jet Engines and Unmanned Aerial Vehicle to China (DOJ, ICE, DoD) |
| 08-22-16 | CBP Stops Time for Counterfeit Smartwatches (CBP) CBP officers seize counterfeit goods at Rainer rail facility (CBP) |
| 08-23-16 | 4 former executives sentenced for illegally exporting weapons parts (DOJ, ICE, ATF, DoD) |
| 08-30-16 | Former Eugene couple sentenced for selling, distributing bootlegged DVDs (DOJ, ICE, CBP, Private party) |
| 08-31-16 | Former station chief for international air carrier charged with smuggling, obstruction of justice and wire fraud (ICE, FBI, TSA) |

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [July 2016 Global VAT/GST Newsletter](#) provides a quick update into important developments in the field of VAT/GST across the globe. In order to maximize the effectiveness of this newsletter to you, most articles are brief and are designed to flag topics that are likely to affect multi-national businesses. Contacts for the Global VAT/GST Newsletter are:

- Jochen Meyer-Burrow, Partner, jochen.meyer-burrow@bakermckenzie.com
- Martin Morawski, Associate, martin.morawski@bakermckenzie.com

Publications, Alerts, Newsletters

The following Baker & McKenzie publications, client alerts, legal alerts or newsletters released during the period of coverage of this *Update* may be of interest to you:

| Subject |
|--|
| International Trade, Tax and Anti-corruption |
| Global: August 2016 International Trade Compliance Update Newsletter {Older issues} |
| Mexico International Trade & Customs Legal Alert: Special Economic Zones ("ZEE") (Eng.); Zonas Económicas Especiales ("ZEE") (Span.) |
| Mexico International Trade & Customs Legal Alert: Provisional anti-dumping duties imposed on imports of Chinese and Taiwanese coated flat-rolled steel (Eng.); Se imponen cuotas compensatorias provisionales a las importaciones de aceros planos recubiertos originarios de China y del Taipei Chino (Span.) |
| Mexico International Trade & Customs Legal Alert: Extension of anti-dumping duty imposed on imports of US liquid caustic soda (Eng.); Se prorroga vigencia de cuota compensatoria impuesta a las importaciones de sosa cáustica líquida, originarias de EUA (Span.) |
| Buenos Aires Tax Alert: Regulation of the Tax Amnesty Program and Voluntary Disclosure of Unreported Assets Located in Argentina and Abroad (The "Plan") (Eng.); Regulación del Régimen de Sinceramiento Fiscal Que Contempla Un Sistema Voluntario y Excepcional de Declaración de Tenencia de Moneda Nacional, Extranjera y Demás Bienes en el País y en el Exterior (El "Plan") (Span.) |
| Buenos Aires Banking Alert: Extended Terms to Repatriate Export Proceeds (Eng.); Amplían Plazo Para Ingresar Divisas De Exportaciones (Span.) |
| Kyiv Banking and Finance Client Alert: Ukraine: Central Bank Eases Certain Restrictions on Export-Import Transactions (Eng.); Україна: Національний банк послаблює деякі обмеження щодо експортно-імпорتنних операцій (Ukr.); Украина: Национальный банк ослабляет некоторые ограничения относительно экспортно-импортных операций |

| Subject |
|--|
| (Rus.) |
| Other areas |
| Global Information Technology & Communications Industry & Practice Group LEGALBytes August 2016 Newsletter |
| EMEA Healthcare Industry Group Newsletter –August 2016 |
| Buenos Aires Consumer Law Alert: Obligation of Publishing the Pre-formulated Standard Agreements on Web Site (Eng.); Obligación de Publicar en Sitio Web Los Contratos de Adhesión (Span.) |
| Buenos Aires Antitrust Alert: The Argentine Antitrust Commission Initiates an Investigation Against Credit Card Issuers (Eng.); La CNDC Abre Investigación Contra Emisores de Tarjetas de Crédito (Span.) |
| Kyiv Employment & Migration Client Alert: Amendments to the Order on Issuance of Permanent and Temporary Residence Permits (Eng.); Зміни у Порядку оформлення посвідок на постійне та тимчасове проживання (Ukr.); Изменения в Порядке оформления свидетельств на постоянное и временное проживание (Rus.) |
| Kyiv Employment & Migration Client Alert: Attention Employers: Changes of Law Regarding ID Documents (Eng.); До уваги роботодавців: зміни в законодавстві щодо документів, які посвідчують особу (Ukr.); К сведению работодателей: изменения законодательства о документах, удостоверяющих личность (Rus.) |
| Kyiv Banking and Finance Client Alert: Ukraine: Central Bank Eases Cross-Border Payments for Services and Works (Eng.); Україна: Національний банк спрощує проведення платежів за кордон з оплати робіт та послуг (Ukr.); Украина: Национальный банк упрощает проведение операций с нерезидентами по оплате работ и услуг (Rus.) |
| London Digital Media Alert – July 2016 |
| Turkey Capital Markets Legal Alert: Turkish Capital Markets Association Establishing Arbitration Panels for OTC Disputes |

Webinars, Meetings, Seminars, Etc.

Annual International Trade and Anti-Bribery Conferences

27 - 29 September 2016 - London
 3 & 4 November 2016 – Amsterdam
 15 & 16 November 2016 – Santa Clara

For in-house legal counsel and compliance professionals

These conferences in London, Amsterdam and Santa Clara will provide a practical overview of significant developments in the Anti-Bribery and International Trade arena, and the implications for your company's compliance programme and procedures. As usual, you will hear from our experts from across the globe. Further details for each conference are provided below. In addition, the London conference will include a day devoted to Brexit issues.

London - Annual International Trade, Brexit and Anti-Bribery Conference 27 - 29 September 2016

The London event will be held at Baker & McKenzie, 100 New Bridge Street
 London EC4V 6JA

Brexit Seminar - Tuesday 27 September, 8.30 am – 5.00 pm

The first day of our conference will focus on the impact following the UK's decision to vote to leave the EU. The morning session will commence with an update on the latest trade-related developments concerning Brexit. An expert panel will then assess the implications of the potential trading models that are open to the UK and EU-27, with a view to highlighting both the challenges and opportunities

businesses are likely to face with respect to the free movement of goods and services across borders.

Baker & McKenzie's London trade team is the UK's largest and leading international trade team, being the only team to be ranked number one in the Legal 500 for Trade, WTO, and Anti-Dumping for the past 15 years. In addition, Baker & McKenzie's London trade team's Customs practice is the only team to hold a tier one ranking, with a strong set of dedicated experts. The UK team is in turn supported by the world's largest group of trade lawyers covering all regions. With impact on trading relations being at the core of the Brexit agenda, our team is well placed to guide you through the challenges and opportunities that Brexit offers multinational companies.

Please [click here](#) for the full agenda.

Trade Sanctions, Export Controls and Customs Seminar - Wednesday 28 September, 9.00 am – 5.30 pm

This year's trade sanctions and export controls session will update delegates on key recent developments in EU, UK, US and international export controls and trade sanctions, including an extensive assessment of the JCPOA sanctions relief agreement with Iran.

This year's customs session will update delegates on the implications and continuing challenges that have arisen through the implementation of the Union Customs Code (UCC). In addition to a panel discussion on some of the key issues traders are facing under the UCC, there will be a focused discussion on the impact of transfer pricing on customs valuation. Moving away from the UCC, the final discussion of the day will focus on the pros and cons of disclosing customs violations around the world, with an emphasis on the UK, EU, US, and Asia Pacific.

Please [click here](#) for the full agenda.

Anti-Bribery and Corruption Seminar - Thursday 29 September, 8.30 am – 4.30 pm

The final day of our conference will focus on anti-bribery and corruption. Representatives from our London, New York and Washington, D.C. offices will bring delegates up to speed on recent developments in the UK and the US. They will be joined by colleagues from Baker & McKenzie's Asia and Russia offices who will provide first-hand insights into the tools and approaches that are required to mitigate the risk of rising domestic enforcement of anti-bribery laws in these key markets. An expert panel will address the expectations of regulators and best-practice approaches to managing interactions with them.

Please [click here](#) for the full agenda.

We hope that you will be able to join us for what will be an interesting and fruitful three days. If you would like to attend, click the button below:

Accept

For further information relating to the London event please contact Kate.Bullard@bakermckenzie.com

Please register as soon as possible as places are limited.

A formal confirmation confirming your place, including final details, will be sent to you two weeks before the conference. Please do not make any travel arrangements until your place has been confirmed as the event is commonly oversubscribed.

Should you prefer to attend our trade conferences in **Amsterdam** or **Santa Clara** instead, you can obtain additional information on these conferences via the contacts set out below.

Amsterdam - Annual International Trade & Compliance Conference 3 & 4 November 2016

For more information about this conference, please contact:

[Claudia Wehmeijer](#), Events Manager, T:+ 31 20 551 7481

Santa Clara (Silicon Valley) - A Year-End Review of Import/Export Developments - 15 & 16 November 2016

For more information about this conference, please [see details on the first page of this Update](#).

Webinar: Key Criteria Used by Enforcement Agencies in the US, Spain and Elsewhere to Evaluate Compliance Programs

As enforcement increases globally, regulators and prosecutors are placing a greater emphasis on the existence of effective compliance programs that can help companies detect and prevent wrongdoing. The US Department of Justice recently hired a compliance counsel to evaluate if a corporate compliance program is “robust or a mere window dressing” and other jurisdictions are taking similar measures.

In some jurisdictions, having a robust corporate compliance program provides for an affirmative defense available to negate liability. Even if a company is charged, having such a program in place generally serves as a mitigating factor in most regimes. It is therefore critical to implement a compliance program that meets the requirements of enforcement agencies and regulators.

This webinar will cover the most recent pronouncements by regulators and enforcers in the US, Spain and elsewhere, and provide practical insights on how to apply these principles across a wide range of business sectors and jurisdictions. Our experienced compliance practitioners and in-house counsel will:

- provide a general overview of key elements

Date:

Wednesday, September 21, 2016

Time:

11:00 am – 12:00 pm

[REGISTER TODAY](#)

CLE Information

Approved for 1.0 California general CLE credit, 1.0 Illinois general CLE credit, 1.0 New York areas of professional practice CLE credit, and 1.0 Texas general CLE credit. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.

Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This program may earn newly admitted New York attorneys credit under Areas of Professional Prac-

- of “robust” global compliance programs;
- discuss the compliance evaluation metrics set by the new US Department of Justice compliance counsel;
- address the criteria applied by regulators to company compliance programs in other countries;
- focus on Spain’s recent recommendations for evaluating compliance programs, as issued by the Spanish General Prosecutor; and
- provide an in-house counsel’s perspective on addressing government requirements for effective compliance programs.

tice. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.

Speakers:

Michael LeClair, International Compliance and Governance Lawyer - Alliance One, Durham, North Carolina

Rafael Jiménez-Gusi, Partner – Baker & McKenzie, Barcelona, Spain

Brian Whisler, Partner/Co-Chair, North American Government Enforcement Practice – Baker & McKenzie, Washington, DC

2016 International Trade Compliance Webinar Series

Our 13th annual, International Trade Compliance Webinar Series entitled, [“TPP and New Developments in Global Trade”](#) has been completed. It had several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA. Terrie Gleason, a partner in our Washington, DC office and Co-Chair of the Firm’s Global Customs and FTA Practice Group moderated these webinars.

All webinars run approximately 90 minutes. If you missed a webinar, wish to see it again or want to download a presentation, you may so at [this new link](#) or by clicking the blue title below which indicates the material has been posted. Due to a redesign of our website, **previous links are no longer valid**.

Recorded Webinars:

| Date | Topic |
|--------------------------|---|
| Presented January 26 | Overview of the Trans-Pacific Partnership (TPP) Speakers: Frederick Burke (Ho Chi Minh City), Miguel Noyola (Chicago), Eugene Lim (Singapore), and Elizabeth Nightingale (Kuala Lumpur). |
| Presented February 16 | The Trans-Pacific Partnership (TPP) and Labor and Environment Speakers: Frederick Burke (Ho Chi Minh City) and Thuy Hang Nguyen (Ho Chi Minh City). |
| Presented March 29 | Customs Considerations in Free Trade Agreements, Including TPP and NAFTA Speakers: Adriana Ibarra (Mexico City), Stuart Seidel (Washington, DC), and Meredith DeMent (Washington, DC). |
| Presented April 19 | The Latest on Trade Sanctions: Iran, Russia, and Other Developments Speakers: Steven Hill (Washington, DC), Philippe Reich (Zurich), Alexander Bychkov (Moscow), and Ben Smith (London). |
| Presented May 24 | Cuba Sanctions Developments and Updates Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt). |
| Presented June 21 | FCPA Considerations Arising in Import/Export Operations Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong). |

Presented [Update on Customs Valuation Issues Around the World – Transfer Pricing, First Sale, Royalties](#) Speakers: Paul Burns (Toronto), Nicole Looks (Frankfurt), Jennifer Revis (London), and Eugene Lim (Singapore).

Practice Group Co-Chair: Teresa A. Gleason, Co-Chair, Global Customs and FTA Practice (Washington, DC), Tel: +1 202 452 7030, teresa.gleason@bakermckenzie.com

Questions: If you have any questions regarding this webinar series, please contact:

Sal Gonzalez, Business Development Specialist, Tel: +1 202 835 1661 or sal.gonzalez@bakermckenzie.com.










MCLE Credit:


























Approved for 1.5 California general CLE credits, 1.5 Illinois general CLE credits, 1.5 New York areas of professional practice CLE credits, and 1.5 Texas general CLE credit. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.



















Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This nontransitional program is not appropriate for newly admitted New York attorneys. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE. *Pending* - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.














WTO TBT Notifications

Member countries of the World Trade Organization (WTO) are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. This chart summarizes notifications in English posted by the WTO during the past month. If you are interested in obtaining copies of any of these notifications, please contact stuart.seidel@bakermckenzie.com who will try to obtain the text. Some notifications are only available in the official language of the country publishing the notification. *Note: All dates are given as mm/dd/yyyy; National flags are not scaled for relative comparison.*




























| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|--------------|-------------|-------------------------|---|
|  Afghanistan | AFG/1 | 08/09/2016 | Not given | Portland Cement (HS: 252310), Steel for reinforced concrete (plain bars and ribbed bars) (ICS: 77.140.60, HS: 721310) and non-load bearing concrete masonry (HS: 681011) [AF TR 1] |
|  Afghanistan | AFG/2 | 08/09/2016 | Not given | Gasoline for vehicle (2710.1220); Gasoil (diesel) (2710.1910); Kerosene (2710.1930) |
|  Albania | ALB/81 | 08/04/2016 | 10/03/2016 | Seeds of oil and fibre plants |
|  Bahrain, Kingdom of | BHR/447 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bahrain, Kingdom of | BHR/448 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bahrain, Kingdom of | BHR/449 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bahrain, Kingdom of | BHR/450 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs |















| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|----------------|-------------|-------------------------|---|
| | | | | and pharmaceutical products. |
|  Bahrain, Kingdom of | BHR/451 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  Bolivia | BOL/3/Add.2 | 06/17/2016 | Not given | Processes in the food industry |
|  Brazil | BRA/534/Add.2 | 07/29/2016 | Not given | Refrigerating/freezing equipment |
|  Brazil | BRA/560/Add.4 | 07/29/2016 | Not given | Transmission apparatus incorporating reception apparatus (HS 8525.20), Television |
|  Brazil | BRA/569/Add.4 | 07/29/2016 | Not given | Water dispensers (HS 8516) |
|  Brazil | BRA/685 | 07/29/2016 | 08/25/2016 | Soundproofing or thermal insulation construction materials of any kind |
|  Brazil | BRA/368/Add.4 | 08/03/2016 | Not given | Wheat |
|  Brazil | BRA/365/Add.1 | 08/11/2016 | Not given | Surgical and non-surgical gloves under sanitary control |
|  Brazil | BRA/686 | 08/11/2016 | 09/28/2016 | HS Chapter 28 (Inorganic chemicals; organic or inorganic compounds) and Chapter 29 (Organic chemicals) Inorganic chemicals; organic or inorganic compounds of precious metals, of rare- earth metals, of radioactive elements or of isotopes (HS: 28), organic chemicals (HS: 29) |
|  Brazil | BRA/687 | 08/11/2016 | 09/6/2016 | Procedures for import and export of goods and products destined to scientific or technologic research and to research involving humans |
|  Brazil | BRA/688 | 08/11/2016 | Not given | Specific medicines |
|  Brazil | BRA/474/Add.6 | 05/19/2016 | Not given | Baby carriages (HS 8715) |
|  Brazil | BRA/507/Add.3 | 06/13/2016 | Not given | Personal care products, cosmetics and perfumes for children |
|  Brazil | BRA/676/Corr.1 | 06/13/2016 | Not given | Animal Products (HS 0511) |
|  Chile | CHL/309/Add.1 | 07/29/2016 | Not given | Vacuum cleaners |
|  Chile | CHL/338/Add.1 | 07/29/2016 | Not given | Lights for vehicles |
|  Chile | CHL/368 | 07/29/2016 | 09/27/2016 | Lights for vehicles |
|  Chile | CHL/369 | 07/29/2016 | 09/27/2016 | Lights for vehicles |
|  Costa Rica | CRI/160/Add.1 | 08/02/2016 | Not given | Formulated synthetic pesticides |
|  Costa Rica | CRI/161 | 08/11/2016 | 10/08/2016 | Packaged water |
|  Czech Republic | CZE/184/Add.1 | 08/10/2016 | Not given | Animal feeding stuffs |
|  Czech Republic | CZE/185/Add.1 | 08/11/2016 | Not given | Automatic weighing instruments - catch-weighing instruments |
|  Czech Republic | CZE/186/Add.1 | 08/10/2016 | Not given | Optical radiometers |
|  Czech Republic | CZE/187/Add.1 | 08/10/2016 | Not given | Automatic weighing instruments - discontinuous totalisers |
|  Czech Republic | CZE/188/Add.1 | 08/10/2016 | Not given | Automatic weighing instruments - instruments for weighing railway vehicles in motion |





















| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|---------------|-------------|-------------------------|---|
|  Ecuador | ECU/227/Add.2 | 08/05/2016 | Not given | Vacuum cleaners (HS 8508.11 and 8508.19) |
|  Ecuador | ECU/162/Add.2 | 08/29/2016 | Not given | Hand-held electric saws (HS 8467.22.00, 8467.29.00) |
|  Ecuador | ECU/226/Add.2 | 08/29/2016 | Not given | Lighting chains (HS 1005.90.11, 1005.90.12, 1005.90.20, 1005.90.30, 1005.90.40, and 1005.90.90) |
|  Egypt | EGY/1/Add.1 | 08/15/2016 | Not given | Food products |
|  Egypt | EGY/2/Add.1 | 08/15/2016 | Not given | Food products |
|  Egypt | EGY/59/Add.1 | 08/12/2016 | Not given | Wood based panels |
|  Egypt | EGY/74/Add.2 | 08/15/2016 | Not given | Fish products |
|  Egypt | EGY/93/Add.1 | 08/15/2016 | Not given | Non-alcoholic beverages |
|  Egypt | EGY/156 | 08/15/2016 | 10/14/2016 | Television |
|  Egypt | EGY/157 | 08/15/2016 | 10/14/2016 | Household and similar electrical appliances |
|  Egypt | EGY/158 | 08/15/2016 | 10/14/2016 | Lamps and related equipment |
|  Egypt | EGY/159 | 08/15/2016 | 10/14/2016 | Lamps, LED modules |
|  Egypt | EGY/160 | 08/15/2016 | 10/14/2016 | Mechanical vibrations and shock |
|  Egypt | EGY/161 | 08/15/2016 | 10/14/2016 | Mechanical vibrations and shock (ICS: 27.040; 17.160; 29.160.40) |
|  Egypt | EGY/162 | 08/15/2016 | 10/14/2016 | MRLs of pesticide residues in food and feed, pesticides and other agrochemicals in general |
|  Egypt | EGY/153 | 08/12/2016 | 10/11/2016 | Hospital equipment |
|  Egypt | EGY/154 | 08/12/2016 | 10/11/2016 | Technical and environmental specification for ovens used for charcoal production |
|  Egypt | EGY/155 | 08/12/2016 | 10/11/2016 | Organic detergent disinfectants for vegetables and fresh fruits |
|  El Salvador | SLV/183 | 08/25/2016 | 10/24/2016 | Organic agricultural products |
|  El Salvador | SLV/184 | 08/25/2016 | Not given | 11.120.01 |
|  European Union | EU/398 | 07/29/2016 | 09/27/2016 | Hazardous substances |
|  European Union | EU/399 | 08/05/2016 | 10/04/2016 | Waste |
|  European Union | EU/243/Add.1 | 08/18/2016 | Not given | Children's toys |
|  European Union | EU/400 | 08/22/2016 | 10/21/2016 | Hazardous substances |
|  Guatemala | GTM/91 | 08/11/2016 | 10/10/2016 | Pharmaceutical and related products |
|  Indonesia | IDN/98/Add.2 | 08/02/2016 | Not given | · Meat of bovine (HS: Ex 02.01.20.00.00; ex 02.01.30.00.00; ex 02.02.20.00.00; ex 02.02.30.00.00; 02.06.10.00.00; ex 02.06.21.00.00; ex 02.06.29.00.00); · Carcass and/or meat of non bovine, and processed meat (HS: 02.03.11.00.00; 02.03.12.00.00; 02.03.19.00.00; 02.03.21.00.00; 02.03.22.00.00; 02.03.29.00.00; 02.04.10.00.00; |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|---------------|-------------|-------------------------|---|
| | | | | 02.04.21.00.00; 02.04.22.00.00; 02.04.23.00.00; 02.04.30.00.00; 02.04.41.00.00; 02.04.42.00.00; 02.04.43.00.00; ex 02.04.50.00.00; ex 02.07.11.00.00; Ex 02.07.12.00.00; ex 02.07.24.00.00; ex 02.07.25.00.00; ex 02.07.41.00.00; Ex 02.07.42.00.00; ex 02.08.90.90.00); - Processed meat (HS: Ex 16.01.00.10.00; Ex 16.01.00.90.00; Ex 16.02.10.10.00; Ex 16.02.10.90.00; Ex 16.02.20.00.00; 16.02.41.10.00; 16.02.41.90.00; 16.02.42.10.00; 16.02.42.90.00; 16.02.49.11.00; 16.02.49.19.00; 16.02.49.91.00; 16.02.49.99.00; 16.02.50.00.00; 16.02.90.10.00; Ex 16.02.90.90.00) |
|  Israel | ISR/666/Add.3 | 07/29/2016 | Not given | Mattresses (HS 9404.21) |
|  Japan | JPN/532 | 08/26/2016 | Not given | Substances with probable effects on the central nervous system |
|  Kazakhstan | KAZ/7/Add.1 | 08/10/2016 | Not given | Toys (HS 9503-9508) |
|  Kenya | KEN/493 | 07/29/2016 | 08/21/2016 | Butter and other fats and oils derived from milk (HS 0405) |
|  Kenya | KEN/494 | 07/29/2016 | 08/21/2016 | Palm stearin |
|  Kenya | KEN/495 | 07/29/2016 | 08/21/2016 | Groundnuts for oil extraction |
|  Kenya | KEN/496 | 07/29/2016 | 08/21/2016 | Edible oils and fats |
|  Kenya | KEN/497 | 07/29/2016 | 08/21/2016 | Timber treatment plants |
|  Korea, Republic of | KOR/394/Add.2 | 07/29/2016 | Not given | Tobacco products |
|  Korea, Republic of | KOR/662 | 07/29/2016 | 09/27/2016 | EMC (Electromagnetic Compatibility) |
|  Korea, Republic of | KOR/663 | 07/29/2016 | 09/27/2016 | Pharmaceuticals |
|  Korea, Republic of | KOR/664 | 07/29/2016 | 09/27/2016 | Alcoholic beverage products (HS Code: 2203-2208). Beer made from malt (HS: 2203), Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS: 2204), Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances (HS: 2205), Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non- Alcoholic beverages, not elsewhere specified or included (HS: 2206), Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength (HS 2207), Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages (HS: 2208) |
|  Korea, Republic of | KOR/665 | 07/29/2016 | 09/27/2016 | UHD broadcasting equipment |




| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|---------------|-------------|-------------------------|---|
|  Korea, Republic of | KOR/666 | 08/16/2016 | 10/15/2016 | Herbal Medicine & Herbal Medicine Preparations |
|  Korea, Republic of | KOR/667 | 08/25/2016 | 09/21/2016 | Cosmetics |
|  Korea, Republic of | KOR/668 | 08/25/2016 | 10/24/2016 | Cosmetics |
|  Kuwait | KWT/329 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Kuwait | KWT/330 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Kuwait | KWT/331 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Kuwait | KWT/332 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  Kuwait | KWT/333 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  Malaysia | MYS/69 | 08/25/2016 | 10/24/2016 | Liquid-filled type electric heating bag, cushion, pillow, pouch or pad |
|  Mexico | MEX/316 | 08/03/2016 | Not given | Petrochemicals (heading 27.11) |
|  Mexico | MEX/150/Add.1 | 08/15/2016 | Not given | Combat and control of bark insects in plants |
|  Oman | OMN/267 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Oman | OMN/268 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Oman | OMN/269 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Oman | OMN/270 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  Oman | OMN/271 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  Philippines | PHL/195 | 08/05/2016 | 09/04/2016 | Steel pipes; deformed steel bars; rerolled steel bars; equal-leg angle bars; flat glass; cement |
|  Qatar | QAT/443 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Qatar | QAT/444 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Qatar | QAT/445 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Qatar | QAT/446 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  Qatar | QAT/447 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  Russian Federation | RUS/72 | 05/25/2016 | 07/29/2016 | Combustible gas, prepared for transportation and (or) use |
|  Saudi Arabia | SAU/951 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Saudi Arabia | SAU/950 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Saudi Arabia | SAU/949 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Saudi Arabia | SAU/952 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  Saudi Arabia | SAU/953 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|----------------|-------------|-------------------------|--|
|  South Africa | ZAF/206 | 08/25/2016 | 10/24/2016 | Medium voltage cables |
|  Sri Lanka | LKA/34 | 08/29/2016 | Not given | Valves |
|  Taiwan Economy | TPKM/241 | 08/03/2016 | 10/02/2016 | Soy sauce products |
|  Taiwan Economy | TPKM/242 | 08/03/2016 | 10/02/2016 | Senna products |
|  Taiwan Economy | TPKM/243/Add.1 | 08/11/2016 | Not given | Fuel powered motorcycles |
|  Taiwan Economy | TPKM/243 | 08/10/2016 | 10/09/2016 | Fuel powered motorcycles |
|  Thailand | THA/479/Corr.1 | 08/03/2016 | Not given | 3D printing machine, rapid prototyping machine, additive manufacturing machine |
|  Thailand | THA/480 | 08/18/2016 | 10/17/2016 | Plugs, socket-outlets, couplers (HS Chapter 8536) |
|  Thailand | THA/445/Add.1 | 08/26/2016 | Not given | Fluorescent lamps, Discharge lamps (HS 8539) |
|  Trinidad and Tobago | TTO/115 | 08/29/2016 | 10/28/2016 | Self-ballasted LED lamps |
|  Trinidad and Tobago | TTO/116 | 08/29/2016 | 10/28/2016 | Electric cables - Low voltage energy cables of rated voltages up to and including 450/750 V (Uo/U) - Cables for general applications - Single core non-sheathed cables with thermoplastic PVC insulation |
|  Turkey | TUR/76 | 07/29/2016 | 09/01/2016 | Food additives, food enzymes and food flavourings |
|  Turkey | TUR/77 | 07/29/2016 | 09/01/2016 | Food enzymes |
|  Turkey | TUR/78 | 07/29/2016 | 09/01/2016 | The addition of vitamins and minerals and of certain other substances to food |
|  Uganda | UGA/542 | 07/29/2016 | 10/01/2016 | Fresh pineapples |
|  Uganda | UGA/543 | 07/29/2016 | 10/01/2016 | Avocados |
|  Uganda | UGA/544 | 07/29/2016 | 10/01/2016 | Tomato products, canned tomatoes. Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS 2002) |
|  Uganda | UGA/545 | 08/02/2016 | 10/01/2016 | Tomato sauce, tomato ketchup (HS 210320) |
|  Uganda | UGA/546 | 08/02/2016 | 10/01/2016 | Tomato juice (HS 200950) |
|  Uganda | UGA/547 | 08/02/2016 | 10/01/2016 | Tomato paste, tomato puree |
|  Uganda | UGA/548 | 08/02/2016 | 10/01/2016 | Fresh tomatoes (HS 0702) |
|  Uganda | UGA/549 | 08/02/2016 | 10/01/2016 | Passion fruits |
|  Uganda | UGA/550 | 08/02/2016 | 10/01/2016 | Fresh mangoes (HS 0804, 080450) |
|  Uganda | UGA/551 | 08/02/2016 | 10/01/2016 | Fresh potato tuber (HS 0701, 071010, 200410, 200520) |
|  Uganda | UGA/552 | 08/02/2016 | 10/01/2016 | Fresh carrots (HS 0706, 070610) |
|  Uganda | UGA/553 | 08/02/2016 | 10/01/2016 | Fresh sweet bananas (HS 0803, 080300) |
|  Uganda | UGA/554 | 08/02/2016 | 10/01/2016 | Chilli sauce: Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard (HS 2103) |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|--------------|-------------|-------------------------|--|
|  Uganda | UGA/555 | 08/02/2016 | 10/01/2016 | Fresh onions (HS 071220) |
|  Uganda | UGA/556 | 08/10/2016 | 11/01/2016 | Groundnuts for oil extraction. Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder (HS: 12), Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken (HS: 1202). Ground-nuts (HS: 200811) |
|  Uganda | UGA/557 | 08/10/2016 | 11/01/2016 | Palm stearin. Lard stearin, lard oil, oleostearin, oleo-oil and tallow oil, not emulsified or mixed or otherwise prepared (HS: 1503), Palm kernel or babassu oil and fractions thereof: (HS: 15132) |
|  Uganda | UGA/558 | 08/10/2016 | 11/01/2016 | Raw groundnuts, roasted groundnuts. Ground-nuts, not roasted or otherwise cooked, whether or not shelled or broken (HS: 1202), Nuts, ground-nuts and other seeds, whether or not mixed together: (HS: 20081), Ground-nuts (HS: 200811) |
|  Uganda | UGA/559 | 08/10/2016 | 11/01/2016 | Blended edible oils. Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes (HS: 15) |
|  Uganda | UGA/560 | 08/10/2016 | 11/01/2016 | Palm olein. Palm oil and its fractions, whether or not refined, but not chemically modified (HS: 1511) |
|  Uganda | UGA/561 | 08/10/2016 | 11/01/2016 | Fat spreads, blended spreads. Oil seeds and oleaginous fruits; miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder (HS: 12), Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading 15.16 (HS: 1517) |
|  Uganda | UGA/562 | 08/10/2016 | 11/01/2016 | Crude palm oil, semi refined palm oil. Crude oil (HS: 150810) |
|  Uganda | UGA/563 | 08/10/2016 | 11/01/2016 | Edible fats, edible oils. Animal or vegetable fats and oils and their cleavage products; prepared edible fats; animal or vegetable waxes (HS: 15), Margarine; edible mixtures or preparations of animal or vegetable fats or oils or of fractions of different fats or oils of this Chapter, other than edible fats or oils or their fractions of heading 15.16 (HS: 1517) |
|  Uganda | UGA/564 | 08/10/2016 | 10/09/2016 | Maize (corn) (HS: 1005) |
|  Uganda | UGA/565 | 08/19/2016 | 11/04/2016 | Insecticide treated mosquito nets |
|  Uganda | UGA/566 | 08/19/2016 | 11/04/2016 | Textiles, used textile products |
|  Uganda | UGA/567 | 08/19/2016 | 11/04/2016 | Cotton khanga, Containing 85% or more by weight of cotton (HS 520710) |
|  Uganda | UGA/568 | 08/19/2016 | 11/04/2016 | Knitted polyester/cellulosic, Woven fabrics obtained from high tenacity yarn of nylon or other polyamides or of polyesters (HS 540710) |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|----------------------|-------------|-------------------------|---|
|  Uganda | UGA/569 | 08/19/2016 | 11/04/2016 | Sanitary towels, Disposable Sanitary towels |
|  United Arab Emirates | ARE/324 | 08/03/2016 | 10/02/2016 | Food products in general |
|  United Arab Emirates | ARE/325 | 08/03/2016 | 10/02/2016 | Food products in general |
|  United Arab Emirates | ARE/326 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United Arab Emirates | ARE/327 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United Arab Emirates | ARE/328 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United Arab Emirates | ARE/329 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  United Arab Emirates | ARE/330 | 08/25/2016 | 10/24/2016 | Road vehicles in general |
|  United Arab Emirates | ARE/331 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  United States | USA/622/Add.2 | 08/03/2016 | Not given | Prepackaged food (HS 2101-2106) |
|  United States | USA/661/Add.6/Corr.1 | 08/03/2016 | Not given | Non-compressor residential refrigeration products (HS 8418) |
|  United States | USA/942/Add.1/Corr.1 | 08/03/2016 | Not given | Refrigeration products (HS 8418) |
|  United States | USA/1054/Add.1 | 08/05/2016 | Not given | Organic food |
|  United States | USA/1066/Add.1 | 08/03/2016 | Not given | Peanuts |
|  United States | USA/1071/Add.2 | 08/03/2016 | Not given | Grain standards |
|  United States | USA/1164/Corr.1 | 08/03/2016 | Not given | Fuel tanks |
|  United States | USA/1170 | 08/03/2016 | 09/26/2016 | Cylinders containing hazardous materials |
|  United States | USA/1171 | 08/03/2016 | 09/26/2016 | Chemical substances |
|  United States | USA/1172 | 08/03/2016 | 08/08/2016 | Natural gas |
|  United States | USA/1173 | 08/03/2016 | 09/27/2016 | Hazard materials. Transport (ICS: 03.220), Protection against dangerous goods (ICS: 13.300) |
|  United States | USA/1174 | 08/03/2016 | 09/30/2016 | Potatoes |
|  United States | USA/1175 | 08/03/2016 | 08/26/2016 | Ferroalloys emissions |
|  United States | USA/1176 | 08/03/2016 | Not given | Petroleum refinery emissions |
|  United States | USA/1079/Add.1 | 08/11/2016 | Not given | Foods produced with genetic engineering |
|  United States | USA/1133/Add.1 | 08/10/2016 | Not given | Commercial water heating equipment |
|  United States | USA/1136/Add.1 | 08/11/2016 | Not given | Fuel economy advertising |
|  United States | USA/1143/Add.2 | 08/11/2016 | Not given | Hydrogen chloride emission monitoring |
|  United States | USA/1177 | 08/08/2016 | Not given | Fruits and vegetables |
|  United States | USA/1178/Add.1 | 08/11/2016 | Not given | Portland cement manufacturing emissions |
|  United States | USA/1178 | 08/08/2016 | 08/24/2016 | Portland cement manufacturing emissions |
|  United States | USA/1179/Add.1 | 08/11/2016 | Not given | Fiberglass boat manufacturing emissions |
|  United States | USA/1179 | 08/08/2016 | 08/31/2016 | Fiberglass boat manufacturing emissions |
|  United States | USA/1180 | 08/10/2016 | Not given | Buses |
|  United States | USA/1181 | 08/10/2016 | 10/04/2016 | Uninterruptible power supplies |
|  United States | USA/926/Add.3/Corr.1 | 08/19/2016 | Not given | Air conditioning and heating equipment |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|----------------------|-------------|-------------------------|--|
| | | | | (HS 8415) |
|  United States | USA/963/Add.2/Corr.1 | 08/19/2016 | Not given | Commercial warm air furnaces |
|  United States | USA/1007/Add.2 | 08/19/2016 | Not given | Aircraft emissions |
|  United States | USA/1148/Add.1 | 08/19/2016 | Not given | Portable air conditioners |
|  United States | USA/1181/Corr.1 | 08/19/2016 | Not given | Uninterruptible power supplies |
|  United States | USA/1182 | 08/19/2016 | Not given | Neurological Devices |
|  United States | USA/1183 | 08/19/2016 | Not given | Gastroenterology-Urology devices |
|  United States | USA/552/Add.6/Corr.1 | 08/22/2016 | Not given | Air conditioners, heat pumps (HS 8415.10, 8418.61) |
|  United States | USA/622/Add.3 | 08/22/2016 | Not given | Prepackaged food (HS 2101-2106) |
|  United States | USA/622/Add.4 | 08/22/2016 | Not given | Prepackaged food (HS 2101-2106) |
|  United States | USA/1105/Add.1 | 05/20/2016 | Not given | Closed cell foam products |
|  United States | USA/1113/Add.1 | 05/24/2016 | Not given | Electrical stimulation devices |
|  United States | USA/996/Add.2 | 08/24/2016 | Not given | Residential dehumidifiers |
|  United States | USA/1098/Add.1 | 08/24/2016 | Not given | Carbon monoxide alarms and detectors |
|  United States | USA/1140/Add.1 | 08/24/2016 | Not given | Lower energy consumption requirements |
|  United States | USA/1144/Add.1 | 08/24/2016 | Not given | Chemical bulk storage |
|  United States | USA/787/Add.3 | 08/26/2016 | Not given | Conventional cooking products |
|  United States | USA/996/Add.1/Corr.1 | 08/26/2016 | Not given | Residential dehumidifiers |
|  United States | USA/1146/Add.1 | 08/26/2016 | Not given | Fireworks and related explosive materials |
|  United States | USA/1184 | 08/26/2016 | 09/23/2016 | Chemical substances |
|  Viet Nam | VNM/83/Add.1 | 07/04/2016 | Not given | Product and goods in general |
|  Viet Nam | VNM/19/Add.2 | 08/25/2016 | Not given | Alcohol (HS 2204, 2205, 2206, 2207, 2208) |
|  Viet Nam | VNM/86 | 08/26/2016 | 10/25/2016 | Alcohol |
|  Yemen | YEM/49 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Yemen | YEM/50 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Yemen | YEM/51 | 08/11/2016 | 10/10/2016 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Yemen | YEM/52 | 08/18/2016 | 10/17/2016 | All product categories except food, drugs and pharmaceutical products. |
|  Yemen | YEM/53 | 08/25/2016 | 10/24/2016 | Quick frozen lobsters |
|  Zambia | ZMB/57 | 08/26/2016 | 10/25/2016 | Aviation turbine fuel (Jet A-1) |
|  Zambia | ZMB/49 | 08/18/2016 | 10/17/2016 | Fertilizers |
|  Zambia | ZMB/50 | 08/18/2016 | 10/17/2016 | Elements of buildings |
|  Zambia | ZMB/51 | 08/18/2016 | 10/17/2016 | Protection against fire |
|  Zambia | ZMB/52 | 08/18/2016 | 10/17/2016 | Protection against fire |
|  Zambia | ZMB/53 | 08/18/2016 | 10/17/2016 | Protection against dangerous goods |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|--------------|-------------|-------------------------|------------------------------------|
|  Zambia | ZMB/54 | 08/18/2016 | 10/17/2016 | Protection against dangerous goods |
|  Zambia | ZMB/55 | 08/18/2016 | 10/17/2016 | Protection against dangerous goods |
|  Zambia | ZMB/56 | 08/18/2016 | 10/17/2016 | Sugar |

CBSA Advance Rulings

The following table lists [advance rulings](#) posted by the Canada Border Services Agency (CBSA) during the period covered by this Update. In September of 2014, the CBSA enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the CBSA Web site.

It is important to note that rulings are binding only between the CBSA and the applicant. While posted rulings are for reference purposes only, they provide meaningful guidance and help other importers in complying with Canada's trade legislation. Click on the "Merchandise" listing to see full text of the posted ruling.

| Date | TRS Number | Merchandise | Tariff Classification and Basis |
|----------|------------------------|--|---|
| 09-21-15 | 271732 | Banana flavoured milk drink | 2202.90.49.20 [GIR 1, 6] |
| 10-20-15 | 271834 | Boogie Board™ 8.5 LCD eWriter, model WT13150 | 8543.70.00.00 [GIR 1, 3(b), 6; Gen. EN (X) to GRI 3(b)] |
| 10-20-15 | 272114 | Bovine Colostrum Powders | 3002.10.00.59 [GIR 1, 6] |
| 01-07-16 | 272834 | Bra and panty hanger, HG-001 | 3923.90.90.90 [GIR 1, 6] |
| 11-17-15 | 272338 | Ceramic Tower Heater, model # PTC-2000BR | 8516.21.00.00 [GIR 1, 6; EN (B)(1) to 85.16] |
| 12-01-15 | 271951 | Chaoyang model CR960A (vulcanized) rubber tire mounted on model JG28SW61X steel wheel | 8716.90.30.00 [GIR 1, 3(c), 6, CR 1; Sec. XVII, Note 3] |
| 10-06-15 | 271081 | CorLiving LOF-209-0 office chair | 9401.30.90.90 [GIR 1, 6] |
| 09-04-15 | 270498 | Diluent for heavy crude oil | 2710.12.90.99 [GIR 1, 3(c), 6; EN 27.10] |
| 09-21-15 | 271654 | Heelys Roller Skate Shoes, style "motion", STK#770167 | 9506.70.12.00 [GIR 1, 6; LN 1(f) to Chap. 64] |
| 10-07-15 | 271767 | Jacket style 00SKAL 0845N D-JIM | 6201.92.90.40 [GIR 1, 3(b), 6] |
| 12-01-15 | 271774 | Knit Top style 00SKY3 0LAIT UFTK-PUSHYA | 6109.10.00.29 [GIR 1, 6; Note 5 to Chap. 61, EN 61.09] |
| 09-04-15 | 271304 | M1-870-P, a single-stage preset regulator with a CGA-870 yoke connection and a horizontal outlet | 8481.80.00.93 [GIR 1, 6; EN 84.81] |
| 09-04-15 | 271271 | MG-C-7 medical oxygen regulator gauge | 9026.20.00.90 [GIR 1, 6; EN to 90.26] |
| 11-03-15 | 272472 | PE tarpaulin in a roll | 3921.90.00.10 [GIR 1, 6; Note 1(h) to Sec. XI and Note 2 to Chap. 59] |
| 01-07-16 | 272722 | PJ pant styles hanger, RHK-017 | 3923.90.90.90 [GIR 1, 3(b) and 6; GIR 5(b)] |
| 01-07-16 | 272912 | Sarcon Silicone Sheets, product numbers 07-61715A, 07-61716A and 07-61678B | 3919.90.00.90 [GIR 1, 6; LN 1 to Chap 39, EN39.19] |
| 09-21-15 | 271522 | Solitaire European Laminate Flooring | 4411.14.00.92 [GIR 1, 6; Heading Note (e) to 44.09, EN(2) to 44.12, EN 44.11] |
| 01-07-16 | 271536 | Surveyors Vest, Part No. BCNHTVSMOL | 6211.43.90.29 [GIR 1, 6; LN 8 to Chap. 62] |
| 09-04-15 | 270991 | Underfloor railcar hoist system | 8425.41.00.00 [GIR 1, 6; EN (7) to 84.25] |
| 11-16-15 | 272335 | X8-M, remote controlled drone helicopter for 3 dimensional mapping | 9006.30.90.00 [GIR 1, 3(b), 6; EN to GIR 3(b)] |

CBP Rulings: Downloads and Searches

As US Customs and Border Protection (CBP) issues several thousand rulings a year, it is not practical to list each ruling. However, almost all rulings issued by US Customs or CBP from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#). Over 190,000 such rulings are in the database.

CBP Rulings: Revocations or Modifications

The following table summarizes proposals made or actions taken that were published in the weekly [Customs Bulletin and Decisions](#) during the past month by US Customs and Border Protection pursuant to 19 U.S.C. §1625(c) to revoke or modify binding rulings or treatment previously accorded to substantially identical merchandise.


| Published in CBP Bulletin (P) Proposed (A) Action | Product(s) or Issue(s) | Ruling(s) to be Modified (M) or Revoked (R) | Old Classification or Position | New Ruling | New Classification or Position | Comments Due (C) or Effective Date (E) |
|---|--|--|--|------------|---|--|
| Proposals to Modify or Revoke | | | | | | |
| (P) 08-17-16 | Tariff classification of sheet straps | NY D84225 (R) | 7326.90.85 | HQ H058921 | 6307.90.9889 [GRI 1, Note 7 to Section X] | (C) 09-16-16 |
| | Tariff classification of plastic fiber optic products from Japan | NY N247006 (R) | 9001.10.00 | HQ H251018 | 8544.70.00 [GRI 1] | |
| | Tariff classification of photo-mask pellicles | HQ H055635 (R) HQ H055636 (R) HQ H031396 (R) NY N121378 (R) | 8486.90.00 | HQ H266971 | 3926.90.9995 [GRI 1, 3(b)] | |
| | Tariff classification of hole saw kits for door lockset installation | NY J82340 (M) | 8207 | HQ H251432 | 8202.99.00 [GRI 1, 3(b)] | |
| | Tariff classification of a battery powered transfer trolley | NY N274106 (R) | 8704.90.00 | HQ H275962 | 8709.11.00 [GRI 1, 6] | |
| (P) 08-24-16 | Tariff classification of inflatable aquatic articles for physical recreation. | NY K88277 (R) NY F84500 (R) NY N019683 (R) | 3926.90.75 3926.90.75 9506.29.0080 | HQ H225359 | 9506.99.6080 [GRI 1, 6] | (C) 09-23-16 |
| | Tariff classification of certain plastic sheets from China | NY N262339 (R) | 3921.12.1950 | HQ H264986 | 3921.12.1100 [GRI 1, 6] | |
| | Tariff classification of an air-craft engine [<i>Rolls Royce M250-C20B</i>] | NY N264006 (M) | 8411.81.8000 | HQ H266007 | 8411.81.40 [GRI 1, 6] | |
| | Tariff classification of NEXBTL Renewable Diesel | NY N250961 (R) | 3824.90.9290 | HQ H258443 | 2710.19.4590 [GRI 1; Note 2 to Chap 27] | |
| | Tariff classification of flavored teas [<i>Zen tea, Cucumber White Tea and Green Tea and Lemongrass</i>] | NY N004103 (M) NY N041686 (M) NY G87506 (R) | 2101.20.90 | HQ H260569 | 0902.10.10 [GRI 1, 6] | |
| | Tariff classification of a cam fastener and dowel composed of zinc | NY N259010 (R) | 9403.90.8041 | HQ H263900 | 7907.00.60 [GRI 1, 6] | |

| Published in CBP Bulletin (P) Proposed (A) Action | Product(s) or Issue(s) | Ruling(s) to be Modified (M) or Revoked (R) | Old Classification or Position | New Ruling | New Classification or Position | Comments Due (C) or Effective Date (E) |
|---|--|--|--|------------|---|--|
| | Tariff classification of hospital bed and chair mattresses | NY H87018 (R) NY E84866 (R) | 9402.90.0020 9402.90.0010 | HQ H276631 | 9404.21.0095 [GRI 1] | |
| Modifications and Revocations | | | | | | |
| (A) 08-17-16 | Tariff classification of Dion® 9100 | NY N051856 (R) | 3907.91.50 | HQ H116109 | 3907.20.00 [GRI 1,6] | (E) 10-17-16 |
| | Tariff classification of certain garment hangers | NY N255930 (R) | 3923.90.00 | HQ H258772 | 3923.90.00 [GRI 5(b)] | |
| | Tariff classification of a Snowman Gift Bag from China. | NY N050455 (R) | 4819.20.00 | HQ H058795 | 4819.40.00 [GRI 1, 6] | |
| | Tariff classification of printed circuit board switch assemblies | NY N202228 (M) | 8536.50.9031 | HQ H250002 | 8537.10.90 [GRI 1] | |
| (A) 08-24-16 | Tariff classification of JEFFAMINE® D-2000. | NY N255361 (R) | 3911.90.90 | HQ H262287 | 3907.20.00 [GRI 1] | (E) 10-24-16 |
| | Tariff classification of play tables with mobile seats | NY N074173 (M) | 9401.80.45 | HQ H166336 | 9503.00.0071 [GRI 1, 3(b)] | |
| | Tariff classification of hospital patient tops and shorts | NY N257998 (R) | 6206.40.30 6204.63.35 | HQ H262283 | 6204.23.0055 [GRI 1,6] 6404.23.0045 [GRI 1,6] | |
| | Tariff classification of jewelry charms containing cubic zirconia stones | NY N053948 (M) | 7117.19.90 | HQ H063616 | 7116.20.0580 [GRI 1] | |
| | Tariff classification of buffalo mozzarella. | NY 870353 (R) HQ 956094 (R) | 0406.90.80 | HQ H274747 | 0406.10.95 [GRI 1, 6] | |
| | Tariff classification of certain medical alert bracelets | NY G82337 (M) | 6117 and 6217 | HQ H253887 | 7117.90.90 [GRI 1,3(c), 6; Chap. 71 Notes] | |
| | Tariff classification of cow's milk mozzarella cheese | HQ 957175 (M) NY E83545 (M) NY J85348 (R) | 0406.90.95 | HQ H274749 | 0406.10.84 (in-quota) 0406.10.88 (out of quota) [EN 04.06] | |
| | Tariff classification of a gemscriptor | NY N210384 (R) | 8464.90.0120 | HQ H253888 | 8456.10.8000 [GRI 1] | |
| | Applicability of subheading 9802.00.50 to certain relabeled computer keyboards | NY L83879 (M) | Relabeling was not "repair or alteration" | HQ H268757 | Relabeling is a "repair or alteration" so that 9802.00.50 is applicable | |
| | Tariff classification of security analytics appliances | NY N213277 (R) NY N247242 (R) NY N247732 (R) | 8517.62.00 | HQ H271470 | 8543.70.9960 [GRI 1] | |
| | Tariff classification of ceramic dinnerware | HQ H169055 (M) [Item VE-9] HQ H226264 (M) [Items RO-5 & 12] | VE-9 & RO-5: 6911.10.10 RO-12: 6912.00.20 | HQ H252124 | VE-9 & RO-5: 6912.00.20 [GRI 1; EN] RO-12: 6911.10.10 [GRI 1; EN] | |
| | Tariff classification of certain plastic pipes | NY N235599 (M) | 3917.22.00 | HQ H260228 | 3917.40.00 [GRI 1, 6] | |
| | Tariff classification of a twin poster bed shipped complete or its headboard, footboard and side rails shipped separately from China | NY N220458 (M) | 9403.50.9045 | HQ H230217 | 9403.90.70 [GRI 1, 3(b), 6] when headboard, footboard and side rails are shipped separately | |

European Classification Regulations

The table below shows the Classification Regulations that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

| Commission Implementing Regulation | Description of the goods | Classification (CN code) | Reasons |
|--|--|--------------------------|---|
| (EU) 2016/1320 26-07-16 | <p>A mat and a 'special pen' put up together for retail sale.</p> <p>The mat is rectangular consisting of two layers of textile fabric which are hemmed together along the edges.</p> <p>The upper layer is a woven fabric of textile fibres having cartoon-like images printed along the edges. In the centre colourful prints are coated with a white chemical which becomes transparent when wet, making the colourful prints of the fabric visible e.g. wet fingers leave coloured traces. Once the textile material has dried up, the colours disappear under the white coating again.</p> <p>The 'special pen' of plastics is used for 'writing' on the mat through wetting the surface coating with its wet point. The 'special pen' is refillable with water.</p> <p>(See image)</p>  | 9503 00 70 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9503 and 9503 00 70 .</p> <p>The images printed on the edges of the mat and the colourful prints covered by the coating, as well as the 'special pen' that is used for 'writing' with water indicate that the articles are designed for the amusement of children (see also the Harmonized System Explanatory Notes to Chapter 95, General, first paragraph). The 'special pen' is not an accessory to the mat, because it serves the main function of the mat, i.e. 'writing' on the mat. It does not adapt the mat for a particular operation, nor does it increase its range of operations, or enable it to perform a particular service connected with the main function of the mat.</p> <p>Although the mat can be 'written' on by means other than the pen, the pen is nevertheless the principal means to write on the mat. The 'special pen' can therefore not be considered a minor negligible article within the meaning of the third paragraph of the Explanatory Notes to the Combined Nomenclature (CNEN) to subheading 9503 00 70 .</p> <p>Consequently, the 'special pen' is an individual article of equal importance to the mat and both articles are forming a set. The articles can be considered as put up in a set within the meaning of the wording of subheading 9503 00 70 , because they are different types of articles. If presented separately, they would be classified under different subheadings of the CN (see also the CNEN to subheading 9503 00 70 , first paragraph). Classification under subheading 9503 00 99 is therefore excluded.</p> <p>Consequently, the article is to be classified under CN code 9503 00 70 as 'other toys, put up in sets'.</p> |
| (EU) 2016/1321 26-07-16 | <p>An article (so-called 'hammock with frame'), with dimensions of approximately 230 × 140 × 205 cm. It consists of a triangular stand to be placed on the ground, made of metal (steel) bars, in which a reclining surface serving as a lying area is hung. The reclining surface measures 100 × 190 cm (W × L) and contains slight-</p> | 9403 20 80 | <p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, note 2 to Chapter 94, and by the wording of CN codes 9403 , 9403 20 and 9403 20 80 .</p> <p>Given its characteristics, namely its weight and inability to be easily disassembled, the article cannot be easily transported to be used when</p> |

| Commission Implementing Regulation | Description of the goods | Classification (CN code) | Reasons |
|--|---|--------------------------|--|
| | <p>ly curved rods on the long sides and straight rods on the narrow sides, which are fitted with a fabric covering. The article is equipped with a 'roof' of textile material and mosquito nets.</p> <p>The article weighs 45 kg and can cater for persons weighing up to 180 kg. It is made of weather resistant material, which signifies that the article is suitable for outdoor use. (See image)</p>  | | <p>going camping. Consequently, classification as camping goods under heading 6306 is excluded.</p> <p>The article is 'movable' and given its objective characteristics it is constructed for placing on the floor or ground. It is used, mainly with a utilitarian purpose, to equip outdoor areas such as gardens of private dwellings, hotels, restaurants etc. (see also the Harmonized System Explanatory Notes to Chapter 94, General, (A)). Consequently, the article is considered to be 'furniture' made of different materials and is to be classified under heading 9403 according to the material of which the support (frame) is made and which gives the article its essential character.</p> <p>The article is therefore to be classified under CN code 9403 20 80 , as other metal furniture.</p> |
| <p>(EU) 2016/1354 05-08-16</p> | <p>An article (so-called 'toner cartridge'), consisting of a rectangular plastic recipient with dimensions of approximately 11 cm × 11 cm × 7 cm filled with toner. On the outside the cartridge is provided with sprocket wheels specifically designed to be used in connection with certain mechanical parts of a specific printer. Inside, the cartridge is equipped with a rotating mechanism that works in conjunction with the sprocket wheels. When the toner cartridge is placed in a printer, the rotation prevents the toner from agglomerating. The cartridge has the capability of releasing the toner by electrostatic attraction.</p> | <p>8443 99 90</p> | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(b) to Section XVI and by the wording of CN codes 8443 , 8443 99 and 8443 99 90 .</p> <p>Classification under heading 3707 as a chemical preparation for photographic use is excluded as the cartridge comprises not only the toner but also mechanical components such as sprocket wheels and a rotating mechanism.</p> <p>The presence of the specific dedicated sprocket wheels identifies the cartridge as being intended for use in a specific printer. It is essential for the actual mechanical functioning of the printer as the mechanical parts of the printer work in conjunction with the mechanical parts of the cartridge and the printer could not function without this specific cartridge (see also WCO classification opinions 8443.99/2 and 8443.99/3).</p> <p>The article is therefore to be classified under CN code 8443 99 90 as a part of a printer.</p> |

Section 337 Actions

In the United States, section 337 of the Tariff Act of 1930 as amended (19 U.S.C. §1337) provides *in rem* relief from unfair practices in import trade, including unfair methods of competition in the importation of articles, importation and sale in the United States of articles which infringe US patents, registered trademarks, copyrights or mask works. Listed below are 337 actions published during the past month by the US International Trade Commission, the independent United States agency charged with enforcement of section 337.

| Inv. № | Commodity | Action |
|---|--|---|
| 337-TA-567 (Advisory Opinion Proceeding) | Certain Foam Footwear | Institution of an Advisory Opinion Proceeding based on a petition filed by Double Diamond Dist. Ltd. and U.S.A. Dawgs, Inc. as to whether "Fleece Dawgs" is covered by the exclusion order |
| 337-TA-794 | Certain Electronic Devices, Including Wireless Communication Devices, Portable Music and Data Processing Devices, and Tablet Computers | Sanction for Breaches of Administrative Protective Order |
| 337-TA-947 | Certain Light-Emitting Diode Products and Components Thereof | Notice of Request for Statements on the Public Interest |
| 337-TA-956 | Certain Recombinant Factor VIII Products | Determination To Review In Part a Final Initial Determination Finding No Violation of Section 337 and a Summary Determination; Schedule for Filing Written Submissions on One Issue Under Review and on Remedy, the Public Interest, and Bonding |
| 337-TA-962 | Certain Resealable Packages with Slider Devices | Commission Decision to Review-in Part an Initial Determination Finding no Violation of Section 337; On Review, to Modify-in-Part the Initial Determination and to Take no Position on One Issue; Affirmance of the Finding of no Violation and Termination of the Investigation |
| 337-TA-963 | Certain Activity Tracking Devices, Systems, and Components Thereof | Notice of Request for Statements on the Public Interest |
| 337-TA-967 | Certain Document Cameras and Software for Use Therewith | Issuance of a Limited Exclusion Order and Cease and Desist Order Against the Respondent Found in Default; Termination of the Investigation |
| 337-TA-993 | Certain Overflow and Drain Assemblies for Bathtubs and Components Thereof | Notice of the Commission's Determination Not to Review an Initial Determination Terminating Better Enterprise Co. Ltd. from the Investigation; Issuance of Consent Order; Termination of the Investigation |
| 337-TA-975 | Certain Computer Cables, Chargers, Adapters, Peripheral Devices and Packaging Containing the Same | Notice of the Commission's Determination Not to Review an Initial Determination Finding All Respondents in Default; Request for Written Submissions on Remedy, the Public Interest, and Bonding |
| 337-TA-991 | Certain Nanopores and Products Containing Same | Commission Determination Not to Review an Initial Determination Terminating the Investigation Based Upon Consent Order Stipulation and Proposed Consent Order; Issuance of Consent Order; Termination of the Investigation |
| 337-TA-1009 | Certain Inflatable Products with Tensioning Structures and Processes for Making the Same | Commission Determination Not to Review an Initial Determination Terminating the Investigation Based on a Consent Order Stipulation and Proposed Consent Order; Issuance of Consent Order; Termination of the Investigation |
| 337-TA-1011 | Certain Inkjet Printers, Printheads, and Ink Cartridges, Components Thereof, and Products Containing the Same | Commission's Determination Not to Review Initial Determinations Terminating Certain Respondents Based on Settlement and Withdrawal of the Complaint as to the Remaining Respondents; Termination of the Investigation |
| 337-TA-1015 | Certain Hand Dryers and Housings for Hand Dryers | Institution of Investigation based on a complaint filed on behalf of Excel Dryer, Inc. alleging trade dress infringement |
| 337-TA-1016 | Certain Access Control Systems and Components Thereof | Institution of Investigation based on a complaint filed on behalf of The Chamberlain Group, Inc. alleging patent infringement |
| 337-TA-1017 | Certain Quartz Slabs and Portions Thereof (II) | Institution of Investigation based on a complaint filed on behalf of Cambria company LLC alleging patent infringement |

In addition to the above actions, the ITC has published notices indicating that it has received complaints filed on behalf of the following companies alleging violations of §337 with regard to the listed commodities and soliciting comments on any public interest issues raised by the complaints:

| Ref. № | Commodity | Complaint filed on behalf of: |
|-------------------------|--|---|
| DN 3165 | Certain Industrial Control System Software, Systems Using Same, and Components Thereof | Rockwell Automation, Inc. |
| DN 3166 | Certain Athletic Footwear | Reebok International Ltd. and Reebok International Limited |
| DN 3167 | Certain Krill Oil Products and Krill Meal for Production of Krill Oil Products | Aker BioMarine Antarctic AS and Aker BioMarine Manufacturing, LLC |
| DN 3168 | Certain Personal Transporters, Components Thereof, and Packaging and Manuals Therefor | Segway Inc.; DEKA Products Limited Partnership and Ninebot (Tianjin) Technology Co., Ltd. |
| DN 3169 | Certain Sleep-Disordered Breathing Treatment Mask Systems and Components Thereof | ResMed Corp; ResMed Inc.; and ResMed Ltd. |

Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

In order to assist our clients in planning, we are listing antidumping, countervailing duty and safeguards notices published or posted during the past month from the US, Canada, Mexico, the EU, Australia, India, Brazil, and occasionally other countries. (Click on blue text for link to official document.)

Key: AD, ADD=antidumping, antidumping duty; CV, CVD=countervailing duty or subsidy; LTFV=less than fair value.



United States Department of Commerce, International Trade Administration (ITA)

| Case № | Merchandise/Country | Action |
|--|--|---|
| C-570-921 | Lightweight Thermal Paper From China | Notice of Rescission of CVD Administrative Review |
| A-533-824 | Polyethylene Terephthalate Film, Sheet, and Strip From India | Preliminary Results and Partial Rescission of ADD Administrative Review; 2014-2015 |
| C-570-050 | Ammonium Sulfate From China | Postponement of Preliminary Determination in the CVD Investigation |
| A-552-801 | Certain Frozen Fish Fillets From Vietnam | Notice of Correction of the ADD New Shipper Review Federal Register Notice |
| C-533-825 | Polyethylene Terephthalate Film, Sheet, and Strip From India | Preliminary Results and Partial Rescission of CVD Administrative Review; 2014 |
| A-570-601 | Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From China | Initiation of ADD New Shipper Review |
| C-570-968 | Aluminum Extrusions From China | Final Results of Expedited First Sunset Review of the CVD Order |
| A-570-967 | Aluminum Extrusions From China | Final Results of Expedited First Sunset Review of the ADD Order |
| A-507-502 | Certain In-Shell (Raw) Pistachios From Iran | Final Results of Expedited First Sunset Review of the ADD Order |
| A-570-947 | Certain Steel Grating From China | Final Results of the 2014-2015 AD Administrative Review |
| A-570-992 | Monosodium Glutamate From China | Preliminary Results of the ADD Administrative Review; 2014-2015 |
| A-580-885 | Phosphor Copper from S. Korea | Postponement of Preliminary Determination of ADD Investigation |
| A-570-967 C-570-968 | Aluminum Extrusions From China | Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision |
| A-570-851 | Certain Preserved Mushrooms From China | Preliminary Rescission of 2015 ADD New Shipper Review |
| A-428-840 | Lightweight Thermal Paper From Germany | Notice of Court Decision Not in Harmony with Amended Final Results and Notice of Second Amended Final Results of ADD Administrative Review; 2009-2010 |
| C-489-806 | Pasta From Turkey | Preliminary Results of CVD Administrative Review; 2014 |


United States Department of Commerce, International Trade Administration (ITA)

| Case No | Merchandise/Country | Action |
|---|---|---|
| A-475-703 | Granular Polytetrafluorethylene Resin From Italy | Final Results of Sunset Review and Revocation of ADD Order |
| A-570-970 | Multilayered Wood Flooring From China | Correction to the Final Results of ADD Administrative Review |
| A-570-506 | Porcelain-on-Steel Cooking Ware From China | Continuation of ADD Order |
| A-821-811 | Ammonium Nitrate From the Russian Federation | Final Results of Sunset Review and Revocation of ADD Order |
| C-351-846 | Certain Hot-Rolled Steel Flat Products From Brazil | Final Affirmative CVD Determination, and Final Determination of Critical Circumstances, in Part |
| C-580-884 | Certain Hot-Rolled Steel Flat Products From S. Korea | Final Affirmative CVD Determination |
| C-489-827 | Certain Hot-Rolled Steel Flat Products From Turkey | Final Affirmative CVD Determination |
| A-602-809 | Certain Hot-Rolled Steel Flat Products From Australia | Final Determination of Sales at LTFV |
| A-351-845 | Certain Hot-Rolled Steel Flat Products From Brazil | Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances, in Part |
| A-421-813 | Certain Hot-Rolled Steel Flat Products From the Netherlands | Final Determination of Sales at LTFV and Negative Final Determination of Critical Circumstances |
| A-580-883 | Certain Hot-Rolled Steel Flat Products From S. Korea | Final Determination of Sales at LTFV |
| A-489-826 | Certain Hot-Rolled Steel Flat Products From Turkey | Final Determination of Sales at LTFV |
| A-588-874 | Certain Hot-Rolled Steel Flat Products From Japan | Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances |
| A-412-825 | Certain Hot-Rolled Steel Flat Products From the United Kingdom | Final Determination of Sales at LTFV |
| A-570-849 | Certain Cut-to-Length Carbon Steel Plate From China | Results of AD Administrative Review, Preliminary Determination of No Shipments, in Part, and Partial Rescission; 2014-2015 |
| A-570-920 | Lightweight Thermal Paper From China | Preliminary Results of ADD Administrative Review; 2014-2015 |
| A-475-818 | Certain Pasta From Italy | Preliminary Results of ADD Administrative Review; 2014-2015 |
| A-583-837 | Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan | Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2014-2015 |
| A-821-801 | Solid Urea From the Russian Federation | Preliminary Results of ADD Administrative and New Shipper Reviews and Rescission of Administrative Review, in Part; 2014-2015 |
| A-570-983 | Drawn Stainless Steel Sinks From China | Final Results of ADD Administrative Review; Final Determination of No Shipments; 2014-2015 |
| A-475-820 A-588-843 A-580-829 A-469-807 A-583-828 | Stainless Steel Wire Rod From Italy, Japan, S. Korea, Spain, and Taiwan | Continuation (Japan, Korea, Taiwan) and Revocation (Italy, Spain) of ADD Orders |
| A-570-985 | Xanthan Gum From China | Preliminary Results of ADD Administrative Review, Preliminary Determination of No Shipments, and Preliminary Partial Rescission of ADD; 2014-2015 |
| A-533-869 | Certain New Pneumatic Off-the-Road Tires From India | Negative Preliminary Determination of Sales at LTFV and Postponement of Final Determination |
| A-570-929 | Small Diameter Graphite Electrodes From China | Rescission of ADD Administrative Review in Part; 2015-2016 |
| A-580-886 | Ferrovandium From S. Korea | Postponement of Preliminary Determination of ADD Investigation |
| A-570-028 | Hydrofluorocarbon Blends From China | ADD Order |
| A-351-849 | Emulsion Styrene-Butadiene Rubber From | Initiation of LTFV Investigations |


United States Department of Commerce, International Trade Administration (ITA)

| Case № | Merchandise/Country | Action |
|---|--|---|
| A-580-890 A-201-848 A-455-805 | Brazil, S. Korea, Mexico, and Poland | |
| A-570-036 | Certain Biaxial Integral Geogrid Products From China | Affirmative Preliminary Determination of Sales at LTFV, Affirmative Determination of Critical Circumstances, in Part, and Postponement of Final Determination |
| A-570-016 | Certain Passenger Vehicle and Light Truck Tires From China | Notice of Final Results of ADD Changed Circumstances Review |
| A-523-823 | Silicomanganese From India | Final Results No Shipment Determination of ADD Administrative Review; 2014-2015 |
| A-570-985 | Xanthan Gum From China | Rescission of 2014 - 2015 ADD New Shipper Review |
| A-351-602 A-588-602 A-583-605 A-549-807 A-570-814 | Carbon Steel Butt-Weld Pipe Fittings From Brazil, Japan, Taiwan, Thailand, and China | Continuation of ADD Orders |
| A-533-863 A-475-832 A-570-026 A-580-878 A-583-856 | Certain Corrosion-Resistant Steel Products From India, Italy, China, S. Korea, and Taiwan | Notice of Correction to the ADD Orders |
| A-570-983 | Drawn Stainless Steel Sinks From China | Notice of Court Decision Not in Harmony with Amended Final Determination Pursuant to Court Decision |
| A-570-001 | Potassium Permanganate From China | Final Results of ADD Administrative Review; 2014 |
| A-433-812 A-423-812 A-427-828 A-428-844 A-475-834 A-588-875 A-580-887 A-570-047 A-583-858 | Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, France, Germany, Italy, Japan, S. Korea, China, and Taiwan | Postponement of Preliminary Determinations of ADD Investigations |
| A-580-870 | Certain Oil Country Tubular Goods from S. Korea | Notice of Court Decision Not in Harmony with Final Determination |


United States International Trade Commission (USITC)

| Inv. № | Merchandise/Country | Action |
|---|---|---|
| 731-TA-825-826 | Certain Polyester Staple Fiber From Korea and Taiwan | (Third Review) Institution of Five-Year Reviews |
| 731-TA-718 | Glycine From China | (Fourth Review) Institution of a Five-Year Review |
| 731-TA-308-310 and 520-521 | Carbon Steel Butt-Weld Pipe Fittings From Brazil, China, Japan, Taiwan, and Thailand | (Fourth Review) Determinations that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. |
| 701-TA-540, 542-544 731-TA-1283, 1285, 1287, and 1289-1290 | Cold-Rolled Steel Flat Products From Brazil, India, Korea, Russia, and the United Kingdom | (Final) Supplemental Schedule for the Subject Investigations |
| 731-TA-1279 | Hydrofluorocarbon (HFC) Blends and Components from China | (Final) Determination that an industry in the United States is materially injured by reason of imports of HFC blends, that have been found by Commerce to be sold in |


United States International Trade Commission (USITC)

| Inv. № | Merchandise/Country | Action |
|---|--|---|
| | | the United States at LTFV. The Commission further determines that a U.S. industry is not materially injured or threatened with material injury by reason of imports of HFC components from China |
| 731-TA-1306 | Large Residential Washers From China | (Final) Scheduling of the Final Phase of an Antidumping Duty Investigation |
| 731-TA-1330 | Diocetyl Terephthalate (DOTP) From Korea | (Preliminary) Determination that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are alleged to be sold in the United States at LTFV |
| 701-TA-563 731-TA-1331-1333 | Finished Carbon Steel Flanges From India, Italy, and Spain | (Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are alleged to be sold in the United States at LTFV and that are alleged to be subsidized by the government of India |
| 731-TA-856 | Ammonium Nitrate From Russia | (Third Review) Termination of five-year review |
| 731-TA-385 | Granular Polytetrafluoroethylene Resin from Italy | (Fourth Review) Termination of five-year review |
| 731-TA-808 | Hot-Rolled Carbon Steel Flat Products from Russia | (Third Review) Scheduling of an expedited five-year review |


Canadian International Trade Tribunal (CITT)

| Ref. Number | Merchandise/Country | Action |
|-----------------------------|--|---|
| RR-2016-001 | <i>Dumping and subsidizing:</i> Oil country tubular goods pup joints, made of carbon or alloy steel, welded or seamless, heat-treated or not heat-treated, regardless of end finish, originating in or exported from China | Notice of Expiry Review of Findings |
| PI-2016-001 | Gypsum board originating in or exported from the USA | Preliminary Determination of Injury Reasons issued |
| PI-2016-002 | Certain hot-rolled deformed steel concrete reinforcing bar in straight lengths or coils, commonly identified as rebar, originating in or exported from Belarus, Chinese Taipei, the Hong Kong SAR, Japan, Portugal and Spain | Commencement of Preliminary Injury Inquiry |
| RD-2016-001 | <i>Dumping:</i> Certain carbon steel fasteners originating in or exported from China and Chinese Taipei. <i>Subsidizing:</i> Such products originating in or exported from China | Notice of Commencement of Interim Review |


Canada Border Services Agency (CBSA)

| Ref. Number | Merchandise/Country | Action |
|---|--|--|
| RR-2015-003 AD 1358 4366-45 4366-46 | Certain copper pipe fittings originating in or exported from the United States of America, S. Korea and China | Statement of Reasons Concerning an Expiry Review Determination |
| PJ 2016 ER RR-2016-001 | <i>Dumping and subsidizing:</i> Oil country tubular goods pup joints, made of carbon or alloy steel, welded or seamless, heat-treated or not heat-treated, regardless of end finish, originating in or exported from China | Initiation of Expiry Review Investigation |



NAFTA Panels

| Ref. Number | Merchandise/Country | Action |
|--------------------------------------|---|---|
| MEX-USA-2016-1904-01 | Ethylene glycol monobutyl ether, originating in the United States | Notice on the first application for review by a Panel |



Mexico - Ministry of Economy

| Ref. No | Merchandise/Country | Action |
|--------------------------------------|---|---|
| EC 10/15 | Epoxidized soybean originating in the United States, regardless of country of export | Final Resolution of the AD Review |
| EC 16/15 | Hydraulic cylinder type jacks originating in China, regardless of country of export | Final Resolution of the AD Review |
| Rec.Rev.18-14.2016-1 | Carbon steel welded longitudinal straight and helical pipe originating in the USA, Spain and t India, regardless of country of export | Resolution resolving the administrative appeal for revocation filed by the companies resolved Tubacero, S. de RL de CV and TUBESA, SA de CV against the Final Resolution of the ADD investigation |



European Union

| Ref. Number | Merchandise/Country | Action |
|--------------------------------|---|---|
| 2016/C 281/11 | Purified terephthalic acid and its salts originating in S. Korea | Notice of initiation of an AD proceeding |
| (EU) 2016/1328 | Certain cold rolled flat steel products originating in China and the Russian Federation | Commission Implementing Regulation imposing a definitive ADD and collecting definitively the provisional duty |
| (EU) 2016/1329 | Certain cold-rolled flat steel products originating in China and the Russian Federation | Commission Implementing Regulation levying the definitive ADD on the registered imports |
| (EU) 2016/1346 | Hand pallet trucks and their essential parts originating in China | Commission Implementing Regulation of 8 August 2016 extending the definitive ADD to imports of slightly modified hand pallet trucks originating in China |
| 2016/C 288/03 | Open mesh fabrics of glass fibres, originating in China | Notice of initiation of an expiry review of the AD measures |
| (EU) 2016/1356 | High tenacity yarn of polyesters originating in China | Commission Implementing Regulation amending Implementing Regulation (EU) No 1105/2010 imposing a definitive ADD and collecting definitively the provisional duty imposed and terminating the proceeding concerning imports originating in the Republic of Korea and Taiwan, amended by Implementing Regulation (EU) No 907/2011 |
| (EU) 2016/1357 | Certain heavy plate of non-alloy or other alloy steel originating in China | Commission Implementing Regulation making imports subject to registration |
| (EU) 2016/1360 | European sea bass and gilthead sea bream originating in Turkey | Commission Implementing Decision terminating the anti-subsidy proceeding |
| 2016/C 291/07 | Stainless steel cold-rolled flat products originating in Taiwan | Notice of reopening the AD investigation |
| (EU) 2016/1369 | Tubes and pipes of ductile cast iron (also known as spheroidal graphite cast iron) originating in India | Commission Implementing Regulation amending Implementing Regulation (EU) 2016/388 imposing a definitive ADD |
| (EU) 2016/1382 | Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China | Commission Implementing Regulation withdrawing the acceptance of the undertaking for five exporting producers offered in connection with the AD and anti-subsidy proceedings for the period of application of definitive measures |



European Union

| Ref. Number | Merchandise/Country | Action |
|--------------------------------|---|---|
| 2016/C 298/04 | Ironing boards originating in China | Notice concerning the anti-dumping measures in force: modification of the name of a company subject to an individual ADD rate |
| 2016/C 298/05 | Barium carbonate originating in China | Notice of initiation of an expiry review of the AD measures |
| (EU) 2016/1395 | Certain footwear with uppers of leather originating in China | Commission Implementing Regulation reimposing a definitive ADD and collecting definitely the provisional duty imposed on imports produced by Buckingham Shoe Mfg Co. Ltd, Buildyet Shoes Mfg., DongGuan Elegant Top Shoes Co. Ltd, Dongguan Stella Footwear Co. Ltd, Dongguan Taiway Sports Goods Limited, Foshan City Nanhai Qun Rui Footwear Co., Jianle Footwear Industrial, Sihui Kingo Rubber Shoes Factory, Synfort Shoes Co. Ltd, Taicang Kotoni Shoes Co. Ltd, Wei Hao Shoe Co. Ltd, Wei Hua Shoe Co. Ltd, Win Profile Industries Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14 |
| (EU) 2016/1402 | Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China | Commission Implementing Regulation withdrawing the acceptance of the undertaking for three exporting producers under Implementing Decision 2013/707/EU confirming the acceptance of an undertaking offered in connection with the AD and anti-subsidy proceedings for the period of application of definitive measures |



Australian Anti-Dumping Commission

| Ref. № | Merchandise/Country | Action |
|-------------------------|---|--|
| 2016/68 | Tomatoes from Italy | Findings in Relation to an Accelerated Review of Anti-Dumping Measures |
| 2016/69 | Chrome Bar from Italy | Part termination of investigation |
| 2016/72 | A4 Copy paper from China, Brazil, Indonesia and Thailand | Extension of time to publish the Statement of Essential Facts |
| 2016/73 | Clear Float Glass from China, Indonesia, Thailand | Extension of time granted to report to the Parliamentary Secretary |
| 2016/74 | Hollow Structural Sections from China, Korea, Taiwan and Malaysia | Expiry of Anti-Dumping Measures |
| 2016/75 | Aluminium Road Wheels from China | Expiry of Anti-Dumping Measures |
| 2016/76 | Tomatoes from Italy | Extension of time to publish the Statement of Essential Facts |
| 2016/77 | Aluminium Extrusions from Malaysia and Vietnam | Initiation of an Investigation into Alleged Dumping and Subsidisation |
| 2016/78 | Quicklime from Thailand and Vietnam | Extension of time to publish the Statement of Essential Facts |
| 2016/80 | Various | Status Report as at 31 July 2016 |
| 2016/86 | Zinc Coated (Galvanised) Steel from China and Taiwan | Initiation of Reviews of Measures |
| 2016/87 | Aluminium Zinc Coated Steel from China | Initiation of Reviews of Measures |



China Ministry of Commerce (MOFCOM)

| Ref. Number | Merchandise/Country | Action |
|-------------------------|--|---|
| 37/2016 | Fine terephthalic acid from S. Korea and Thailand | Final dumping review |
| 39/2016 | Catecol from USA | Solvay America Inc replacing Rhodia Co. |
| 42/2016 | Iron-based amorphous alloy strip from Japan and US | Preliminary ruling |


China Ministry of Commerce (MOFCOM)

| Ref. Number | Merchandise/Country | Action |
|-------------------------|-------------------------------|---|
| 41/2016 | Broiler chickens from the USA | Final countervailing review determination |


Government of India Ministry of Finance (Department of Revenue)

| Reference | Merchandise/Country | Action |
|-----------------------------------|---|---|
| 02/2016 Cus (SG) | Hot-rolled flat products of non-alloy and other alloy Steel in coils of a width of 600 mm or more | Amends notification No. 1/2016-Customs(SG) dated 29.03.2016 to prescribe import prices on CIF basis at or above which safeguard duty on subject goods will not be applicable |
| 36/2016 Cus (ADD) | Polytetrafluoroethylene (PTFE) originating in, or exported from, China PR | Extends the levy of ADD for a further period of one year i.e. up to and inclusive of 23.08.2017 |
| 37/2016 Cus (ADD) | Sewing machine needles originating in or exported from China PR | Amends notification No. 50/2011-Customs, dated 22.06.2011 to extend ADD |
| 38/2016 Cus (ADD) | Opal Glass Ware originating in or exported from China PR & UAE | Amends notification No. 103/2011-Customs, dated 23.11.2011 to extend ADD |
| 39/2016 Cus (ADD) | Sodium Nitrite, originating in, or exported from China | Extends the levy of ADD for a period of one year i.e. up to and inclusive of 16.08.2017 |
| 40/2016 Cus (ADD) | Rubber Chemicals, namely MBTS [Dibenzothiazole disulphide] originating in, or exported from, China | Extends the levy of ADD for a period of one year i.e. up to and inclusive of 19.10.2017 |
| 41/2016 Cus (ADD) | PVC Flex Film, originating in or exported from China | Finalizes the provisional assessments in respect of imports by M/s Haining Tianfu Warp Knitting Co. Ltd., PR China (Producer) and M/s Manna, Korea RP (Exporter), at rate of ADD imposed vide Notification No. 82/2011-Customs (ADD) dated 25.08.2011 [and extended vide Notification No. 43/2015-Customs (ADD) dated 18.08.2015] |
| 42/2016 Cus (ADD) | PVC Flex Film originating in or exported from China | Imposes ADD on the imports for a period of five years |
| 43/2016 Cus (ADD) | Viscose Staple Fibre excluding Bamboo Fibre originating in or exported from China and Indonesia | Imposes ADD on the imports for a period of five years |
| 44/2016 Cus (ADD) | Hot-rolled products of alloy or non-alloy steel imported from China, Japan, Korea RP, Russia, Brazil and Indonesia. | Levies provisional ADD |
| 45/2016-Cus (ADD) | Cold -rolled flat products of alloy or non-alloy steel originating in or exported from China, Japan, Korea RP and Ukraine | Lievies provisional ADD |
| 46/2016-Cus (ADD) | Caustic Soda, originating in, or exported from Chinese Taipei | Extends the levy of ADD for a period of one year i.e. upto and inclusive of 22-08-17 |
| 47/2016-Cus (ADD) | 1-Phenyl-3-Methyl-5-Pyrazolone originating in, or exported from, China | Extends the levy of ADD for a period of one year i.e. upto and inclusive of 23-08-17 |


Brazil Ministry of Development, Industry and Trade

| Reference | Merchandise/Country | Action |
|------------------------------------|--|---|
| SECEX Cir. 48/2016 | Monobutyl ether of ethylene glycol (EB-MEG) from the USA | Extending the deadline for completion of the ADD review |



Brazil Ministry of Development, Industry and Trade

| Reference | Merchandise/Country | Action |
|------------------------------------|--|---|
| SECEX Cir. 49/2016 | PET film from Bahrain and Peru | Terminates without the application of AD measure, the investigation to determine the existence of dumping |
| SECEX Cir. 51/2016 | Automotive glass from China | Announces the new terms that will serve as a parameter for the remainder of the dumping investigation |
| SECEX Cir. 52/2016 | Rolled low carbon plans low alloy from conventional or continuous casting, (plates) originating in China. | Start of anticircumvention review to ascertain the existence of commercial practices aimed at thwarting the effectiveness of the ADD imposed. |
| SECEX Cir. 53/2016 | Dental panoramic X-ray machines, analog or digital from Germany | Extends the deadline for completion of the dumping investigation |
| SECEX Cir. 54/2016 | Coarse salt that is not intended for animal consumption, including human being, used in the manufacture of the following products, intermediate or final: liquid chlorine, hydrochloric acid, sodium hypochlorite, ethylene dichloride, caustic soda, sodium chlorate or sodium carbonate (synthetic soda ash), originating in Chile | Updates price undertaking to support Brazilian imports of, made and exported by the company K + S Chile SA |



Eurasian Economic Commission (Department for Internal Market Protection)

| Ref. Number | Merchandise/Country | Action |
|-------------------------------|--|---|
| 2016/57/AD20 | Ferrosilicon manganese originating in Ukraine | On the completion of the AD investigation |
| 2016/55/AD1R2 | Certain types of steel tubes, originating in Ukraine | On completion of the repeated AD investigation in connection with the expiry of AD measures |
| 2016/62/CV1 | Ferrosilicon manganese originating in Ukraine | Completion of the anti-subsidy investigation |
| 2016/63/AD22 | Parts of hot-rolled steel, originating in Ukraine | Beginning of the anti-dumping investigation |

Opportunity to Request Administrative Review

In an August 5, 2016 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with August anniversary dates:

| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|--|-----------|---------------------|
| Antidumping Duty Proceedings | | |
| Germany: Seamless Line and Pressure Pipe | A-428-820 | 8/1/15 - 7/31/16 |
| Sodium Nitrite | A-428-841 | 8/1/15 - 7/31/16 |
| Italy: Granular Polytetrafluorethylene Resin | A-475-703 | 8/1/15 - 7/31/16 |
| Japan: Brass Sheet & Strip | A-588-704 | 8/1/15 - 7/31/16 |
| Tin Mill Products | A-588-854 | 8/1/15 - 7/31/16 |
| Malaysia: Polyethylene Retail Carrier Bags | A-557-813 | 8/1/15 - 7/31/16 |
| Mexico: Light-Walled Rectangular Pipe and Tube | A-201-836 | 8/1/15 - 7/31/16 S. |
| KOREA: Large Power Transformers | A-580-867 | 8/1/15 - 7/31/16 |
| Light-Walled Rectangular Pipe and Tube | A-580-859 | 8/1/15 - 7/31/16 |
| Romania: Carbon and Alloy Seamless Standard, Line, | | |

www.bakermckenzie.com

For further information please contact:

Editor of International Trade Compliance Update

Stuart P. Seidel
Washington, D.C.
(202) 452-7088
stuart.seidel@bakermckenzie.com

Contacts for the International Trade, Compliance and Customs Practice Group

Customs and FTA

Terrie A. Gleason
Washington, D.C., USA
+1 (202) 452-7030
teresa.gleason@bakermckenzie.com

Frederick Burke
Ho Chi Minh City, Vietnam
+84 3520 2628
frederick.burke@bakermckenzie.com

Export Controls and Sanctions

Silwia A. Lis
Washington, D.C., USA
+1 (202) 835-6147
silwia.lis@bakermckenzie.com

Trade Remedies

B. Thomas Peele
Washington, D.C., USA
+1 (202) 452-7035
Thomas.peele@bakermckenzie.com

WTO

Serge Pannatier
Geneva, Switzerland
+41 (0) 22-707-98-00
serge.pannatier@bakermckenzie.com

Anti-corruption

Maria I. McMahon
Washington, D.C., USA
+1 (202) 452-7058
maria.mcmahon@bakermckenzie.com

| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|--|-----------|--------------------|
| and Pressure Pipe (under 4 ½ inches) | A-485-805 | 8/1/15 - 7/31/16 |
| SR of Vietnam: Frozen Fish Fillets | A-552-801 | 8/1/15 - 7/31/16 |
| Thailand: Polyethylene Retail Carrier Bags | A-549-821 | 8/1/15 - 7/31/16 |
| PR of China: Laminated Woven Sacks | A-570-916 | 8/1/15 - 7/31/16 |
| Floor-Standing, Metal-Top Ironing Tables and Parts Thereof | A-570-888 | 8/1/15 - 7/31/16 |
| Light-Walled Rectangular Pipe and Tube | A-570-914 | 8/1/15 - 7/31/16 |
| Passenger Vehicle and Light Truck Tires | A-570-016 | 1/27/15 - 7/31/16 |
| Petroleum Wax Candles | A-570-504 | 8/1/15 - 7/31/16 |
| Polyethylene Retail Carrier Bags | A-570-886 | 8/1/15 - 7/31/16 |
| Sodium Nitrate | A-570-925 | 8/1/15 - 7/31/16 |
| Steel Nails | A-570-909 | 8/1/15 - 7/31/16 |
| Sulfanilic Acid | A-570-815 | 8/1/15 - 7/31/16 |
| Tetrahydrofurfuryl Alcohol | A-570-887 | 8/1/15 - 7/31/16 |
| Tow-Behind Lawn Groomers and Parts Thereof | A-570-939 | 8/1/15 - 7/31/16 |
| Ukraine: Silicomanganese | A-823-805 | 8/1/15 - 7/31/16 |
| Countervailing Duty Proceedings | | |
| S. Korea: Stainless Steel Sheet and Strip in Coil | C-580-835 | 1/1/15 - 12/31/15 |
| PR of China: Laminated Woven Sacks | C-570-917 | 1/1/15 - 12/31/15 |
| Light-Walled Rectangular Pipe and Tube | C-570-915 | 1/1/15 - 12/31/15 |
| Passenger Vehicle and Light Truck Tires | C-570-017 | 12/1/14 - 12/31/15 |
| Sodium Nitrite | C-570-926 | 1/1/15 - 12/31/15 |
| Suspension Agreements None | | |

Requested Reviews

In an August 11, 2016 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with June anniversary dates. See actual notices for companies requesting review:

| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|--|-----------|-------------------|
| Antidumping Duty Proceedings | | |
| Mexico: Prestressed Concrete Steel Rail Tie Wire | A-201-843 | 6/1/15 – 5/31/16 |
| PR of China: Aluminum Extrusions | A-570-967 | 5/1/15 – 4/30/16 |
| Chlorinated Isocyanurates | A-570-898 | 6/1/15 – 5/31/16 |
| High Pressure Steel Cylinders | A-570-977 | 6/1/15 – 5/31/16 |
| Polyester Staple Fiber | A-570-905 | 6/1/15 – 5/31/16 |
| Tapered Roller Bearings | A-570-601 | 6/1/15 – 5/31/16 |
| Turkey: Welded Carbon Steel Standard Pipe and Tube | A-489-501 | 5/1/15 – 4/30/16 |
| Countervailing Duty Proceedings | | |
| PR of China: High Pressure Steel Cylinders | C-570-978 | 1/1/15 – 12/31/15 |
| Suspension Agreements | | |
| None | | |

Initiation of Sunset Reviews

In an August 1, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year (“Sunset”) review of the antidumping and countervailing duty orders listed below.

| AD/CVD DOC Case No. | ITC Case No. | Country | Merchandise |
|---------------------|--------------|---------|---|
| A-570-836 | 731-TA-718 | PRC | Glycine, (4 th Review) A-580-839 |

| AD/CVD DOC Case No. | ITC Case No. | Country | Merchandise |
|---------------------------|--------------|----------|--|
| A-583-833 | 731-TA-825 | S. Korea | Polyester Staple Fiber, (3 rd Review) |
| | 731-TA-826 | Taiwan | Polyester Staple Fiber, (3 rd Review) |

Advance Notification of Sunset Reviews

In an August 5, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for September 2016.

| AD/CVD Proceedings - Merchandise/Country | Case No. |
|---|------------------------------------|
| Antidumping Duty Proceedings | |
| Sulfanilic Acid from China | A-570-815 (4 th Review) |
| Sulfanilic Acid from India | A-533-806 (4 th Review) |
| Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Over 4 ½ Inches) from Japan | A-588-850 (3 rd Review) |
| Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 ½ Inches) from Japan | A-588-851 (3 rd Review) |
| Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 ½ Inches) from Romania | A-485-805 (3 rd Review) |
| Countervailing Duty Proceedings | |
| Sulfanilic Acid from India | C-533-807 (4 th Review) |
| Suspended Investigations | |
| No Sunset Review of suspended investigations is scheduled for initiation in September 2016. | |

©2016 Baker & McKenzie. All rights reserved. Baker & McKenzie International is a Swiss Verein with member law firms around the world. In accordance with the common terminology used in professional service organizations, reference to a “partner” means a person who is a partner, or equivalent, in such a law firm. Similarly, reference to an “office” means an office of any such law firm.

This may qualify as “Attorney Advertising” requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.

This UPDATE is issued to inform Baker & McKenzie clients and other interested parties of legal developments that may affect or otherwise be of interest to them. The comments above do not constitute legal or other advice and should not be regarded as a substitute for specific advice in individual cases.

Before you send an e-mail to Baker & McKenzie, please be aware that your communications with us through this message will not create a lawyer-client relationship with us. Do not send us any information that you or anyone else considers to be confidential or secret unless we have first agreed to be your lawyers in that matter. Any information you send us before we agree to be your lawyers cannot be protected from disclosure.

NOTE: This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).