

International Trade Compliance

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

BAKER & MCKENZIE

Newsletter

October 2016 | Update

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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](#)

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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.



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.

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 Conference:

Amsterdam - International Trade & Compliance Conference

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

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Watch previously recorded International Trade Webinars.

Please see our [Webinars, Meetings, Seminars](#) section for details on our **Amsterdam - International Trade & Compliance Conference** on 3-4 November 2016, as well as additional events and recorded presentations of past Webinars.

To keep abreast of trade news, visit our blogs -

For **updates**, please visit www.internationaltradeandcomplianceupdate.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://globalcomplianceandcomment.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)

2016 World Trade Report released

On 27 September 2016, the WTO [announced](#) the release of the *2016 World Trade Report*. The *2016 World Trade Report* examines the participation of small and medium-sized enterprises (SMEs) in international trade, how the international trade landscape is changing for SMEs, and what the multilateral trading system does and can do to encourage more widespread and inclusive SME participation in global markets. Copies may be [downloaded here](#).

Trade Policy Reviews: El Salvador, Russian Federation

The fourth review of the trade policies and practices of El Salvador took place on 14 and 16 September 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of El Salvador](#).

The first review of the trade policies and practices of the Russian Federation took place on 28 and 30 September 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of the Russian Federation](#).

Recent disputes

The following disputes have been recently brought to the WTO. Click on the case ("DS") number below to go to the WTO website page for details on that dispute.

DS. No.	Case Name	Date
DS510	US - Alleged Domestic Content Requirements and Subsidies Provided by Eight US States (Washington, California, Montana, Massachusetts, Connecticut, Michigan, Delaware and Minnesota) in the renewable energy sector (Complainant: India) Consultations requested	09-09-16
DS511	China - Domestic Support Measures in the Agriculture Sector (Complainant: US) Consultations requested	14-09-16
DS512	Russian Federation – Transit Restrictions (Complainant: Ukraine) Consultations requested	15-09-16

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:

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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.

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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
DS502	Colombia — Measures Concerning Imported Spirits (Complainant: EU)	Colombia blocks EU's panel request	05-09-16
DS464	United States — Anti-dumping and Countervailing Measures on large residential washers from Korea (Complainant S. Korea)	Appellate Body report circulated	07-09-16
DS456	India — Certain Measures Relating to Solar Cells and Solar Modules (Complainant: United States)	Appellate Body issues report	16-09-16
DS316	European Communities and Certain Member States — Measures Affecting Trade in Large Civil Aircraft (Complainant: United States)	Panel issues compliance report	22-09-16
DS475	Russian Federation – Measures on the Importation of Live Pigs, Pork and Other Pig Products from the European Union (Complainant: EU)	Russia files notice of appeal	23-09-16
DS502	Colombia — Measures Concerning Imported Spirits (Complainant: EU)	Panel established	26-09-16
DS464	United States — Anti-dumping and Countervailing Measures on large residential washers from Korea (Complainant S. Korea)	Appellate Body report adopted	
DS485	Russia — Tariff Treatment of Certain Agricultural and Manufacturing Products (Complainant: EU)	Panel report adopted	

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)

Announcements and news releases [dd-mm-yy]

Date	Title
01-09-16	Comptroller General of Nigeria Customs Service and his team enjoy Top Executive Retreat
	WCO contributes to trade facilitation and security for Asia-Pacific Region
06-09-16	WCO Valuation Workshop for Kazakhstan Committee of the State Revenues
	WCO Welcomes G20 Leaders' Communiqué
08-09-16	WCO Cargo Targeting System Deployed to Kenya Revenue Authority and User Training Delivered
	Workshop on the implementation of the Customs Laboratory in Fiji
	WCO supports the finalization of the SACU Preferred Trader Programme External Procedure Manual
	National tariff classification seminar in Norway
09-09-16	“EU Customs - Making a difference in modern trade?” Conference held at

Date	Title
	WCO Headquarters
	WCO hosts meeting of Brussels Women in Trade Network
13-09-16	WCO participates in the 5th International Single Window Conference and Exhibition in Morocco
	SACU Member Administrations develop Customs Systems Interface Capabilities to enable information and data exchange
14-09-16	WCO delivers a Risk-based Passenger Selectivity Workshop in Mongolia
15-09-16	WCO and UNCTAD provide joint support to Ghana's National Trade Facilitation Committee under the Mercator Programme
	Customs-Police cooperation with Europol
	WCO Sub-regional Workshop on Integrity for the Pacific
16-09-16	WCO Leadership and Management Development (LMD) Workshop in Abuja (Gwagwalada), Nigeria
	First drug seizure under the new Air Cargo Control Unit in Pakistan
19-09-16	The 2016/2017 WCO Career Development Programme Commences
	Opening of the WCO's 70th Fellowship Programme
20-09-16	EL Salvador Hosts a National Workshop on the Modernization of its Customs Laboratory
	WCO Asia/Pacific Regional Workshop on Non-Intrusive Inspection
21-09-16	WCO Meets with European Union Commissioner Moscovici
	WCO attends the International Organization for Standardization (ISO) General Assembly
	First WCO Post-Clearance Audit Workshop in Asia Pacific Region
23-09-16	1st WCO Working Group on e-Commerce gets down to business
	Successful completion of the 1st Meeting of the WCO Technical Working Group on Non-Intrusive Inspection
	WCO addresses a "Ministerial Lekgotla" as an introduction to the CITES Conference in Johannesburg
26-09-16	ZIMRA Customs and Excise staff conduct successful workshop for other agencies following support from WCO experts
	The WCO and GSMA sign agreement to combat mobile device fraud
28-09-16	WCO successfully facilitates Trade Facilitation Agreement (TFA) scoping mission in Bangladesh in collaboration with other development partners
	WCO Workshop on Inland Depots in Lao PDR
29-10-16	WTO Public Forum 2016 – WCO/AAEI Session Focuses on E-Commerce Wednesday, 28 September 2016 WTO Headquarters, Geneva
	WCO attends the 2nd ICAO World Aviation Forum
30-10-16	The 11th PICARD Research Conference concludes in Manila
	WCO East and Southern Africa Region conduct Workshop on practical implementation of the Trade Facilitation Agreement

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
07-09-16	2016/054 Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) – Open review of the draft scoping report of the thematic assessment of the Sustainable Use of Biodiversity
16-09-16	2016/055 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

The Americas - Central America

El Salvador

Documents

Date	Series and №	Subject
31-08-16	015-2016-DGA	Central American Procedure for issuing replacement EUR.1 certificates under the Association Agreement between Central America and the European Union, Resolution no. 375-2016 (COMIECO-LXXIV)
	Res. No. 375-2016 (COMIECO -LXXVI)	Approving the Central American Procedure for issuing replacement EUR.1 certificates (29 June 2016)

Nicaragua

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](#).

Customs Technical Documents

Date	Series and №	Subject
05-08-16	CT/075/2016	Permits to leave for vehicles pledged for security (vehículos prendados)
13-09-16	CT/097/2016	Suspension of the términos procedure

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
01-09-16	NCS: Res. № 351 (24-08-16) Setting a time limit or term or deadline for couriers acting as customs public management assistants (no idea what this is) to fulfill the requirements before the National Customs Authority .
	Economy and Finance: Res. № 001-2016 (24-08-16) Establishing parameters for distribution of the funds from the sanctions for breach of law 23 of 2015 and regulations funds through which the Regimen of Prevention of Money Laundering, Terrorist Financing and Financing of Proliferation of Weapons of Mass Destruction .
02-09-16	NCS: Administrative Res. № 362 (31-08-16) Reorganization of the Customs Appeals Commission
20-09-16	Commerce and Industry: Exec. Decree № 23 (15-09-16) Establishing the procedure for licensing previously import articles released under Article 25 of Law No. 28 of 20 June 1995 .

The Americas - North America

Canada

Global Affairs Canada issues TPP economic impact report

On September 12, 2016, Global Affairs Canada posted a report by the Office of the Chief Economist, entitled [Economic Impact of Canada's Potential Participation in the Trans-Pacific Partnership Agreement](#). The study assesses the potential economic impact of the TPP Agreement on Canada and other members in terms of income gains and new trade and investment opportunities based on the final negotiated outcomes of the TPP Agreement, which was concluded in Atlanta, GA in October 2015. It highlights the projected economic impact that Canada faces if it chooses to be a party to the Agreement, as well as the potential economic impact if Canada opts out of the Agreement, and the 11 other TPP countries are part of the Agreement.

Economic analysis conducted by the Office of the Chief Economist at Global Affairs Canada suggests that choosing to join the TPP Agreement would generate long-term GDP gains for Canada of \$4.3 billion (US\$3.3 billion). These projected gains are driven primarily by preferential access to the TPP markets with which Canada does not already have an FTA. On the other hand, if Canada chooses not to be a party to the TPP Agreement, while all other 11 TPP members are part of it, resulting in GDP losses would total an estimated \$5.3 billion (US\$ 4.2 billion). This is the result of anticipated preference erosion in existing FTA markets, particularly the US and Mexico, which would occur regardless of whether Canada were a party to the Agreement, and losses that, in the alternative, would be offset by gains flowing from preferential access to other TPP countries.

CNSC publishes revised guidance on imports/exports of nuclear and nuclear related items

On September 1, 2016, following a period of public consultation, the Canadian Nuclear Safety Commission (CNSC) has published regulatory document [REGDOC-2.13.2, Import and Export](#). The CNSC regulates the use of nuclear energy and materials to protect the health, safety and security and the environment; to implement Canada's international commitments on the peaceful use of nuclear energy; and to disseminate objective scientific, technical and regulatory information to the public.

Regulatory document REGDOC-2.13.2, *Import and Export*, sets out the CNSC's guidance for current and prospective licensees who intend to import or export nuclear and nuclear-related dual-use items, also known as controlled nuclear substances, equipment and information. The latter are identified in the [Nuclear Non-proliferation Import and Export Control Regulations](#) (NNIECR). The legislation relevant to the import and export of these items is provided, along with an overview of the domestic and international contexts that form the basis of import and export controls for these items. The licensing program is outlined and information is provided on how to apply for a licence and amend an existing licence, and on application processing times.

This document examines the type of information the CNSC considers when assessing applications for the import or export of controlled nuclear substances, equipment and information. Further information is also provided for exporters on the end-use control, which allows the CNSC to require a licence for items that are

not otherwise listed in the NNIECR when they may be intended for use in connection with a nuclear weapons program. It also identifies a change to how Canada's nuclear non-proliferation policy applies to evaluating export applications for foreign-origin uranium.

Finally, the CNSC's activities to verify and enforce regulatory compliance are considered. The document provides information about the CNSC's import and export control program with respect to licence applications, the licence evaluation process and compliance with regulatory requirements.

REGDOC-2.13.2 is part of the CNSC's safeguards and non-proliferation series of regulatory documents, which also covers regulatory controls on import and export of prescribed items. The full list of the CNSC's series of regulatory document series can be found on the [CNSC's Regulatory Documents Web page](#).

Canada finalizes certification program for export of wild rice to China

On September 22, 2016, the Government of Canada [announced](#) that the Canadian and Chinese governments had approved a certification program for wild rice producers, warehousemen and processing facilities looking to ship to China.

Canadian wild rice (*Zizania palustris* L. and *Z. aquatica* L.) intended for export to China must be processed, stored and exported by Canadian companies that are approved under this audit-based compliance program administered by the Canadian Food Inspection Agency (CFIA). [CFIA Directive D-15-04: Audit-based Compliance Program for the Export of Canadian Wild Rice to China](#) describes: 1) the process for Canadian companies to apply for approval under this program, and 2) the specific requirements that must be met for the processing, storage and exportation of Canadian wild rice in order to meet the requirements of China.

In September 2015, the CFIA and China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ), officially signed the *Protocol on the Inspection and Quarantine Requirements for Exporting Wild Rice from Canada to China*.

In order to facilitate exports and comply with the requirements listed in the Protocol, the CFIA has developed an audit-based compliance program. To export Canadian wild rice to China, the processing, warehousing and exporting facilities must first be approved by the CFIA and recognition of this approval must be obtained from the AQSIQ.

The CFIA will conduct:

- initial reviews of the application and supporting documentation, and evaluation audits of each company prior to their approval in order to evaluate the systems used in the processing, storage, and exporting of Canadian wild rice to China.
- annual audits of approved companies to verify compliance with the program.

The CFIA retains the option to visit the company at any time to sample wild rice for visual inspection, to review records and to verify compliance.

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
03-09-16	Health: Publication of results of investigations for three substances — Beryllium, CAS RN11 7440-41-7, Vanadium, trichlorooxo-, CAS RN 7727-18-6 and Vanadium oxide, CAS RN 11099-11-9 — specified on the Domestic Substances List (paragraph 68(b) of the Canadian Environmental Protection Act, 1999)
	Health: Notice to interested parties — Proposed order amending Schedule VI to the Controlled Drugs and Substances Act and regulations amending the schedule to the Precursor Control Regulations to add chemicals used in the production of fentanyl
07-09-16	Health: Regulations Amending Certain Regulations Made Under the Controlled Drugs and Substances Act (Access to Diacetylmorphine for Emergency Treatment) (SOR/2016-239, Aug. 26, 2016) . (R)
	Beef Cattle Research, Market Development and Promotion Levies Order (SOR/2016-236, Aug. 17, 2016) pursuant to the Farm Products Agencies Act
17-09-16	Environment: Order 2016-87-09-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999
21-09-16	Environment: Order 2016-87-09-01 Amending the Domestic Substances List (SOR/2016-242, Sept. 9, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Environment: Order 2016-112-09-01 Amending the Domestic Substances List (SOR/2016-243, Sept. 9, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O)

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](#). No new advance rulings were posted by the CBSA during the period covered by this *Update*.

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 mm-dd-yy format.)

Date	Reference	Action	Title
09-07-16	D8-2-27	New	Canadian Goods, Originating in Canada or Accounted for, Temporarily Exported and Returned
09-19-16	D17-1-22	Revised	Accounting for the Harmonized Sales Tax, Provincial Sales Tax, Provincial Tobacco Tax and Alcohol Markup/Fee on Casual Importations in the Courier and Commercial Streams
09-23-16	D17-4-0	Revised	Courier Low Value Shipment Program
09-26-16	D11-4-22	Revised	Tariff Preference Levels
09-28-16	D5-2-2	Revised	International Mail Destined to Canadian Forces Post Offices
09-29-16	D5-1-13	Revised	Publications Imported by Mail or Courier

Global Affairs Canada notices

The following is a list of Global Affairs Canada Export and Import notices during the past month. (Dates are given in mm-dd-yy format.)

Date	Reference	Title
08-22-16	Notice 834	Notice to Importers - Milk Protein Substances with a Milk Protein Content of 85% or more by Weight, Calculated on the Dry Matter, that do not originate in a NAFTA Country, Chile, Costa Rica, or Israel (Item 125.2 on the Import Control List)
08-30-16	Serial No. 882	Notice to Importers - Dairy - Domestic Market Shortage Policy - Supplemental Imports of Cream (Item 117.1 on the Import Control List)
09-16-16	Serial No. 888	Notice to Importers: Items 162 to 181 - Wheat Products
09-19-16	Serial No. 889	Notice to Importers - Items 183 to 191 - Barley Products

Antidumping and countervailing duty cases

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

Mexico

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
09-13-16	Economy: Draft Mexican Official Standard NOM-208-SCFI-2016, Products, Radio communication systems employing the technique of spread-spectrum radio equipment frequency hopping and digital modulation operating in the bands 902-928 MHz, 2400-2483.5 MHz and 5725-5850 MHz-specifications and test methods.
	General Council of Health: First Update 2015 Edition Table Basic and catalog Instruments and Medical Equipment.
09-14-16	Economy: Draft Mexican Official Standard NOM-058-SCFI-2015 Drivers for light sources artificial lighting purposes generally Safety specifications and test methods (This clears NOM-058-SCFI-1999).
09-15-16	Economy: Acuerdo announcing Decision No. 83 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on 21 July 2016.
	Economy: Acuerdo announcing Decision No. 84 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on August 17, 2016.
09-22-16	Economy: Notice announcing the extraordinary amount of raw sugar exports to the United States, during the period from October 1, 2015 and September 30, 2016.
09-27-16	Economy: Resolution listing the names of operators and program numbers of canceled industry manufacturing, maquiladora and export services

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
09-01-16	Notice of August 30, 2016—Continuation of the National Emergency With Respect to Certain Terrorist Attacks
09-16-16	Executive Order 13739 of September 14, 2016 - Termination of Emergency With Respect to the Situation in or in Relation to Côte D'Ivoire
	Proclamation 9492 of September 14, 2016 - To Modify Duty-Free Treatment Under the Generalized System of Preferences
09-19-16	Notice of September 15, 2016—Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism
09-20-16	Presidential Determination No. 2016–10 of September 12, 2016— Presidential Determination on Major Drug Transit or Major Illicit Drug Producing Countries for Fiscal Year 2017

President continues national emergency with respect to terrorism

On September 19, 2016, the *Federal Register* published Presidential [Notice of September 15, 2016—Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism](#) which extends for an additional year the national emergency originally declared on September 23, 2001, by Executive Order 13224 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks against United States nationals or the United States.

The national emergency declared in Executive Order 13224 of September 23, 2001, and the measures adopted on that date are being continued because the actions of persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

U.S. to terminate Myanmar (Burma) sanctions

On September 14, 2016, President Obama announced his intention to terminate U.S. sanctions targeting Myanmar, also known as Burma (“Myanmar”), completing the process of relaxing U.S. sanctions against Myanmar that began in July 2012. In a [joint statement](#) issued by the United States and Myanmar, President Barack Obama and State Chancellor Daw Aung Sun Suu Kyi announced the U.S.-Myanmar Partnership, which will ultimately allow for deepened economic ties across a range of sectors between the countries. As an initial step for implementing the partnership, the President announced that the United States will terminate U.S. sanctions and will revoke the Executive Order-based framework of the Myanmar sanctions program.

President restores GSP benefits to Burma (Myanmar)

On September 14, 2016, the President sent a [Message to Congress](#) indicating his intent to end the suspension of preferential treatment for Burma as a beneficiary developing country under the Generalized System of Preferences (GSP) program, and to designate Burma as a least-developed beneficiary developing country for purposes of the GSP program.

On the same date, the President issued a [Proclamation](#) (published in the *Federal Register* on September 16, 2016 as [Proclamation 9492 of September 14, 2016](#)) modifying General Note 4(a) of the *Harmonized Tariff Schedule of the United States* (HTS) by adding “Burma” to the list entitled “Independent Countries” and to the list entitled “Member Countries of the Association of South East Asian Nations (ASEAN)” to designate Burma as a beneficiary developing country and by modifying General Note 4(b)(i) to add “Burma” as a least-developed beneficiary developing country, for purposes of the *Generalized System of Preferences* (GSP) program. The proclamation ends the suspension of benefits for Burma in 1989 under the GSP program. The modifications to the HTS will be effective with respect to articles entered, or withdrawn from warehouse for consumption, on or after the date that is 60 days after the date of the proclamation.

President continues TWEA authorities re: Cuba for additional year

On September 13, 2016, the President signed a [Memorandum for the Secretaries of State and Treasury](#) continuing until September 14, 2017, the exercise of certain authorities under the *Trading With the Enemy Act* with respect to Cuba, as implemented by the Cuban Assets Control Regulations, 31 C.F.R. Part 515. The Memorandum was published as [Presidential Determination No. 2016-11](#) in the *Federal Register* on September 16, 2016.

National emergency with respect to Côte D'Ivoire terminated

On September 14, 2016, the President signed an Executive Order entitled, [“Termination of Emergency with Respect to the Situation in or in Relation to Côte d'Ivoire”](#) (Published in the *Federal Register* on September 16, 2016) The Executive Order terminates the national emergency declared in Executive Order 13396 of February 7, 2006, which was declared because the situation in or in relation to Côte d'Ivoire gave rise to the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and attacks against international peacekeeping forces leading to fatalities.

The President found that the situation has been significantly altered by the progress achieved in the stabilization of Côte d'Ivoire, including the successful conduct of the October 2015 presidential election, progress on the management of arms and related materiel, and the combating of illicit trafficking of natural resources. Accordingly, and in view of the removal of multilateral sanctions by the United Nations Security Council in Resolution 2283, the national emergency is terminated and Executive Order 13396 is revoked as of 8 a.m. (EDT) on September 14, 2016. The termination of the national emergency will not affect any action taken or proceeding pending not finally concluded or determined as of the effective date, any action or proceeding based on any act committed prior to such date, or any rights or duties that matured or penalties that were incurred prior to such date.

President extends national emergency with respect to terrorist attacks

On September 1, 2016, the *Federal Register* published Presidential [Notice of August 30, 2016—Continuation of the National Emergency With Respect to Certain Terrorist Attacks](#), which extends for an additional year the national emergency first declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks of September 11, 2001, and the continuing and immediate threat of further attacks on the United States. The continuation of the national emergency and the powers and authorities adopted to deal with that emergency are being continued because the terrorist threat continues.

USTR proposes revision in its FOIA, disclosure and testimony rules

On September 22, 2016, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [proposed rule](#) [Docket No. USTR-2016-0016] that would establish subpart A, which contains definitions used throughout part 2004, and subpart D, which includes the requirements and procedures for demanding or requesting parties to submit demands or requests, and factors for USTR to consider in determining whether USTR employees will provide records, information or testimony relating to their official duties in connection with legal proceedings in which neither the United States nor USTR is a party (commonly referred to as *Touhy* rules). This is part of a USTR effort renaming and reorganizing 15 C.F.R. part 2004 to include all of the rules governing disclosure of records and information by USTR. Part 2004 will include four subparts - subpart A will contain definitions used throughout part 2004, subpart B will implement the *Freedom of Information Act*, subpart C will implement the *Privacy Act of 1974*, and subpart D will govern how USTR responds to official demands and informal requests for records, information or employee testimony in connection with legal proceedings in which neither the United States nor USTR is a party.

USTR must receive written comments on or before November 21, 2016.

On September 23, 2016, the USTR published in the *Federal Register* a [proposed rule](#) [Docket No. USTR-2016-0015] that would establish subpart B to 15 C.F.R. part 2004, updating its implementing rule under the *Freedom of Information Act* (FOIA). The proposed rule, which is modeled after a template provided by the U.S. Department of Justice, describes how to make a FOIA request to USTR and how the FOIA Office, which includes the USTR officials who are authorized to work on FOIA requests, processes requests for records. USTR is in the process of renaming and reorganizing part 2004 to include all of the rules governing disclosure of USTR records and information, and with this proposed rule, USTR is moving the FOIA rule into a new subpart B to part 2004.

USTR must receive written comments on or before November 22, 2016

ITC issues interim rule for duty suspension and reduction submissions

On September 30, 2016, the U.S. International Trade Commission (ITC) published in the *Federal Register* an [interim rule](#) that will amend the ITC's *Rules of Practice and Procedure* and establish a new part (Part 220) governing the submission and consideration of petitions for duty suspensions and reductions under the *American Manufacturing Competitiveness Act of 2016*.

Section 3(b)(5) of the *American Manufacturing Competitiveness Act of 2016*, Public Law 114–159, 130 Stat. 396 (19 U.S.C. 1332 note) (the Act) directs the ITC to prescribe and publish in the *Federal Register* and on a publicly available internet Web site of the ITC by October 15, 2016 procedures to be complied with by members of the public submitting petitions for duty suspensions and reductions under section 3(b)(1)(A) of that Act. Members of the public are requested to submit petitions to the ITC for duty suspensions and reductions, provided that they can demonstrate that they are likely beneficiaries of such duty suspensions or reductions. The Act also provides that the petitioners must submit disclosure forms with respect to such duty suspensions and reductions. The petitions and disclosure forms must be submitted during the 60-day period beginning on the date of publication of the ITC’s notice. Section 3 of the Act also lists the types of information that must be included in a petition.

Section 3 of the Act requires that the ITC publish on its Web site all of the petitions that contain the required information and the related disclosure forms no later than 30 days after the close of the 60-day filing period. It also provides that members of the public will have 45 days from the date of the notice’s publication to submit comments to the ITC regarding the petitions and disclosure forms. The ITC must make those comments available to the public on the ITC’s Web site.

The amendments establish new ITC rules governing the submission of petitions and the issuance of the ITC’s reports to the Congress under the Act. The new rules identify the types of entities that may file a petition, describe the information that must be included in a petition, provide procedures for public comment, and describe the schedule for filing petitions and public comments. The new rules also describe the content of the preliminary and final reports that the ITC must submit to the Congress, and the time for submitting those reports, and otherwise establish procedures relating to the ITC’s review and processing of the petitions under the Act.

The interim rule was effective on publication but comments may be submitted through November 29, 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. U.S. - Morocco FTA-103-030 Probable Economic Effect of Certain Modifications to the U.S.-Morocco FTA Rules of Origin (I/RFC)	USTR
Inv. No. U.S.-Chile FTA- 103-029 Probable Economic Effect of Certain Modifications to the U.S.-Chile FTA Rules of Origin (USITC Pub. 4632) (R)	USTR

Labor requests information on child labor and forced labor in the production of goods in foreign countries

On September 30, 2016, the Bureau of International Labor Affairs, U.S. Department of Labor published in the *Federal Register* a [notice requesting information and/or comment](#) on three reports issued by the Bureau of International Labor Af-

fairs (ILAB) regarding child labor and forced labor in certain foreign countries. Relevant information submitted by the public will be used by the Department of Labor (DOL) in preparation of its ongoing reporting under Congressional mandates and Presidential directive. The *2015 Findings on the Worst Forms of Child Labor* report (TDA report), published on September 30, 2016, assesses efforts by 137 countries to reduce the worst forms of child labor over the course of 2015 and reports whether countries made significant, moderate, minimal, or no advancement during that year. It also suggests actions foreign countries can take to eliminate the worst forms of child labor through legislation, enforcement, coordination, policies, and social programs. The 2016 edition of the *List of Goods Produced by Child Labor or Forced Labor* (TVPRA List), published on September 30, 2016, makes available to the public a list of goods from countries that ILAB has reason to believe are produced by child labor or forced labor in violation of international standards. Finally, the *List of Products Produced by Forced or Indentured Child Labor* (EO List), most recently published on December 1, 2014, provides a list of products, identified by country of origin, that DOL, in consultation and cooperation with the Departments of State and Homeland Security, have a reasonable basis to believe might have been mined, produced or manufactured with forced or indentured child labor. Relevant information submitted by the public will be used by DOL in preparation of the next edition of the TDA report, to be published in 2017; the next edition of the TVPRA List, to be published in 2018; and for possible updates to the EO List as needed.

Submission should be made to the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) at the email or physical address given in the [Federal Register](#) by 5 p.m. December 16, 2016.

On the same date DOL published in the *Federal Register* an [announcement of public availability](#) of an updated list of goods – along with countries of origin – that ILAB has reason to believe are produced by child labor or forced labor in violation of international standards. ILAB is required to develop and make available to the public the *List of Goods Produced by Child Labor or Forced Labor* pursuant to the *Trafficking Victims Protection Reauthorization Act (TVPRA) of 2005*, as amended.

DHS makes technical corrections to immigration enforcement regs.

On September 9, 2016, the Department of Homeland Security (DHS) published in the *Federal Register* a [final rule - technical amendment](#) [CBP Dec. 16-14] that amends its regulations in 8 C.F.R. to update various provisions that list specific immigration officials who are authorized to perform various immigration functions, including the issuance of notices to appear, warrants of removal, and arrest warrants. The lists are outdated and do not reflect the current DHS organizational structure. DHS is updating the lists with the specific officials in U.S. Customs and Border Protection, U.S. Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services who are currently authorized to perform these various functions. DHS is also making some technical corrections to update nomenclature and outdated references in the affected provisions.

DEA proposes revisions to certain of its import and export regs.

On September 15, 2016, the Drug Enforcement Administration (DEA) published in the *Federal Register* a [notice of proposed rulemaking](#) [Docket No. DEA-403] to update its regulations for the import and export of tableting and encapsulating machines, controlled substances, and listed chemicals, and its regulations relating to reports required for domestic transactions in listed chemicals, gammahydroxybutyric acid, and tableting and encapsulating machines. In accordance with

Executive Order 13563, DEA has reviewed its import and export regulations and reporting requirements for domestic transactions in listed chemicals (and gamma-hydroxybutyric acid) and tableting and encapsulating machines, and evaluated them for clarity, consistency, continued accuracy, and effectiveness. The proposed amendments clarify certain policies and reflect current procedures and technological advancements. The amendments also allow for the implementation, as applicable to tableting and encapsulating machines, controlled substances, and listed chemicals, of the President's Executive Order 13659 on streamlining the export/ import process and requiring the government-wide utilization of the International Trade Data System (ITDS). Because the ITDS excludes applications for permits, licenses, or certifications, the ITDS single window will not be used by DEA registrants, regulated persons, or brokers or traders applying for permits or filing import/ export declarations, notifications or reports with the DEA. The DEA import/export application and filing processes will continue to remain separate from (and in advance of) the ITDS single window. Entities will continue to use the DEA application and filing processes; however, the processes will be electronic rather than paper. After DEA's approval or notification of receipt as appropriate, the DEA will transmit the necessary information electronically to the ITDS and the registrant or regulated person so that customs officers can validate importations and exportations subject to DEA regulations.

The proposal additionally contains amendments that would implement recent changes to the *Controlled Substances Import and Export Act* (CSIEA) for reexportation of controlled substances among members of the European Economic Area made by the *Improving Regulatory Transparency for New Medical Therapies Act*. The proposal includes additional substantive and technical amendments.

Electronic comments must be submitted, and written comments must be post-marked, on or before October 17, 2016. Commenters should be aware that the electronic Federal Docket Management System will not accept comments after 11:59 p.m. Eastern Time on the last day of the comment period.

CBP issues interim regulations on notices of arrival for pesticide and pesticidal device importations

On September 30, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* an [interim final rule](#) [Docket No. USCBP-2016-0061; CBP Dec. 16-15] amending the CBP regulations pertaining to the importation of pesticides and pesticidal devices into the United States subject to the *Federal Insecticide, Fungicide, and Rodenticide Act* (FIFRA). Specifically, CBP is amending the regulations to permit the option of filing an electronic alternative to the U.S. Environmental Protection Agency's (EPA) "Notice of Arrival of Pesticides and Devices" (NOA) paper form, with entry documentation, via any CBP-authorized electronic data interchange system. This change will support modernization initiatives, including implementation of the International Trade Data System (ITDS). The document also makes non-substantive conforming and editorial changes to the CBP regulations. The interim final rule is effective September 30, 2016. Comments must be submitted on or before October 31, 2016.

CBP announces User Fee Advisory Committee meeting

On September 26, 2016, CBP published in the *Federal Register* a [notice](#) announcing that the U.S. Customs and Border Protection User Fee Advisory Committee (UFAC) will meet from 1 p.m. to 3 p.m. on Wednesday, October 19, 2016, in Miami, FL. The meeting will be open to the public. Meeting participants may attend either in person or via webinar after pre-registering (by 5 p.m. on October

17, 2016) using a method set forth in the *Federal Register* notice. The location, agenda and other details are set forth in the notice.

CBP to modernize brokers examination

On September 14, 2016, CBP published in the *Federal Register* a [notice of proposed rulemaking](#) [Docket No. USCBP-2016-0059] that would update the CBP regulations concerning the customs broker's examination provisions. Specifically, the document proposes to transition to a computer automated customs broker examination, increase the examination fee to cover the increased cost of delivering the exam, and adjust the dates of the examination to account for the fiscal year transition period and payment schedule requirements. Comments must be received on or before November 14, 2016.

CBP to end NCAP test involving FSIS required data in ACE

On September 9, 2016, CBP published in the *Federal Register* a [general notice](#) that announces the conclusion of the National Customs Automation Program (NCAP) test concerning the electronic transmission of certain import data required by the Food Safety and Inspection Service (FSIS) to the Automated Commercial Environment (ACE) using the Partner Government Agency (PGA) Message Set. CBP has determined that the NCAP test has been a success, as ACE has proven capable of receiving and processing the data required by FSIS, and sharing that data with FSIS. Accordingly, this NCAP test will be concluded on October 11, 2016. CBP has made ACE the sole CBP-authorized electronic data interchange (EDI) system for most entry and entry summary filings, including entry and entry summary filings for meat, poultry and egg products regulated by FSIS. As a result, filers transmitting electronic import data required by FSIS with their electronic entry or entry summary must use ACE.

CBP corrects IFR on investigations of AD/CVD evasions

On September 8, 2016, CBP published in the *Federal Register* a [correction to the interim final rule](#) (IFR) [USCBP-2016-0053; CBP Dec. No. 16-11] published in the *Federal Register* on August 22, 2016 (81 Fed. Reg. 56477), concerning investigation of claims of evasion of antidumping and countervailing duties. In accordance with section 421 of the *Trade Facilitation and Trade Enforcement Act of 2015*, the rule amended the CBP regulations to set forth procedures for CBP to investigate claims of evasion of antidumping and countervailing duty orders. That document inadvertently omitted a comma in the definition of "evade or evasion" in § 165.1. The document corrects the text in that definition by removing the phrase "or any omission that is material and that results in any cash deposit" and adding in its place the phrase "or any omission that is material, and that results in any cash deposit".

Miscellaneous CBP related Federal Register documents

The following documents not discussed above were published by CBP or by the Department of Homeland Security (DHS) in the *Federal Register*. [Note that multiple listings of approved gaugers and laboratories reflects different locations and/or products.]

F.R. Date	Subject
09-01-16	DHS: Privacy Act of 1974; Department of Homeland Security/U.S. Customs and Border Protection (DHS/CBP)–022 Electronic Visa Update System (EVUS) System of Records [Docket No. DHS–2016–0063] (N)
	DHS: Privacy Act of 1974; Implementation of Exemptions; Department of Homeland Security U.S. Customs and Border Protection (DHS/CBP)–022 Electronic Visa Update System (EVUS) System of Records [Docket No. DHS–2016–0064] (N)
09-02-16	DHS: Privacy Act of 1974; Department of Homeland Security, U.S. Customs and Border Protection—009 Electronic System for Travel Authorization System of Records [Docket No. DHS–2016–0054] (N)
09-09-16	CBP: Agency Information Collection Activities: Application and Approval to Manipulate, Examine, Sample or Transfer Goods (N) [Form 3499]
	CBP: Agency Information Collection Activities: Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers (N) [CBP Form 7401]
	CBP: Agency Information Collection Activities: Foreign Assembler's Declaration (N) [19 C.F.R. § 10.24]
	CBP: Agency Information Collection Activities: Lien Notice (N) [CBP Form 3485]
09-16-16	CBP: Agency Information Collection Activities: Vessel Entrance or Clearance Statement (N) [CBP Form 1300]
	CBP: Agency Information Collection Activities: African Growth and Opportunity Act Certificate of Origin (N)
	CBP: Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory [Ft. Lauderdale, FL] (N)
	CBP: Accreditation and Approval of Amspec Services, LLC, as a Commercial Gauger And Laboratory [Gonzales, LA] (N)
	CBP: Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory [Saraland, AL] (N)
09-20-16	CBP: Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory [Nederland, TX] (N)
	CBP: Agency Information Collection Activities: Application To Pay Off or Discharge an Alien Crewman (N) [Form I-408]
09-28-16	CBP: Accreditation and Approval of Inspectorate America Corporation, as a Commercial Gauger and Laboratory [Beaumont, TX] (N)
	CBP: Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory [Carson, CA] (N)
	CBP: Accreditation and Approval of Viswa Lab As a Commercial Gauger and Laboratory [Houston, TX] (N)

CBP announces 2017 Donations Acceptance Program

On September 6, 2016, U.S. Customs and Border Protection (CBP) [announced](#) the details of submissions for the 2017 Donation Acceptance Program.

The submission period will remain open for 40 days, from October 3, 2016 through 5 P.M. EST on November 11, 2016. This submission period applies to proposals that are expected to cost more than \$3 million (e.g. new facilities, major renovations, expansions, or other large-scale infrastructure improvements). Proposals that are expected to [cost \\$3 million or less](#) (e.g. small land donations, minor facility enhancements and lane expansions, and equipment and technologies), may be submitted year-round. All proposals, regardless of estimated cost, should be submitted via email to 559donationsacceptance@cbp.dhs.gov.

Proposals will be evaluated based on their ability to satisfy the criteria set forth in the [DAP Framework](#). Please refer to the [large-scale donation proposal template](#) for a recommended outline from which to develop and structure your proposal.

Prospective partners are welcome to share their conceptual ideas with the DAP in advance of preparing a formal submission for feedback regarding proposal viability and for other general proposal and process-related assistance. Finally, the DAP will be hosting a live webinar on October 11, 2016 to provide an overview of its donation ac-

ceptance process and answer any other questions you might have. Please click [here](#) to register.

For more information, questions, templates and other program and proposal-related guidance; please contact the DAP directly via email at 559donationsacceptance@cbp.dhs.gov.

US, China conduct joint IPR enforcement operation

On September 15, 2016, U.S. Customs and Border Protection (CBP) [announced](#) that in April, CBP and the General Administration of Customs of the Peoples' Republic of China (GACC) conducted their second joint intellectual property rights (IPR) enforcement operation. The month-long operation resulted in the seizure of over 1,400 shipments of counterfeit automobile parts, electronics, identification tags and labels, certain pharmaceutical products, bags, shoes, and other apparel products. The announcement stated that:

During the operation, both CBP and GACC focused on stopping shipments of IPR infringing goods from entering U.S. commerce, with CBP making seizures at the U.S. border and GACC interdicting exports of counterfeit goods destined to the United States.

The Office of Trade's IPR Policy & Programs Director, Mr. Michael Walsh, explained, "The United States and China have a lot of enforcement concerns in common, and being able to talk about them and to work in collaboration is a big step in the right direction. We are confident that this meeting has helped to expand the working relationship between our two countries."

CBP will continue to work closely with GACC to tackle IPR issues, as China remains the top exporting country for counterfeit and pirated goods to the United States. The two customs agencies will continue to share information and seizure data to effectively target shipments of IPR infringing goods.

Intellectual Property Rights is a [CBP Priority Trade Issue](#). This joint operation is an example of how CBP works with international partners to accomplish a common goal of deterring and disrupting illegal trade in IPR infringing products

CBP launches Trade Facilitation and Enforcement webpage

On September 12, 2016, U.S. Customs and Border Protection (CBP) [announced](#) that it recently launched the [Trade Facilitation and Trade Enforcement Act of 2015 webpage](#) as a means to provide the trade community information on TFTEA related issues. The webpage showcases news updates on trade enforcement and trade facilitation efforts in areas such as forced labor, anti-dumping countervailing duties, and the Automated Commercial Environment (ACE), as well as the latest on community engagement.

TFTEA, as the Act is commonly referred to, is the first piece of comprehensive legislation for CBP since the Department of Homeland Security was created in 2003, designed to ensure a fair and competitive trade environment.

CBP updates Hanjin scenarios

[CSMS# 16-000814 dated September 13, 2016](#), released scenarios (updated on September 8, 2016) to the Hanjin Shipping Co. bankruptcy filing. Hanjin Shipping Co., one of the world's largest shipping lines, recently filed for court receivership in South Korea. In anticipation of possible disruptions due to Hanjin Shipping vessels or cargo arriving to U.S. ports, CBP provided guidance to processing

scenarios to help trade and CBP identify procedures to follow to prevent disruptions. The scenarios cover the following situations:

- Scenario 1: Vessel Diverted to Foreign Port and Discharged
- Scenario 1a: Hanjin Vessel Diverted to Foreign Port Not Discharged
- Scenario 2: Hanjin Vessel Diverted to Another U.S. Port and Discharged
- Scenario 2a: Hanjin Vessel Diverted to Another U.S. Port Not Discharged
- Scenario 3: Hanjin Vessel Rests at Anchor and Not Diverted
- Scenario 4: In-bond (IT and T&E) cargo already in the U.S. moving under Hanjin's bond to U.S. port for entry or export
- Scenario 5: Entry has been filed, cargo has been released by CBP but terminal operator will not allow it to leave the terminal due to payment issues. Importers are requesting entry cancellations to avoid payment of duties etc. based on the 10 day entry summary clock.
- Scenario 6: Cargo for export has been loaded on board a foreign flagged vessel at a U.S. port. Vessel is now at a subsequent U.S. port and to avoid issues, the exporter/carrier is requesting permission to unload the export cargo in the U.S.

CBP updates ACE transition timeline

[CSMS# 16-000794](#) (September 8, 2016) announced that U.S. Customs and Border Protection (CBP) has been assessing stakeholder readiness for the

mandatory transition of post-release capabilities in the Automated Commercial Environment (ACE) and has heard from key industry partners on the need for additional flexibility in this transition. As a result, CBP is moving this date from October 1, 2016 to October 29, 2016 to allow additional time for our trade stakeholders to transition these capabilities to ACE.

This adjustment affects the mandatory filing of liquidation, drawback, reconciliation, duty deferral, collections, statements, and automated surety interface.

All capabilities included in the October 29, 2016 transition that are planned for, but not yet deployed to the Certification environment (CERT) will be operational in CERT, and all known prioritized issues will be resolved, no later than September 30, 2016.

While CBP has implemented the capability for most Partner Government Agency (PGA) data to be filed electronically in ACE, trade users may continue to file a combination of CBP electronic data and PGA paper forms where that is currently permitted.

- APHIS Lacey, NHTSA, FDA and as of 9/20/16, NMFS, data is required to be filed electronically in ACE.
- For PGA data that is not required to be filed electronically in ACE, filers may file using options currently specified as available for those PGAs.
- CBP will continue to coordinate and communicate as required the conclusion of PGA pilots via public notices.

To ensure quick resolution of any issues that may arise following the October 29th deployment, CBP will stand up an operations center to support the transition to ACE for post-release capabilities for CBP users. Trade users will continue to contact their assigned Client Representative as the first line point of contact. Client Representatives will escalate trade issues as needed to the operations center.

Additional information on support during the transition will be published prior to the October 29th deployment.

CBP to roll out ACE liquidation

U.S. Customs and Border Protection (CBP) has [announced](#) that in support of trade modernization and the Executive Order calling for establishment of the Single Window by December 31, 2016, CBP is preparing to roll out new Automated Commercial Environment (ACE) capabilities that support the liquidation process. On October 1, 2016, CBP will deploy liquidation capabilities in ACE, at which time liquidations will no longer be processed in the Automated Commercial System (ACS) and must be done via ACE. An Interim Final Rule (IFR) will be published prior to October 1st announcing liquidation capabilities in ACE.

The following are the high level changes for processing liquidations in ACE.

- **New Weekly Processing:** Liquidations will no longer occur on a two week cycle. Starting October 1st, liquidations will process weekly, with entry summaries liquidating every Friday. Once an entry summary is liquidated, ACE will automatically populate a liquidation date equal to the next immediate Friday – for liquidations processed before 12pm EST, liquidations will post Friday of the same week; liquidations occurring after this timeframe will post the following Friday.
- **Electronic Bulletin, No More Paper Postings:** CBP will no longer print the C16 notices for posting to the liquidation bulletin. This process will be replaced with an entirely electronic bulletin available on CBP.gov that will update every 90 minutes. The electronic bulletin provides public notice and an ACE account will not be required to access. Liquidations will be posted 365 days a year, including holidays. The trade will be able to search the electronic bulletin by filer or date the event occurred. Postings will be kept online for 18 months to allow time to search for a liquidation. After 18 months, a request will need to be made to CBP to view a past liquidation. For entry summaries with liquidation dates in the future, the liquidation reports will no longer display as “liquidated” and will instead display “pending” as the liquidation status.
- **Extensions and Suspensions:** CBP will no longer print notifications of extension and suspension. The electronic bulletin will serve as the official notice for extensions and suspensions. Extensions and suspensions will post same day to the bulletin, within 90 minutes of the extension and suspension action. Sureties and filers will continue to receive extension and suspension courtesy notices, which will be sent via ABI. Those filing in paper will not receive a courtesy notice, they will only be available to those filing electronically. If necessary, a liquidation may be extended up to three years. Reports will be available for CBP and the trade to view extension and suspension records.
- **Temporary Importations Under Bond (TIB) Extensions:** TIB Extensions requested by Trade will automatically be accepted in ACE, but CBP will have the ability to deny an extension as necessary. TIBs may only be extended for up to two years.
- **Deem Liquidations:** For entry summaries that are deem liquidated, they will display on the electronic bulletin as “deem liquidated” for the basis of liquidation. If no action has been taken to extend or suspend, an entry summary will deem liquidate at 365 days.

For ACE liquidation programming updates, please reference the following CA-TAIR documents:

- [The Courtesy Notice](#)
- [TIB Extension and Closure](#)
- [TIB Expiration Notice](#)
- [Entry Summary Status Notification-when TIB extension is denied](#)

CBP establishes webpage on Forced Labor

U.S. Customs and Border Protection (CBP) has established a [webpage on Forced Labor](#) as part of its outreach efforts. Section 307 of the Tariff Act of 1930 ([19 U.S.C. § 1307](#)) prohibits the importation of merchandise mined, produced or manufactured, wholly or in part, in any foreign country by forced labor – including forced child labor. Such merchandise is subject to exclusion and/or seizure, and may lead to criminal investigation of the importer(s). The [Trade Facilitation and Trade Enforcement Act of 2015](#) was signed by the President on February 24, 2016. The law repealed the “consumptive demand” clause in 19 U.S.C. § 1307. The clause had allowed importation of certain forced labor-produced goods if the goods were not produced “in such quantities in the United States as to meet the consumptive demands of the United States.” CBP states that repeal of the consumptive demand exception should enhance its ability to prevent products made with forced labor from being imported into the United States.

When information reasonably but not conclusively indicates that merchandise within the purview of this provision is being imported, the Commissioner of CBP may issue withhold release orders pursuant to 19 C.F.R. § 12.42(e). If the Commissioner is provided with information sufficient to make a determination that the goods in question are subject to the provisions of 19 U.S.C. § 1307, the Commissioner will publish a formal finding to that effect in the Customs Bulletin and in the *Federal Register* pursuant to 19 C.F.R. § 12.42(f).

The new page advises the public on how to file complaints and provides links to resources, including several Fact Sheets on CBP enforcement of the Forced Labor prohibition as well as [points of contact](#). In addition, it lists all withhold release orders issued by the Commissioner and findings published in the *Federal Register* and the current status, including the latest one added on September 19, 2016. CBP does not generally publicize specific detentions, re-exportations, exclusions, or seizures of the subject merchandise that may have resulted from the withhold release orders or findings.

CBP ICPs and other publications and fact sheets

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

- [ACE Reconciliation \(Prototype\) – A Guide to Compliance, Version 1.0a \(September 2016\)](#)
- [ACE Entry Summary \(Business Rules and Process Document\) ver 7.5 \(September 1, 2016\)](#)
- [ACE CATAIR Entry Summary Query](#) (September 13, 2016)
- [ACE CATAIR Importer Security Filing Status Notification](#) (Aug. 2016, Ver. 1)
- [ACE CATAIR Importer Security Filing CATAIR](#) (Aug. 2016, Ver. 2)
- [ACE CATAIR Entry Summary Status Notification](#) (Sept. 2016 Ver.14)
- [ACE CATAIR Appendix PGA](#) (Sept. 14, 2016)
- [ACE CATAIR PGA Message Set](#) (Sept 14, 2016)
- [ACE Adoption Rate Report – 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 outages or delays which have already occurred and problems which have been resolved are not included below.

Date	CSMS#	Title
09-01-16	16-000778	FDA Clarification for CSMS #16-000773
	16-000779	Updated APHIS-Core ACE PGA Message Set Implementation Guide V4.8, August 23, 2016
	16-000780	PROD and CERT Deployment Dates for PGA Changes
	16-000781	Reconciliation Handbook posted to CBP.gov
	16-000782	ACE Protest Frequently Asked Questions on CBP.gov
09-02-16	16-000785	ACE Entry Summary Business Process Trade 7.5 – 09/02/2016
	16-000787	October 1, 2016 ACE Deployment: Liquidation Information Notice
	16-000788	Guidance on Vessel Diversions for Hanjin Shipping Lines Cargo
09-07-16	16-000790	Reminder: 2016 ACE Trade User Satisfaction Survey
	16-000791	ACE PRODUCTION deployment, Thursday Sept. 8, 2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000792	ACE CERTIFICATION Entry Summary deployment, Thursday Sept. 8, 2016 @ 0630ET
09-08-16	16-000793	Updated ACE Transition Timeline
	16-000794	
09-09-16	16-000799	October 29, 2016 Information Notices: Duty Deferral and Draw-back
09-12-16	16-000802	ACE Entry Summary Business Process 7.5a - Trade
	16-000803	Guidance for Cargo Moving In-Bond from an FTZ to a Bonded Warehouse
	16-000804	Publication of a Federal Register Notice Announcing the Conclusion of the FSIS Pilot
	16-000805	
	16-000806	Cutover Plan for Statements in ACE
16-000807	Reminder: 2016 ACE Trade User Satisfaction Survey	
09-13-16	16-000808	Harmonized System Update (HSU) 1612 created August 30, 2016
	16-000809	ACE CERTIFICATION Reconciliation deployment, Tuesday morning, September 13, 2016
	16-000811	Harmonized System Update 1612- Clarification
	16-000812	ACE HTS Query
	16-000813	Updated: Guidance on Vessel Diversions for Hanjin Shipping Lines Cargo
	16-000814	
	16-000815	Reminder - ACE Mandatory Filing Date for NMFS September 20, 2016
16-000817	ACE Cargo Release Status Notification message delays, 9/13/2016 as of 18:40 ET	
09-14-16	16-000818	ACE PRODUCTION deployment, Thursday Sept. 15, 2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000820	Updated ACE CATAIR Documentation Posted to CBP.gov
	16-000821	FDA ACE Affirmation of Compliance updates for Medical Devices and Radiation Emitting Prod
09-15-16	16-000822	Export PGA Discussion for Software Developers
09-16-16	16-000824	ACE Cargo Release Entries Not on File in Truck Manifest
09-19-16	16-000827	Last Day Reminder: 2016 ACE Trade User Satisfaction Survey
	16-000828	ACE PRODUCTION deployment, Tuesday Sept. 20, 2016 @0600ET, impact ACE CargoRel & EntrySumm
09-20-16	16-000830	CBP/FDA Instructions for Filing FTZ Withdrawals (Entry Type 06 and 21)

Date	CSMS#	Title
	16-000831	Reminder: ACE Portal Account Password Activation and Reset Capability
09-21-16	16-000832	ACE PRODUCTION Cargo Release fix deployed for Pipeline entries, Wednesday Sept. 21, 2016
	16-000833	ACE PRODUCTION PGA deployment, Thurs. Sept 22,2016 @0600ET,impact ACE CargoRel & EntrySum
09-22-16	16-000834	New and Updated ACE CATAIR Documentation Posted to CBP.gov
09-23-16	16-000835	FDA ACE Interface Scheduled Maintenance, Saturday, September 24, 2016, 3:00 AM-5:00 AM
	16-000838	Expansion of AMS ACE/ITDS Pilot
09-27-16	16-000841	ACE PRODUCTION Cargo Release & Entry Summary deployments, Tues. Sept. 27, 2016 this a.m.
09-28-16	16-000847	Updated ACE AESTIR Documentation Posted on CBP.gov
09-29-16	16-000849	Updated ACE Transition Timeline
	16-000850	Bureau of Alcohol Tobacco Firearms and Explosives Supplemental Guidance for ACE V1.15
	16-000851	FDA New and End-dated CDRH Product Codes
	16-000852	Truck Manifest EDI Message Sequence Number to skip 1 on Oct. 2, 2016
09-30-16	16-000855	Change In Statement Number for September 30, 2016
	16-000856	Information on Quota Opening Moment
	16-000858	Publication of an IFR Notice Announcing Interim Regulations for FIFRA
	16-000859	

Foreign Trade Zones

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

F.R. Date	Document
09-01-16	Foreign-Trade Zone (FTZ) 279— Terrebonne Parish, Louisiana; Notification of Proposed Production Activity; Gulf Island Shipyards, LLC (Shipbuilding); Houma, Louisiana [B-56-2016]
09-06-16	Foreign-Trade Zone (FTZ) 281—Miami, Florida; Authorization of Production Activity; Alpha Marketing Network, Inc. d/b/a AMN Distributors (Kitting-Wine Gift Sets); Miami, Florida [B-33-2016]
	Foreign-Trade Zone (FTZ) 125—South Bend, Indiana; Authorization of Proposed Production Activity; LionsHead Specialty Tire & Wheel, LLC (Wheel Assemblies for Specialty Applications); Goshen, Indiana [B-30-2016]
09-08-16	Foreign-Trade Zone (FTZ) 92 – Harrison County, Mississippi - Notification of Proposed Production Activity TopShip, LLC (Shipbuilding) Gulfport, Mississippi [B-57-2016]
09-12-16	Foreign-Trade Zone (FTZ) 121 – Albany, New York - Authorization of Production Activity, Townsend Leather Company, Inc. (Finished Upholstery Grade Leather, Cut Parts and Product Samples) Johnstown, New York [B-34-2016]
09-15-16	Foreign-Trade Zone (FTZ) 46G— Cincinnati, Ohio, Notification of Proposed Production Activity, Givaudan Flavors Corporation, (Flavor Products), Cincinnati, Ohio [B-58-2016]
09-19-16	Foreign-Trade Zone 122-Corpus Christi, Texas; Application for Expansion of Subzone 122J; Valero Refining Company; Nueces County, Texas [B-59-2016]
	Foreign-Trade Zone (FTZ) 119— Minneapolis, Minnesota Authorization of Production Activity SICK, Inc.; (Electronic Industrial Sensors, Encoders, Optical Readers and Monitoring Systems) Savage, Minnesota [B-39-2016]
	Foreign-Trade Zone (FTZ) 7-Mayaguez, Puerto Rico; Notification of Proposed Production Activity; MSD International GMBH (Puerto Rico Branch) LLC; Subzone 7G (Pharmaceuticals) Las Piedras, Puerto Rico [B-60-2016]
09-21-16	Foreign-Trade Zone (FTZ) 20-Newport News, Virginia, Notification of Proposed Production Activity, Canon Virginia, Inc., Subzone 20D (Toner Cartridges),

F.R. Date	Document
	Newport News, Virginia [B-62-2016]
	Foreign-Trade Zone (FTZ) 79—Tampa, Florida, Notification of Proposed Production Activity, Givaudan Flavors Corporation (Flavor Compounds), Lakeland, Florida [B-61-2016]
09-22-16	Approval of Subzone Status - Michaels Stores Procurement Company, Inc. Hazleton, Pennsylvania [S-103-2016]
09-23-16	Foreign-Trade Zone (FTZ) 177 – Evansville, Indiana, Notification of Proposed Production Activity, Best Chairs, Inc. d/b/a Best Home Furnishings (Upholstered Furniture), Ferdinand, Cannelton and Paoli, Indiana [B-63-2016]
	Foreign-Trade Zone (FTZ) 249 – Pensacola, Florida, Authorization of Production Activity, GE Renewables North America, LLC (Wind Turbine Nacelles and Hubs) Pensacola, Florida [B-41-2016]
09-27-16	Reorganization and Expansion of Foreign-Trade Zone 82 Under Alternative Site Framework; Mobile, Alabama [Order No. 2014]
	Foreign-Trade Zone (FTZ) 21—Dorchester County, South Carolina; Notification of Proposed Production Activity; Volvo Car US Operations, Inc. (Motor Vehicles and Related Parts); Ridgeville, South Carolina [B-64-2016]
09-30-16	Reorganization and Expansion of Foreign-Trade Zone 214 Under Alternative Site Framework; Lenoir County, North Carolina [Order No. 2013]

State amends ITAR re: Tunisia, Eritrea, Somalia, the Democratic Republic of the Congo, Liberia, Côte d'Ivoire, Sri Lanka, Vietnam, and other changes

On September 29, 2016, the Department of State published in the *Federal Register* an [interim final rule](#) [Public Notice: 9602] amending the *International Traffic in Arms Regulations* (ITAR) to designate Tunisia as a major non-NATO ally (MNNA); reorganize the content in several paragraphs to clarify the intent of the ITAR; update defense trade policy regarding Eritrea, Somalia, the Democratic Republic of the Congo, Liberia, and Côte d'Ivoire to reflect resolutions adopted by the United Nations Security Council (UNSC); update defense trade policy regarding Sri Lanka to reflect the *Consolidated Appropriations Act, 2016*; and update defense trade policy regarding Vietnam to reflect a determination made by the Secretary of State.

- United Nations Security Council Resolution (UNSCR) 2244 (October 23, 2015) reaffirmed the arms embargoes on Eritrea and Somalia. Exemptions from the arms embargo on Somalia are set forth in paragraphs 6 through 11 of UNSCR 2111 and paragraphs 2 through 9 of UNSCR 2142. Subparagraphs (1) and (2) of § 126.1 (m) of the ITAR have been revised to reflect this change, and subparagraphs (3) through (6) are added to reflect new exceptions for Somalia as enumerated in UNSCR 2111. The revised control text follows the language as published in the aforementioned UNSCRs.
- UNSCR 2111 sets forth exemptions from the arms embargo on Eritrea in paragraphs 12 and 13; consequently, Eritrea will be moved to § 126.1(h). The revised control text follows the language as published in the aforementioned UNSCRs. § 126.1(h) is modified accordingly.
- Paragraph 3 of UNSCR 2293 (June 23, 2016) expanded the exemptions from the arms embargo on the Democratic Republic of the Congo. The revised control text follows the language as published in the aforementioned UNSCR. ITAR § 126.1(i) is modified accordingly.
- UNSCR 2288 (May 25, 2016) terminated the sanctions regime against Liberia, including restrictions on exports to Liberia of arms and related materiel. Liberia is removed from ITAR § 126.1(o) and that paragraph is reserved.
- UNSCR 2283 (April 28, 2016) terminated the sanctions regime against Côte d'Ivoire, including restrictions on exports to Côte d'Ivoire of arms and related ma-

teriel. Côte d'Ivoire is removed from ITAR § 126.1(q) and that paragraph is reserved.

- Licensing restrictions relating to Sri Lanka articulated in section 7044(e) of the *Consolidated Appropriations Act, 2015*, P.L. 113-235, and in previous appropriations acts, were not carried forward in section 7044(e) of the *Consolidated Appropriations Act, 2016*, P.L. 114-113. Therefore, Sri Lanka is removed from ITAR §126.1 (n) and that paragraph is reserved.
- The Secretary of State lifted the ban on lethal weapons sales to Vietnam in May 2016. Vietnam is removed from § 126.1(l) and the associated note and that paragraph is reserved.

The interim final rule was effective on publication but the Department of State will accept comments on it until October 31, 2016.

DDTC issues summary report on its Company Visit Program

The Department of State's Office of Defense Trade Controls Compliance (DTCC) has issued a [summary report covering May 2015 through April 2016](#) for its Company Visit Program ("CVP"), which was re-launched in 2015. The program includes onsite visits to industry as an extension of DDTC's outreach initiatives ("CVP-O") and engagement in existing compliance cases ("CVP-C"). DDTC states that additional reports will follow. The reports will share some company best practices, provide recommendations for improving compliance programs, and include firsthand information DDTC learned through our onsite interaction. The information included in the first report is limited to DDTC's site visits and does not include observations or recommendations identified through disclosures or other enforcement activities. The reports are non-attributional and do not include any data identified as being related to a specific company.

In this report, the following best practices were noted:

- Requiring suppliers to complete a standardized form identifying the jurisdiction/classification of their products and related technical data. Use of such a form may drive more companies to take an active role in identifying and documenting the export control jurisdiction of their products. The form also serves as a standardized tool for clear and consistent recordkeeping.
- Integrating export control processes into company quality systems and reviews.
- Physically segregating ITAR-controlled research (including research using ITAR-controlled articles or technical data) at universities.
- Providing foreign customers with a summary of TAA requirements, and tying those requirements to the contract with the foreign end-user. This may help expedite the TAA signature process, and can serve as a tool to educate the foreign customer on limitations that may exist when procuring U.S. services and technical data.
- Incorporating export compliance reviews into IT systems that manage project lifecycles, so that the workflow requires approval from the export compliance function prior to the bid/no-bid business decision.
- Requiring self-classifications to be reviewed and signed by engineering and technology managers of the cognizant business and a senior technology manager from a separate business unit, serving as an independent peer reviewer.
- Using incentive programs, such as internal recognition and/or awards, to recognize employees for compliance activities.

The report also has recommendations/observations for improvement and DTCC takeaways.

State revises ITAR definitions

On September 8, 2016, the Department of State published in the *Federal Register* a [final rule](#) [Public Notice: 9672] amending the *International Traffic in Arms Regulations* (ITAR) by revising the definition of “retransfer” and making other clarifying revisions based on comments received to the interim final rule published on June 3, 2016 (81 Fed. Reg. 35611) that revised key definitions, created several new definitions, and revised related provisions, as part of the President’s Export Control Reform (ECR) initiative.

The final rule makes the following changes to the ITAR:

- revisions to the definition of “retransfer” in §120.51 to clarify that temporary transfers to third parties and releases to same-country foreign persons are within the scope of the definitions;
- addition of a new paragraph (f) in §125.1 to mirror the new sections of the ITAR in §§ 123.28 and 124.1(e) detailing the scope of licenses;
- revising §126.16(a)(1)(iii) and §126.17(a)(1)(iii) to reflect the definitions of reexport and retransfer in the Defense Trade Cooperation Treaties with Australia and the United Kingdom, respectively, and to make appropriate revisions to the definitions of reexport in §120.19 and retransfer in §120.51 to reflect that these definitions do not apply in the treaty context;
- revisions to §126.18(d)(1) to clarify that the provisions include all foreign persons who meet the definition of regular employee in §120.39; and
- revisions to §130.2 to ensure that the scope of the Part 130 requirements does not change due to the revised and new definitions.

Census updates HTS in the AES

Effective immediately, the *Harmonized Tariff Schedule* (HTS) tables have been updated in the Automated Export System (AES) to include the August 22, 2016 changes from Public Law 114-125, the Trade Facilitation and Trade Enforcement Act of 2015.

- The Schedule B and HTS tables are available for download [here](#).
- The current list of HTS codes that are not valid for AES is available [here](#).

BIS revises EAR to implement 2015 Wassenaar agreements, remove foreign national review and update information security

On September 20, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [160217120–6120–01] that revises the Commerce Control List (CCL), as well as corresponding parts of the *Export Administration Regulations* (EAR), to implement changes made to the Wassenaar Arrangement’s List of Dual-Use Goods and Technologies (WA List) maintained and agreed to by governments participating in the *Wassenaar Arrangement on Export Controls for Conventional Arms and Dual-Use Goods and Technologies* (Wassenaar Arrangement, or WA) at the December 2015 WA Plenary Meeting (the Plenary). The Wassenaar Arrangement advocates implementation of effective export controls on strategic items with the objective of improving regional and international security and stability. The rule harmonizes the CCL with the changes made to the WA List at the Plenary by revising Export Control Classification Numbers (ECCNs) controlled for national security reasons in each category of the CCL, as well as making other associated changes to the EAR.

The changes to the WA List include raising the Adjusted Peak Performance (APP) for high performance computers. The President's report for High Performance Computers was sent to Congress on June 1, 2016, to set forth the new APP in accordance with the *National Defense Authorization Act* (NDAA) for FY1998.

The rule also makes changes to the EAR that were not agreed to at the WA Plenary. APP parameters are amended in several places in the EAR by the rule, such as APP parameters in the *de minimis* rules, License Exception APP, and related reporting requirements. BIS is also updating license requirements and policies associated with Category 5—Part 2, including revising ECCNs 5A992, 5D992 and 5E992. In addition, the rule removes the Foreign National Review requirement associated with deemed exports under License Exceptions APP and CIV.

The final rule was effective on publication. For a more detailed discussion, please see our [Sanctions Blog](#) article [Commerce Issues Changes to US Encryption-Related Export Controls Along with Wassenaar Arrangement Updates](#). In addition, BIS has published a short summary of the [Information Security Updates](#) pending a full update of its online encryption guidance.

BIS revises EAR Entity List licensing requirements

On September 20, 2016, the BIS published in the *Federal Register* a [final rule](#) [160609506–6506–01] that amends the *Export Administration Regulations* (EAR) by revising the license requirement to apply to all items subject to the EAR for twelve Chinese entities on the Entity List. These revisions are made in order to address national security concerns resulting from the removal of certain subparagraphs of Export Control Classification Numbers (ECCNs) 5A992, 5D992 and 5E992 that occurs in the 2015 Wassenaar Implementation rule, which was also published on September 20, 2016 (see above). The rule also brings the general Entity List license requirements, policies and procedures under a single section of the EAR to assist the public to better locate and comply with these regulations.

BIS seeks comments on effects of extending foreign policy-based export controls through 2017

On September 8, 2016, BIS published in the *Federal Register* a [request for comments](#) [Docket No. 160825782-6782-01] on the effect of existing foreign policy-based export controls in the *Export Administration Regulations*. Section 6 of the *Export Administration Act* requires BIS to consult with industry on the effect of such controls and to report the results of the consultations to Congress. BIS is conducting the consultations through this request for public comments. Comments from all interested persons are welcome. All comments will be made available for public inspection and copying and included in a report to be submitted to Congress.

Comments must be received by October 11, 2016.

BIS seeks comments on licensing for agricultural exports to Cuba

On September 8, 2016, BIS published in the *Federal Register* a [request for comments](#) [Docket No. 160826784-6784-01] on the effectiveness of its licensing procedures as defined in the *Export Administration Regulations* for the export of agricultural commodities to Cuba. BIS will include a description of these comments in

its biennial report to the Congress, as required by the *Trade Sanctions Reform and Export Enhancement Act of 2000*, as amended (TSRA).

Comments must be received by October 11, 2016.

BIS revises Entity List

On September 7, 2016, the BIS published in the *Federal Register* a [final rule](#) [Docket No. 160617543-6543-01] that amends the *Export Administration Regulations* (EAR) by adding eighty-one entities under eighty-six entries to the Entity List. The eighty-one entities that 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. BIS is taking this action to ensure the efficacy of existing sanctions on the Russian Federation (Russia) for violating international law and fueling the conflict in eastern Ukraine. These entities will be listed on the Entity List under the destinations of the Crimea region of Ukraine, Hong Kong, India, and Russia.

BIS amend VEU authorization

On September 6, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160810722-6722-01] that amends the EAR to revise the existing Validated End-User (VEU) list for the People's Republic of China (PRC) by updating the list of eligible destinations (facilities) for VEU Boeing Tianjin Composites Co. Ltd. (BTC). Specifically, BIS amends supplement No. 7 to part 748 of the EAR to change the written address of BTC's existing facility. The physical location of the facility has not changed. BIS updated the facility address after receiving notification of the change from BTC. The End-User Review Committee reviewed and authorized the amendment in accordance with established procedures. The updated address contributes to maintaining accurate location information for BTC's VEU.

This rule is effective September 6, 2016.

BIS updates authorities for EAR

On September 1, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160808698-6698-01] that updates the Code of Federal Regulations (C.F.R.) legal authority paragraphs in the EAR to cite the most recent Presidential notice extending an emergency declared pursuant to the *International Emergency Economic Powers Act*. This is a procedural rule that only updates authority paragraphs of the EAR. It does not alter any right, obligation or prohibition that applies to any person under the EAR.

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
09-01-16	State: Executive Order 13224 Designation of Abdiqadir Mumin, aka Sheikh Abdikadir Mumin, aka Sheiky Abdulqadir Mumin, aka Sheikh Abdulqadir Mumin, aka Abdul Qadir Mumin, aka Sheikh Abdiqadir Mumin Yusuf, aka Sheikh Abdulkadir Mumin, aka Abdul Nadir Mumin, aka Abdul Qadr Mu'min as

F.R. Date	Applicable orders
	a Specially Designated Global Terrorist [Public Notice: 9698] (N)
09-06-16	State: Review of the Designation as a Foreign Terrorist Organization of Kata'ib Hizballah (and Other Aliases) [Public Notice 9699]
09-07-16	BIS: Russian Sanctions: Addition of Certain Entities to the Entity List [Docket No. 160617543-6543-01] (FR)
09-08-16	OFAC: Sanctions Actions Pursuant to Executive Orders 13660, 13661, 13662, and 13685 [one hundred thirty-three persons] (N)
09-12-16	OFAC: Sanctions Actions Pursuant to Executive Order 13582 [one entity and one individual] (N)
09-19-16	State: E.O. 13224 Designation of Omar Diaby, aka Omar al-Diaby, aka Omar Omsen, aka Omar Oumsen, aka Oumar Diaby as a Specially Designated Global Terrorist [Public Notice: 9723] (N)
	State: E.O. 13224 Designation of Fathi Ahmad Mohammad Hammad, aka Fathi Ahmad Hammad, aka Fathy Ahmed Hamad, aka Fathi Hamad as a Specially Designated Global Terrorist [Public Notice 9722] (N)
09-20-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [2 individuals]
09-26-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [Removal of 1 entity]
	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [6 individuals]
	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [Removal of 3 individuals]
	State: Review of the Designation as a Foreign Terrorist Organization of al-Aqsa Martyrs' Brigade (and other aliases) [Public Notice: 9733]
	State: Executive Order 13224 Designation of Jund al-Aqsa, aka JAA, aka Jund Al-Aqsa, aka The Soldiers of Aqsa, aka Soldiers of al-Aqsa, aka Sarayat al-Quds as a Specially Designated Global Terrorist [Public Notice: 9734]
09-27-16	OFAC: Designation of 12 Individuals, 25 Entities, and 1 Blocked Property Pursuant to Executive Order 13581, "Blocking Property of Transnational Criminal Organizations" (N)
09-30-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [removing the name of two entities]
	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [removing the name of one individual]
	State: E.O. 13224 Designation of Anas El Abboubi, aka Anas el-Abboubi, aka Anas al-Abboubi, aka Anas Al-Italy, aka Abu Rawaha the Italian, aka Abu the Italian, aka Rawaha al Itali, aka Mc Khalifh, aka McKhalif, aka Mc Khaliph, aka Anas Shakur, aka Anas Abdu Shakur as a Specially Designated Global Terrorist [Public Notice: 9742] (N)

Harris Corporation obtains FCPA declination while former employee is sanctioned

The following is to advise you as to why the [declination](#) issued (September 12, 2016) to Harris Corporation by the U.S. Securities and Exchange Commission ("SEC") is important to your company. Put simply, Harris' declination from the SEC -- following on the declination Harris received from the U.S. Department of Justice ("DOJ") in November 2015 -- represents the first time in a "pure" FCPA investigation that a multinational corporation has avoided prosecution **entirely** while one of its former employees was sanctioned for FCPA violations that created clear potential FCPA liability for the company. Morgan Stanley received a declination while its former employee was prosecuted for FCPA violations, but that case involved self dealing by the employee, a factor not present in the Harris case. By issuing a declination to Harris while charging its former employee with having paid \$1 million in bribes, the enforcement authorities have matched their rhetoric with deeds, and have demonstrated the real benefit to companies of an effective compliance program, voluntary disclosure, and substantial cooperation. In addition, the Harris declination shows how the acquisition of a company, even one that represents a small portion of an acquirer's total revenue, can ex-

pose the acquirer to potential substantial FCPA liability -- and how effective anti-corruption due diligence and post-closing integration can significantly mitigate that risk.

Summary: Harris Receives Declinations, But Its Employee is Sanctioned

Harris, which was represented by Baker McKenzie in this matter, is a global communications and information technology company based in Melbourne, Florida. The investigation arose out of Harris' acquisition of CareFx Corporation in April 2011. CareFx had a wholly-owned subsidiary in China ("CareFx China") that was in the business of developing and selling electronic patient medical records software to Chinese health agencies and hospitals. CareFx China was a small operation - the consolidated revenue of CareFx China in fiscal year 2012 was approximately \$1.4 million, which was less than 0.1 % of Harris' total consolidated revenue.

The chairman and CEO of CareFx China was Jun Ping Zhang ("Ping"). The SEC alleged that, after the acquisition, Ping (who was also a Harris employee) caused CareFx China to provide between \$200,000 and \$1 million in improper gifts to Chinese health officials, who awarded \$9.6 million in contracts to CareFx China. Ping allegedly concealed the gift giving scheme from Harris by causing CareFx China's employees to describe the gift expenses in CareFx China's accounting records as "entertainment," "office supplies," and "transportation."

Harris discovered the scheme as a result of its post-acquisition integration efforts, conducted an internal investigation, and voluntarily disclosed the investigation to the DOJ and the SEC in August 2012. After making its voluntary disclosure, Harris closed all of CareFx China's sales operations in September 2012.

On November 30, 2015, the DOJ advised Harris that it had decided to decline prosecution of the company. On September 12, 2016, the SEC announced its declination as to Harris in an Administrative Proceeding release found [here](#). On the same day, the SEC published an Administrative Order against Ping (found [here](#)), in which Ping consented to findings that he had violated the anti-bribery provisions of the FCPA, had caused Harris' books and records to be inaccurate, and had knowingly circumvented Harris' internal controls. Ping agreed to pay a civil monetary penalty in the amount of \$46,000.

What the Harris Declination Means to You and Your Compliance Program

The SEC stated that Harris earned a declination as a result of its due diligence in advance of acquiring CareFx China, its integration of CareFx China after the closing, and its voluntary disclosure, remediation and cooperation. In particular, the SEC stated that:

- Although Harris was limited in its ability to conduct pre-acquisition due diligence, Harris' attorneys did interview Ping about gift giving at CareFx China, and Ping "did not disclose" the gift misconduct.
- "Harris took immediate and significant steps after the acquisition to train staff in China and integrate the subsidiary into Harris' system of internal accounting controls. As a result of Harris' post-acquisition measures, including the implementation of an anonymous complaint hotline, Harris discovered the misconduct at the subsidiary within five months of the acquisition."

- Harris engaged in “prompt self-reporting” and “thorough remediation,” and provided “exemplary cooperation,” which among other things resulted in the enforcement action against Ping.

The Harris FCPA declination is significant for several reasons:

- **First of Its Kind.** FCPA commentators have justifiably been suspicious of the claims from the DOJ and the SEC that they will reward companies who have a strong compliance program and who respond to allegations of misconduct by voluntarily disclosing and cooperating. With the Harris declination, the enforcement authorities have finally supported their claims with real action. Ping, while a Harris employee, engaged in a scheme to provide up to \$1 million in improper gifts to Chinese health officials in order to gain \$9.6 million in contracts. In previous years, that sort of conduct would have resulted in a costly enforcement action against Harris, regardless of whether the scheme had been actively cealed. The fact that Harris was able to obtain a declination in this situation - without any allegation that Ping had also stolen from Harris - is a significant development that changes the voluntary disclosure calculus.
- **Clear Value of an Effective Compliance Program.** The central message of the Harris declination is that an effective compliance program has real value. Harris had a robust program that, despite its strength, did not prevent a \$1 million bribery scheme from occurring. The fact that the authorities were able to understand that significant misconduct can occur even when a company has a strong compliance program, and issue a declination based on that compliance program and the company’s response to the misconduct, is heartening news for all compliance practitioners.
- **Elements of an Effective Compliance Program.** In issuing its declination, the SEC highlighted the ways that Harris’ compliance program enabled it to obtain this result, including:
 - Harris conducted as much due diligence as possible prior to closing on the acquisition, including conducting interviews of the relevant principals, even though CareFx China represented less than 0.1 % of Harris’ total revenue;
 - Harris quickly and vigorously pursued integration after the closing, including conducting training and implementing Harris’ internal controls, compliance program and complaint hotline;
 - Harris maintained a robust set of anti-corruption policies, procedures and controls that, at the least, caused Ping to take substantial steps in order to conceal the gift giving scheme from the company;
 - When the misconduct was discovered, Harris conducted an appropriate internal investigation;
 - Harris promptly and voluntarily disclosed the investigation to the government authorities;
 - Harris engaged in substantial remediation, which in Harris’ case included enhancing its internal controls, conducting additional training, and terminating Ping and other responsible employees for cause; and
 - Harris provided substantial cooperation to the authorities, including helping the SEC build its case against Ping.

The most noteworthy of the above items are Harris’ pre-acquisition due diligence and post-closing integration. CareFx China was a tiny part of the transaction, but Harris nonetheless pursued substantial due diligence, including interviewing Ping, and after closing promptly conducted training and integrated CareFx China into its systems. These efforts surely contributed to the decisions of the DOJ and the SEC to issue declinations to Harris.

Harris' FCPA declination is good news for compliance practitioners and for those who have been asking for more clarity from the enforcement authorities about the benefits of compliance and cooperation. Time will tell whether the Harris resolution is part of a trend or is an outlier.

For more information or questions, please contact [Robert W. Kent, Jr.](#) in our Chicago office.

FTC issues amendments to Energy Labeling Rule

On September 15, 2016, the Federal Trade Commission (FTC) published in the *Federal Register* a [final rule](#) amending the *Energy Labeling Rule* to improve access to energy labels online and improve labels for refrigerators, ceiling fans, central air conditioners, and water heaters. The FTC is issuing these amendments to assist consumers in their purchasing decisions and ensure labels are consistent with Department of Energy requirements.

The amendments to 16 C.F.R. 305.3(x), 305.13, and Sample Label 17 of Appendix L are effective on September 17, 2018. All other amendments published in this document are effective on June 12, 2017.

FTC proposes amendments Energy Labeling Rule

On September 12, 2016, the Federal Trade Commission (FTC) published in the *Federal Register* a [notice of proposed rulemaking](#) to amend the *Energy Labeling Rule* to require labels for portable air conditioners, large-diameter and high-speed small diameter ceiling fans, and instantaneous electric water heaters. Additionally, it proposes eliminating certain marking requirements for plumbing products.

The *Energy Labeling Rule* was issued pursuant to the *Energy Policy and Conservation Act of 1975* and requires energy labeling for major home appliances and other consumer products to help consumers compare competing models. It also contains labeling requirements for refrigerators, refrigerator-freezers, freezers, dishwashers, water heaters, clothes washers, room air conditioners, furnaces, central air conditioners, heat pumps, plumbing products, lighting products, ceiling fans, and televisions.

Written comments must be received on or before November 14, 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
09-01-16	CPSC: Petition To Amend Statement of Interpretation and Enforcement Policy Regarding Labeling of Household Products Containing Methylene Chloride; Request for Comments [Docket No. CPSC-2016-0019] (N/RFC)
09-06-16	CPSC: Statement of Policy on the Commission's Interpretation of Intent To Produce Audible Effects Within the Meaning of the Commission's Fireworks Regulations Under the Federal Hazardous Substances Act [Docket No. CPSC-2016-0020] (PR)
09-07-16	FTC: Standards for Safeguarding Customer Information (RFC)
09-12-16	FTC: Energy Labeling Rule (PR)
09-15-16	FTC: Energy Labeling Rule (FR)
	FTC: Disclosure of Written Consumer Product Warranty Terms and Conditions;

F.R. Date	Subject
	Pre-Sale Availability of Written Warranty Terms (FR)
09-29-16	CPSC: Safety Standard for Baby Changing Products [Docket No. CPSC-2016-0023] (PR)

TTB announcements and Federal Register documents

The Alcohol and Tobacco Tax and Trade Bureau (TTB) has posted the following information or regulatory actions of interest to international traders :

Date	Subject
09-08-16	Proposed Revisions to Wine Labeling and Recordkeeping Requirements; Comment Period Reopening [Docket No. TTB-2016-0005; Notice No. 160A; Re: Notice No. 160] (PR/RO)

FDA issues guidance on use of the term “healthy” in food labeling

On September 28, 2016, the Food and Drug Administration (FDA) published in the *Federal Register* a [notice](#) [Docket No. FDA-2016-D-2335] announcing the availability of a guidance for industry entitled “*Use of the Term 'Healthy' in the Labeling of Human Food Products: Guidance for Industry.*” The guidance advises manufacturers who wish to use the implied nutrient content claim “healthy” to label their food products as provided by FDA regulations. More specifically, the guidance advises food manufacturers of our intent to exercise enforcement discretion with respect to the implied nutrient content claim “healthy” on foods that have a fat profile of predominantly mono and polyunsaturated fats, but do not meet the regulatory definition of “low fat”, or that contain at least 10 percent of the Daily Value (DV) per reference amount customarily consumed (RACC) of potassium or vitamin D.

Comments on FDA guidance documents may be submitted in electronic format or in writing at any time.

On the same date, the FDA published in the *Federal Register* a [document](#) [Docket No. FDA-2016-D-2335] announcing the establishment of a docket to receive information and comments on the use of the term “healthy” in the labeling of human food products. This action is consistent with FDA’s recently released 2016-2025 Foods and Veterinary Medicine (FVM) Program’s strategic plan with specific goals for nutrition and other planned and recent activity including the issuance of final rules updating certain of FDA’s nutrition labeling regulations. In addition, the FDA received a citizen petition asking that it update, among other things, its nutrient content claim regulations to be consistent with current federal dietary guidance. In particular, the petitioners request that FDA amend the regulation defining the nutrient content claim “healthy” with respect to total fat intake and amend the regulation to emphasize whole foods and dietary patterns rather than specific nutrients. FDA invites public comment on the term “healthy”, generally, and as a nutrient content claim in the context of food labeling and on specific questions contained in this document.

Submit either electronic or written comments by January 26, 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
09-06-16	Safety and Effectiveness of Consumer Antiseptics; Topical Antimicrobial Drug Products for Over-the-Counter Human Use [Docket No. FDA-1975-N-0012; Formerly Part of Docket No. 1975N-0183H] (FR)
09-08-16	Substances Generally Recognized as Safe – Correction [Docket No. FDA-1997-N-0020 (formerly 97N-0103)] (FR)
09-09-16	Maximum Civil Money Penalty Amounts; Technical Amendment [Docket No. FDA-2016-N-1745] (FR)
	Substantiation for Structure/Function Claims Made in Infant Formula Labels and Labeling: Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-2241] (N)
	Health Document Submission Requirements for Tobacco Products; Revised Draft Guidance for Industry; Availability [Docket No. FDA-2009-D-0600] (N)
09-14-16	E17 General Principles for Planning and Design of Multi-Regional Clinical Trials; International Council for Harmonisation; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-2567] (N)
	New Animal Drugs for Use in Animal Feeds; Chlortetracycline and Sulfamethazine; Chlortetracycline, Procaine Penicillin, and Sulfamethazine [Docket No. FDA-2016-N-0002] (FR)
09-19-16	International Drug Scheduling; Convention on Psychotropic Substances; Single Convention on Narcotic Drugs; 4-Methylethcathinone and Eleven Other Substances; Request for Comments [Docket No. FDA-2016-N-2633] (N)
	Health Canada and United States Food and Drug Administration Joint Public Consultation on International Council for Harmonisation of Technical Requirements for Pharmaceuticals for Human Use; Public Meeting and Webcast [Docket No. FDA-2016-N-1112] (N) <i>[public meeting will be held on October 24, 2016]</i>
	Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food and Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Food for Animals; Definition of Qualified Auditor; Announcement of Effective Date [Docket Nos. FDA-2011-N-0920, FDA-2011-N-0922] (FR)
09-21-16	Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 045 [Docket No. FDA-2004-N-0451] (N)
09-22-16	Technical Electronic Product Radiation Safety Standards Committee; Notice of Meeting [Docket No. FDA-2016-N-0001] (N/H) <i>[Oct. 25, 2016]</i>
09-28-16	Use of the Term “Healthy” in the Labeling of Human Food Products: Guidance for Industry; Availability [Docket No. FDA-2016-D-2335] (N)
	Use of the Term “Healthy” in the Labeling of Human Food Products; Request for Information and Comments [Docket No. FDA-2016-D-2335] (N/RFC)
09-30-16	BASF Corp.; Filing of Food Additive Petition (Animal Use) [Docket No. FDA-2014-F-0988] (N)
	Food Additives Permitted in Feed and Drinking Water of Animals; Feed Grade Sodium Formate [Docket No. FDA-2014-F-0988] (FR)

APHIS and other USDA 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
09-12-16	FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Food Hygiene [Docket No. FSIS-2016-0029]
	FAS: McGovern-Dole International Food for Education and Child Nutrition Program
09-13-16	AMS: National Dairy Promotion and Research Program [Document No. AMS-

F.R. Date	Subject
	DA-15-0068] (N)
09-16-16	AMS: Raisins Produced From Grapes Grown in California and Imported Raisins: Removal of Language [Doc. No. AMS-SC-16-0065; SC16-989-2PR] (PR)
	AMS: Amendment to the Definition of "Condition" and Prerequisite Requirement for Shell Eggs Eligible for Grading and Certification Stated in the Regulations Governing the Voluntary Grading of Shell Eggs [Doc. No. AMS-LPS-15-0044] (FR)
	APHIS: Notice of Availability of a Treatment Evaluation Document; Cold Treatment of Grapefruit From Australia [Docket No. APHIS-2016-0049] (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](#).

- Angola - [Exporting to Angola](#)
- China - [China Lifts Ban on U.S. Beef Exports](#)
- China - [China Releases New Draft Standards for 1058 MRL in Foods](#)
- EAEU - [Eurasian Economic Commission Announces 2017 TRQs](#)
- France - [Neonicotinoid Insecticides to Be Banned in France from 2018](#)
- India - [Final Amendment for Irradiated Food Standards and Label Requirements](#)
- India - [FSSAI Invites Comments on E-Commerce Regulatory Standards](#)
- India - [FSSAI Publishes FAQs on Food Licensing and Registration Systems](#)
- India - [GOI amends Import Requirements for Poultry and Poultry Products](#)
- India - [Modified 2016 Food Import Regulations](#)
- India - [Proprietary Food Standards Updated and Made Operational](#)
- India - [WTO Notified – Draft Amendment on Adoption of 46 Standards of BIS](#)
- Indonesia - [Ministry of Trade Updates Beef Import Regulation](#)
- Japan - [Japan is Considering Expanding COOL Requirements for Ingredients](#)
- Kazakhstan - [Draft SPS Measure to WTO](#)
- Mexico - [Mexico Announces Maximum Sugar Export Quota to the United States](#)
- Pakistan - [Changes in Pakistan Wheat Export Subsidy and Import Tariff](#)
- Pakistan - [Pakistan Increases Tariff on Milk Powder Import](#)
- Poland - [Proposed Retail Tax](#)
- Russia - [FAIRS - Certification](#)
- Russia - [FAIRS - Narrative](#)
- Russia - [New Rules for Phytosanitary Control at the State Border of the RF](#)
- Vietnam - [GVN Renews Regulations on Aquatic Animals and Products](#)
- Vietnam - [Changes to Special Consumption Tax on Alcoholic Beverages](#)

ITA finalizes EU-US Privacy Shield cost recovery fee

On September 30, 2016, the International Trade Administration (ITA), U.S. Department of Commerce (Commerce) published in the *Federal Register* a [final notice of implementation of a cost recovery program fee](#) [Docket No. 160713610-6783-02]. Consistent with the guidelines in OMB Circular A-25, ITA has implemented a cost recovery program fee to support the operation of the EU-U.S. Privacy Shield Framework (Privacy Shield), which requires that U.S. organizations

pay an annual fee to ITA in order to participate in the Privacy Shield. ITA published the Cost Recovery Fee Schedule for the Privacy Shield on July 22, 2016 (81 Fed. Reg. 47752). No comments were received and so the fee schedule is considered final until further review one year after implementation of the program. The cost recovery program supports the administration and supervision of the Privacy Shield program and supports the provision of Privacy Shield-related services, including education and outreach. The Privacy Shield fee schedule was effective on August 1, 2016, when ITA began accepting self-certifications under the Privacy Shield Framework.

Commerce developed the Privacy Shield in consultation with the European Commission, as well as with industry and other stakeholders, to provide organizations in the United States with a reliable mechanism for personal data transfers to the United States from the European Union while ensuring the protection of the data as required by EU law. In July 2016, the European Commission approved the EU–U.S. Privacy Shield Framework.

CITA publishing the New 12-Month cap on duty- and quota-free benefits

On September 28, 2016, the Committee for the Implementation of Textile Agreements (CITA) published in the *Federal Register* a [document](#) publishing the new 12-Month cap on duty- and quota-free benefits for imports of apparel articles assembled in beneficiary Sub-Saharan African countries from regional and third-country fabric.

For the one-year period, beginning on October 1, 2016, and extending through September 30, 2017, the aggregate quantity of imports eligible for preferential treatment under these provisions is 1,966,511,796 square meters equivalent. Of this amount, 983,255,898 square meters equivalent is available to apparel articles imported under the special rule for lesser-developed countries. Apparel articles entered in excess of these quantities will be subject to otherwise applicable tariffs. These quantities are calculated using the aggregate square meter equivalents of all apparel articles imported into the United States, derived from the set of *Harmonized System* lines listed in the Annex to the *World Trade Organization Agreement on Textiles and Clothing* (ATC), and the conversion factors for units of measure into square meter equivalents used by the United States in implementing the ATC.

Government Procurement: DoD/GSA/NASA add Ukraine and Moldova

On September 30, 2016, the Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) published in the *Federal Register* a [final rule](#) [FAC 2005–91; FAR Case 2016–009; Item VIII; Docket No. 2016–0009, Sequence No. 1] amending the *Federal Acquisition Regulation* (FAR) to add Ukraine and Moldova as new designated countries under the World Trade Organization Government Procurement Agreement (WTO GPA). The rule will be effective October 31, 2016.

Government Procurement: DFARS adds Moldova

On September 23, 2016, the Defense Acquisition Regulations System published in the *Federal Register* a [final rule](#) amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to add Moldova as a new designated country under the *WTO Government Procurement Agreement*.

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
09-01-16	Millennium Challenge Corp.: Report on Countries That Are Candidates for Millennium Challenge Account Eligibility in Fiscal Year 2017 and Countries That Would Be Candidates but for Legal Prohibitions [MCC FR 16-04] (N)
	National Highway Traffic Safety Administration (NHTSA): Update Means of Providing Recall Notification [Docket No. NHTSA-2016-0001] (PR)
09-02-16	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Conventional Cooking Products [Docket Number EERE-2014-BT-STD-0005] (Supp. PR)
	Environmental Protection Agency (EPA): Pesticide Product Registration: Receipt of Applications for New Uses; Correction and Reopening of Comment Period [EPA-HQ-OPP-2015-0022 FRL-9949-89] (N/C/RO)
	EPA: Butanedioic Acid, 2-Methylene-, Polymer With 1,3-Butadiene, Ethylbenzene and 2-Hydroxyethyl-2-Propenoate; Tolerance Exemption [EPA-HQ-OPP-2016-0201; FRL-9950-63] (FR)
09-06-16	Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Placement of PB-22, 5F-PB-22, ABFUBINACA and ADB-PINACA into Schedule I [Docket No. DEA-433] (FR)
09-07-16	DEA: Schedules of Controlled Substances: Temporary Placement of U-47700 into Schedule I [Docket No. DEA-440] (N)
	EPA: Chlorantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2013-0235; FRL-9950-04] (FR)
	NHTSA/Federal Motor Carrier Safety Admin. (FMCSA): Federal Motor Vehicle Safety Standards; Federal Motor Carrier Safety Regulations; Parts and Accessories Necessary for Safe Operation; Speed Limiting Devices [Docket No. NHTSA-2016-0087 and Docket No. FMCSA-2014-0083] (PR)
	Pipeline and Hazardous Materials Safety Administration (PHMSA): Hazardous Materials: Harmonization with International Standards (RRR) [Docket No. PHMSA-2015-0273 (HM-215N)] (PR)
09-08-16	National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Admin.(NOAA): Endangered and Threatened Species; Identification of 14 Distinct Population Segments of the Humpback Whale (Megaptera novaeangliae) and Revision of Species-wide Listing [Docket No. 130708594-6598-03] (FR)
	Energy: Energy Conservation Program: Test Procedures for Integrated Light-Emitting Diode Lamps; Correction [Docket No. EERE-2011-BT-TP-0071] (FR/C)
09-09-16	Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Endangered Species Status for Guadalupe Fescue [Docket No. FWS-R2-ES-2016-0099; 4500030113] (N)
09-12-16	FWS: Endangered and Threatened Wildlife and Plants; Taxonomic Correction for the Grand Cayman Ground Iguana [Docket No. FWS-HQ-ES-2016-0097; 4500030115] (FR)
09-13-16	Energy: Energy Conservation Program: Energy Conservation Standards for Walk-In Cooler and Freezer Refrigeration Systems; Proposed Rule [Docket Number EERE-2015-BT-STD-0016] (PR)
	PHMSA: Hazardous Materials: International Regulations for the Safe Transport of Radioactive Material (SSR-6); Draft Revision Available for Comment [Docket No. PHMSA-2016-0064, Notice No. 2016-8] (N)
09-14-16	EPA: Acrylic Polymers; Tolerance Exemption [EPA-HQ-OPP-2016-0283; FRL-9949-81] (FR)
09-15-16	DEA: Revision of Import and Export Requirements for Controlled Substances, Listed Chemicals, and Tableting and Encapsulating Machines, Including Changes To Implement the International Trade Data System; Revision of Reporting Requirements for Domestic Transactions in Listed Chemicals and Tableting and Encapsulating Machines; and Technical Amendments [Docket No. DEA-403] (PR)

F.R. Date	Subject
09-16-16	EPA: Aspergillus flavus strains TC16F, TC35C, TC38B, and TC46G; Temporary Exemptions From the Requirement of a Tolerance [EPA-HQ-OPP-2015-0742; FRL-9951-44] (FR)
	EPA: Ammonium Persulfate; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2013-0237; FRL-9951-08] (FR)
09-19-16	NOAA/NMFS: Endangered and Threatened Wildlife and Plants; Proposed Rule To List Two Guitarfishes as Threatened [Docket No. 150211138-6789-01] (PR)
09-19-16	NOAA/NMFS: Endangered and Threatened Wildlife and Plants; Proposed Rule To List the Maui's Dolphin as Endangered and the South Island Hector's Dolphin as Threatened Under the Endangered Species Act [Docket No. 160614520-6520-01] (PR)
09-20-16	EPA: Registration Review; Draft Ecological and/or Human Health Risk Assessments; Notice of Availability [EPA-HQ-OPP-2015-0794; FRL-9947-88] (N)
09-20-16	Energy: Energy Conservation Program: Test Procedure for Dedicated-Purpose Pool Pumps [Docket Number EERE-2016-BT-TP-0002] (PR/H)
09-21-16	EPA: Product Cancellation Order for Certain Pesticide Registrations and Amendment To Terminate a Certain Use [EPA-HQ-OPP-2015-0452; FRL-9951-71] (N)
09-21-16	International Trade Administration (ITA): Advisory Committee on Supply Chain Competitiveness: Notice of Public Meetings (N/H) [Oct. 19, 20, 2016]
09-21-16	NHTSA: Notice of Receipt of Petition for Decision that Nonconforming Model Year 2009 Jeep Compass Multipurpose Passenger Vehicles Are Eligible for Importation [Docket No. NHTSA-2014-0121; Notice 1] (N)
09-21-16	Nuclear Regulatory Commission (NRC): Shipping, Receiving, and Internal Transfer of Special Nuclear Material (RFC) [Draft regulatory guide]
09-22-16	EPA: Thiabendazole; Pesticide Tolerances [EPA-HQ-OPP-2015-0554; FRL-9950-05] (N)
09-22-16	FWS: Endangered and Threatened Wildlife and Plants; Endangered Status for Five Species from American Samoa [Docket No. FWS-R1-ES-2015-0128; 4500030113] (FR)
09-22-16	FWS: Endangered and Threatened Wildlife and Plants; Endangered Species Status for Rusty Patched Bumble Bee [Docket No. FWS-R3-ES-2015-0112; 4500030113] (PR)
09-22-16	PHMSA: Hazardous Materials: Damaged, Defective, Recalled Lithium Cells or Batteries or Portable Electronic Devices [Docket No. PHMSA-2016-0110; Notice No. 2016-18] (N) <i>[Safety Advisory]</i>
09-23-16	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Furnaces [Docket Number EERE-2014-BT-STD-0031] (Supp. PR)
09-23-16	EPA: Flupyradifurone; Pesticide Tolerances [EPA-HQ-OPP-2013-0226; FRL-9951-68] (FR)
09-23-16	EPA: Certain New Chemicals or Significant New Uses; Statements of Findings for September 2016 [EPA-HQ-OPPT-2016-0511; FRL-9952-95] (N)
09-23-16	FWS: Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); Seventeenth Regular Meeting; Tentative U.S. Negotiating Positions for Agenda Items and Species Proposals Submitted by Foreign Governments and the CITES Secretariat [Docket No. FWS-HQ-IA-2014-0018; 96300-1671-0000-R4] (N)
09-23-16	NHTSA: NHTSA Enforcement Guidance Bulletin 2016-02: Safety-Related Defects and Automated Safety Technologies [Docket No. NHTSA-2016-0040] (N)
09-26-16	EPA: Fluopicolide; Pesticide Tolerances [EPA-HQ-OPP-2015-0791; FRL-9951-60] (FR)
09-26-16	EPA: Chemical Data Reporting; 2016 Submission Period Extension [EPA-HQ-OPPT-2009-0187; FRL-9952-64] (FR)
09-26-16	EPA: Receipt of Information under the Toxic Substances Control Act [EPA-HQ-OPPT-2012-0209; FRL-9952-43] (N)
09-27-16	FWS and NOAA/NMFS: Endangered and Threatened Wildlife and Plants; Revisions to the Regulations for Petitions [Docket Nos. FWS-HQ-ES-2015-0016 and DOC 150506429-6767-04; 4500030113] (FR)
09-27-16	DEA: Schedules of Controlled Substances: Temporary Placement of Furanyl

F.R. Date	Subject
	Fentanyl Into Schedule I [Docket No. DEA-448] (N) DEA: Schedules of Controlled Substances: Placement of Three Synthetic Phenethylamines Into Schedule I [Docket No. DEA-423] (FR) State: Notice of Receipt of Application for an Amended Presidential Permit for the Presidio-Ojinaga International Bridge on the U.S.-Mexico Border at Presidio, Texas and Ojinaga, Chihuahua, Mexico [Public Notice: 9727] (N) State: Notice of Receipt of Borrego Crossing Pipeline, LLC's Application for a Presidential Permit To Construct, Connect, Operate, and Maintain Pipeline Facilities on the Border of the United States and Mexico [Public Notice: 9737] (N) NHTSA: Decision that Certain Nonconforming Motor Vehicles Are Eligible for Importation [Docket No. NHTSA-2016-0086] (Grant of Petitions) NOAA/NMFS: Taking and Importing of Marine Mammals and Dolphin-safe Tuna Products (N)
09-29-16	NHTSA and Federal Motor Carrier Safety Adm.: Notice of Availability of a Draft Environmental Assessment for Rulemaking to Require the Installation and Maintenance of Speed Limiting Devices in Heavy Vehicles [Docket Nos. NHTSA-2016-0087 and FMCSA-2014-0083] (N/RFC) ITA: Trade Promotion Coordinating Committee (N/H) NHTSA: Exemption from Vehicle Theft Prevention Standard [Docket No. NHTSA-2014-0007] (FR) NOAA/NMFS: Endangered and Threatened Species; Designation of Critical Habitat for Five Distinct Population Segments of Atlantic Sturgeon; Reopening of Public Comment Period [Docket No. 150818735-6236-01] (PR/RO)
09-30-16	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Conventional Cooking Products; Supplemental Notice of Proposed Rulemaking [Docket No. EERE-2014-BT-STD-0005] (Supp. PR) FWS: Endangered and Threatened Wildlife and Plants; Threatened Species Status for the Eastern Massasauga Rattlesnake [Docket No. FWS-R3-ES-2015-0145; 4500030113] (FR) FWS: Injurious Wildlife Species; Listing 10 Freshwater Fish and 1 Crayfish [Docket No. FWS-HQ-FAC-2013-0095; FXFR1336090000-167-FF09F14000] (FR)

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Customs reduces requirements for the payment of export benefits

Customs issued [General Instruction 8/2016](#) of 19 September 2016, abrogating General Instruction 7/2012. The latter had ordered the blocking of all payments of exports benefits to those exporters that were in breach of their obligations under the foreign exchange regulations.

Therefore, compliance with the foreign exchange regulations is no longer taken into account at the time of deciding whether to pay export benefits or not. This decision is another step in the process of normalizing the delays in the payments of such benefits incurred by the prior administration.

For additional information, please contact [Esteban Rópolo](#) or [Francisco Sama](#).

Removal of payment limitations related to debts originating from the import of goods and services

The Argentine Central Bank (“ACB”) issued Communication “A” 5955 by means of which it has eliminated the limits to the amounts previously established for the payments of debts on the import of goods and services prior to December 16, 2015. Those restrictions were imposed by Communication “A” 5850, issued by the ACB on December 17, 2015, in accordance with the following schedule:

- I. Debts originating from the import of goods: (a) Until December 31, 2015, the maximum amount to be paid shall not exceed the equivalent of US\$ 2 million. (b) Between January 2016 and May 2016, the maximum amount to be paid shall not exceed the equivalent of US\$4.5 million per each calendar month. (c) As from June 2016, no limits shall be imposed for payments of debts originating from the import of goods.
- II. Debts originating from the import of services: (a) As from February 2016, the maximum amount to be paid shall not exceed the equivalent of US\$2 million. (b) Between March 2016 and May 2016, the maximum amount to be paid shall not exceed the equivalent of US\$4 million per calendar month. (c) As from June 2016, no limits shall be imposed for payments of debts originating from the import of services.

Consequently, in accordance with this new regulation, individuals and legal entities that are residents of Argentina may access as from the date hereof the foreign exchange market without any limitation on the amounts for payment of their debts on the import of goods and services prior to December 16, 2015.

Argentina to start weighing all cargo

July 1 marked the entry into force of Resolution 3890 of the AFIP whereby it becomes compulsory to weigh with customs all containers prior to their import or export. In order to reduce expected delays and problems, it is advisable to perform the following:

- Make sure that the customs office where the importer/exporter usually operates has the corresponding scales approved by the AFIP.
- Make sure that such scales are capable of issuing tickets with the information required by Resolution 3890.
- Make sure that transportation companies know that such weighing must take place at the time of entering into the country or the customs operating area and that they must deliver the ticket to the customs broker.

Extended Terms for Currency Settlement for Exports

The Secretary of Commerce (the “Secretary”) issued Resolution No. 91/2016 (the “Resolution”) by means of which the export currency settlement terms imposed by Resolutions No. 269/2001 and 30/2016 were extended.

The Resolution extended the terms to settle export currency related to exports of goods included in all the HTS codes of the Mercosur Common Nomenclature (N.C.M.) to a term of 365 calendar days. The Resolution was issued in order to improve the competitive situation of Argentine exports, with the main purpose of increasing the range of markets reached by Argentine products. In addition, although the Resolution is effective as from today, it shall also apply to past exports, unless such export is considered as formalized (oficializadas) and its terms are longer than the terms set forth by the Resolution.

Finally, the Resolution also indicates that the term of 365 calendar days shall apply to all goods included in the N.C.M.

Boletín Oficial publications

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

BO Date	Subject
09-09-16	Commerce: Resolution 264 - E/2016 (08-09-16) Amendment to Resolution No 5/2015 regarding import licensing
13-09-16	Federal Administration of Public Revenues (AFIP): General Resolution 3937 (08-09-16) 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: General Resolution 3938 (08-09-16) Special Customs records. General Resolution No. 2570, as amended, amending and supplementary standard
16-09-16	National Adm. of Medicines, Food and Medical Technology (ANMATM): Disp. No 10219/2016 (13-09-16) Modification to Disp. 9576/2016 regarding certain medical products
	ANMATM: Disp. No 10222/16 (13-09-16) Prohibition on the use and marketing of certain medical products
	ANMATM: Disp. No 10223/16 (13-09-16) Prohibition on the use and marketing of certain household products
	ANMATM: Disp. No 10224/16 (13-09-16) Prohibition on the use and marketing of certain household products
	ANMATM: Disp. No 10226/16 (13-09-16) Prohibition on the use and marketing of certain cosmetic products
	ANMATM: Disp. No 10227/16 (13-09-16) Prohibition on the use and marketing of certain cosmetic products
	ANMATM: Disp. No 10228/16 (13-09-16) Prohibition on the use and marketing of certain cosmetic products
28-09-16	ANMATM: Disp. No 10626/16 (26-09-16) Prohibition on the use and marketing of certain medical products
	ANMATM: Disp. No 10627/16 (13-09-16) Prohibition on the use and marketing of certain cosmetic products
	ANMATM: Disp. No 10628/16 (13-09-16) Prohibition on the use and marketing of certain medical products
	ANMATM: Disp. No 10629/16 (13-09-16) Prohibition on the use and marketing of certain medical products
	ANMATM: Disp. No 10630/16 (26-09-16) Prohibition on the use and marketing of certain cosmetic products
29-09-16	Decree 1045/2016 (28-09-16) Exempting from payment of import duty and other taxes. products from countries participating in the "International Tourism Fair of Latin America - FIT 2016".

Antidumping and countervailing duty cases

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

Brazil

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
24-08-16	SECEX Ordinance № 40 (23-08-16) establishes criteria for allocating quotas for imports, determined by CAMEX Resolution 76, of August 19, 2016.
12-09-16	SECEX Ordinance № 41 (09-09-16) Terminates the special procedure of non - preferential origin check with the qualification of Bangladesh origin for the product porcelain objects to the table, regardless of their degree porosity (NCM 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00), declared as produced by Monno Ceramic Industries Ltd companies, or Monno Bone China Ltd.
15-09-16	SECEX Ordinance № 42 (14-09-16) - Regulates scope assessment procedure provided for in Section I of Chapter IX of Decree No. 8058 of 26 July 2013.
22-09-16	CAMEX Res. № 77 (21-09-16) Adopting internal rules for Foreign Trade Chamber - CAMEX
28-09-16	CAMEX Res. № 78 (28-09-16) - Establishes the goods that will not be permissible under the terms of Border Special Regime for Cities of Tabatinga (Brazil) and Leticia (Colombia)
	CAMEX Res. № 79 (28-09-16) Changes the alternate representative of the Ministry of Industry, Trade and Services, the alternate representative of the Ministry of Planning, Development and Management and the principal representative of the Portuguese Presidency of the House of the Export Financing and Guarantee Committee - COFIG.
	CAMEX Res. № 80 (28-09-16) Changes the constant auto parts list in Annexes I and II of CAMEX Resolution n the 116, of December 18, 2014.
	CAMEX Res. № 81 (28-09-16) Changes to 2% (two percent) the rates of import duty levied on Informatics and Telecommunications goods, the ex-tariff condition
	CAMEX Res. № 82 (28-09-16) Changes the Brazilian Exceptions List the Common External Tariff of MERCOSUR.
	CAMEX Res. № 83 (28-09-16) Changes the Brazilian Exceptions List the Common External Tariff of MERCOSUR.

Antidumping and countervailing duty cases

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

Chile

Chilean Customs Law Bill

The Chamber of Deputies of the Chilean Congress approved a bill that modernizes customs legislation, providing more and better tools to control the National Customs Service. The bill now goes to the Senate for its second constitutional stage.

The bill seeks improvements in customs processes, aiming to simplify the development of foreign trade operations but still keeping an exhaustive control over them.

In this context, the purpose of the government is to enhance and add new tools for Customs, so that Chile can better face the challenge of being one of the economies with greater trade openness in the world.

The modifications involved in the bill are material and the first to be promoted, with such a scope, in 20 years.

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
01-09-16	Hacienda: Exempt Decree № 291 of 2016.- Determines number of weeks for calculating import parity price of automotive gasoline according to Law No. 20,765
02-09-16	Hacienda: Exempt Decree № 279 of 2016.- Declares International Fair – IFT Energy Atacama Desert
06-09-16	Foreign Affairs: Decree № 61 promulgates Decision No. 1/2013 of the Joint Committee of the Free Trade Agreement between the Republic of Chile and the Republic of Turkey
09-09-16	Hacienda: Decree № 70 Confers Government sponsorship and declares international Fair status on the LXXXVI Agricultural Exhibition, Livestock, Industrial and Commercial Temuco, Exposofa 2016 - International Agrifood Fair of Araucanía
16-09-16	Hacienda: Exempt Resolution number 5,154, of 2016.- Amendment Compendium of Customs Regulations
17-09-16	Hacienda: Decree № 308 of 2016.- Establishes extension and modifies provisional anti-dumping duty on imports of steel bars originating in Mexico
21-09-16	Hacienda: Res. № 5329 of 2016 - Amendment Compendium of Customs Regulations
28-09-16	Hacienda: Decree № 309 of 2016.- Apply rebates of customs duties for the import of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4 and substandard
29-09-16	Agriculture: Exempt Resolution № 5,279, of 2016.- Modifies resolutions on post-entry quarantine
	Agriculture: Exempt Resolution № 5,036, of 2016.- Modifies Resolution No. 4,658, of 2006, which establishes requirements for the entry of fresh vegetables for consumption from Argentina
	Agriculture: Exempt Resolution № 5,018, of 2016.- Establishes phytosanitary requirements for importation into Chile of asparagus stalks (<i>Asparagus officinalis</i>) for fresh consumption, from Peru, and modifies Resolution No. 4,657, 2006
	Agriculture: Exempt Resolution № 4,768, of 2016.- Modifies Resolution No. 2134 of 2003, which establishes phytosanitary requirements for the entry of fresh tomatoes (<i>Lycopersicon esculentum</i>) for consumption produced in places of production under anti-aphids mesh in Peru
30-09-16	Hacienda: Decree № 292 Declaring as an International Fair the “Expomanicure y Belleza”

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

Regulations under new Customs Code issued

The DIAN recently issued [Resolutions 41 and 42](#) of 2016. These resolutions are secondary regulation to the new *Customs Code* (Decree 390 of 2016) and contain regulations on: (i) guaranties to secure the payment of customs duties, taxes, penalties and interest; (ii) procedure to obtain anticipated rulings from DIAN on customs matters; (iii) prior inspection procedures; (iv) international logistics distribution centers; (iv) unloading of merchandise; and (v) warehousing centers.

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

Tariff Classification Resolutions may be found on the DIAN [Resoluciones de Clasificaciones Arancelarias page](#).

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):

Date	Subject
31-08-16	MinCIT: Resolution 1649 of 2016 (31-08-16) "Whereby provisions establishing the Special Systems of Import - Export"
14-09-16	DIAN: Cir. 2563 2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.
15-09-16	DIAN: Cir. 31 2016 Reference Prices of Agricultural Products
16-09-16	DIAN: Res. № 000063 of 2016 Through which the modalities of entry and departure of cash and securities representing money for more than ten thousand dollars of the United States of America (US \$ 10,000) or its equivalent in other currencies amount defined, the declaration forms of such movements and the conditions of its presentation to the customs authority listed and other determinations are made.
29-09-16	DIAN: Cir. 32 2016 Reference Prices of Agricultural Products DIAN: Cir 2570 2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.

Peru

Amendments to the regulation of the Customs law - Supreme Decree No. 010-2016 EF

Several articles of the regulation of the Peruvian Customs law have been amended with the publication of the Supreme Decree No. 010-2016 EF, issued June 22, 2016. These modifications implement the changes established last September 2015 to the Customs law.

In general, these provisions set new obligations for trade operators (i.e., importers, exporters, shippers/carriers, warehouses, customs brokers, couriers, port/airport operators and freight forwarders) regarding the entry or exit of goods into the Peruvian territory, aiming to promote trade facilitation and strength security and transparency through all the logistic and supply chain.

Some of the specific developments to the new Peruvian customs legal framework are as follows:

1. New facilities for trade users considered as Authorized Economic Operators

- There is now possibility to provide reduced guarantees or be exempted from its provision.

- There is now possibility to submit an affidavit with minimum information for the withdrawal of goods.

2. Modified terms and processes applied in the entry or exit of goods

- Advance clearance (i.e., customs declaration before arrival of goods) is prioritized, extending its term of application from 15 to 30 calendar days.
- Goods on legal abandonment can be reshipped or subject to other customs regimes, without needing to apply for a definitive importation (e.g., customs regime of re-importation in the same state, temporary admission for re-export in the same state, temporary importation for outward processing regime, transit).
- Importation of footwear is improved.
- The mandate to dispatch goods for the customs broker will be extended beyond the clearance of goods in the case of shipments with guarantees.

3. New conditions and requirements to act as trade operators

- Minimum conditions for seaports, airports and land terminals (e.g., obligation to have non-intrusive controls, among others) are now imposed.
- New documentary and infrastructure requirements to be authorized to operate in the Peruvian territory now apply.
- There are now fewer barriers to trade operators in submitting their withdrawal or authorization.

4. New obligations and deadlines for the transmission of cargo manifest and other documents in the entry and exit of goods and transportation

- New obligations for transport, international cargo agents and managers or licensees of port facilities, airport or international land terminals must transmit the following information to the Customs Administration:
- Manifest of entry or exit load, load manifest and unconsolidated and consolidated cargo manifest
- Documents relating to the cargo manifest of entry or exit
- Acts related to the entry or exit of goods
- Regarding the outflows of goods, the regulation of the general customs law has established new obligations for the pre-shipment of goods, which not only involves the temporary storage but also transporters and exporters.

5. Customs penalties

- Customs penalties imposed shall depend on the facts and circumstances of the case and shall be commensurate with the degree and severity of the breach.
- Certain customs infringements that were punishable with administrative penalties (i.e., suspension or withdrawal) actually got lower punishments (fines).

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
01-09-16	National Customs and Tax Administration (SUNAT): Resolution No. 29-2016 / SUNAT / 5F0000 Restitution modified General Procedure Simplified Customs Duties INTA-PG.07 (version 4)
02-09-16	Produce: Directorial Resolution No. 021-2016-INACAL / DN Approved superseding Peruvian Technical Standards on spices and condiments tea and other
	SUNAT: Resolution No. 216-2016 / SUNAT Modify the Superintendency Resolution No. 084-2016 / SUNAT approves the Integrated Virtual File System for electronic records led enforced collection procedure
	SUNAT: Resolution No. 217-2016 / SUNAT Specific Procedure Amendment of Customs Operational Guarantees INPCFA-PE.03.03 (version 3)
05-09-16	Agriculture and Irrigation: Directorial Resolution No. 0033-2016-MINAGRI-SENASA-DSV Establish mandatory phytosanitary import requirements garbanzo grain and whole grain and split peas source and origin Argentina
	Agriculture and Irrigation: Directorial Resolution No. 0035-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance grain import source and origin sesame seeds Argentina
	Agriculture and Irrigation: Directorial Resolution No. 0034-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance on import of various species of timber origin and provenance Brazil
	SUNAT: Resolution No. 27-2016-SUNAT / 5F0000 General Procedure modified Aeronautical Material Use INTA-p.19 (version 2)
	SUNAT: Resolution No. 28-2016-SUNAT / 5F0000 General Procedure modified Postal Transported by the Postal Service INTA-PG.13 (version 2) Procedure specific export for commercial purposes via Postal Service INTA-PE.13.01 (version 1) and General Procedure Reimportation in the same state INTA -PG.26 (version 1)
	SUNAT: Resolution No. 30-2016-SUNAT / 5F0000 General Procedure modified Fast Delivery Shipments INTA-PG.28 (version 2)
	SUNAT: Resolution No. 31-2016-SUNAT / 5F0000 General Procedure Rancho modified ship INTA-PG.18
	SUNAT: Resolution No. 32-2016-SUNAT / 5F0000 General Procedure modified War Material INTA-PG.20
	SUNAT: Resolution No. 33-2016-SUNAT / 5F0000 General Procedure ZOFRATACNA modify INTA-PG.23 (version 2)
	SUNAT: Resolution No. 34-2016-SUNAT / 5F0000 General Procedure CETI-COS modify INTA-PG.22
07-09-16	Economy and Finance: vice Ministerial Resolution No. 013-2016-EF / 15.01 Reference prices and additional variables rights referred to Supreme Decree No. 115-2001-EF by which the Price Band System was established for imports of sugar corn rice and whole milk powder
	National Institute of Antitrust and Protection of Intellectual Property (INDECOPI) Resolution No. 155-2016-INDECOPI / COD Appointed member of the Committee on Dumping and Subsidy Elimination of Non-Tariff Trade Barriers
	SUNAT: Resolution No. 35-2016-SUNAT / 5F0000 Approve the general procedure: AEO Certification INPCFA-PG.13 (version 2)
08-09-16	External Relations: Supreme Decree No. 071-2016-RE Supreme Decree ratifying the declaration of national interest the exercise by the Peru of the Presidency of the Forum of Asia Pacific Economic Cooperation (APEC) during 2016 including the realization of the XXIV Summit of Leaders of the Forum and related events taking out in 2016
12-09-16	Foreign Trade and Tourism: Ministerial Resolution No. 285-2016-MINCETUR Alternate representatives appointed head of the Ministry before the Special Commission for the standardization and simplification of the procedure for the

Date	Subject
	Single Window for Foreign Trade - VUCE
13-09-16	External Relations: Supreme Decree No 074-2016-RE Ratify the Cooperation Agreement between the Government of the Republic of Peru and the Swiss Federal Council to prevent illicit trafficking in cultural property
19-09-16	Agriculture and Irrigation: Resolution No. 206-2016-SERFOR-DE Approving the national export quota wood mahogany <i>Swietenia macrophylla</i> King 2016
20-09-16	SUNAT: Resolution No. 36-2016-SUNAT / 5F0000 Modify the specific procedures Electronic Application Rectification of the Single Customs Declaration INTA-PE.01.07 (version 4) and Request for Electronic Rectification INTA-PE.00.11 Statement (version 2)
22-09-16	Agriculture and Irr.: Directorial Resolution No. 0036-2016-MINAGRI-SENASA-DSV Modified RD No. 0013-2015-MINAGRI-SENASA-DSV, which established phytosanitary requirements necessary for compliance when importing coffee plants originating in and coming Nicaragua
28-09-16	Agriculture and Irr.: Directorial Resolution No. 0038-2016-MINAGRI-SENASA-DSV (27-09-16) Authorize importation of teak plants whose source and origin are Brazil through the Iñapari checkpoint - Madre de Dios for the company Re-forestadora Amazónica S.A.

Venezuela

Official Gazette

Date	Subject
30-08-16	Food / Health: Joint resolution which incorporated into the Legal System National Resolution MERCOSUR / GMC / RES No. 07/06, Mercosur Technical Regulation on "Assignment of Additives and Maxims for Food Concentrations Category: 3 Edible Ices."

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

Additional factor in calculation of indexation of certain customs duty rates for tobacco and tobacco products – 1 September 2017-2020

The Australian Government announced, as part of the 2016-17 Budget, a series of four annual 12.5 per cent increases to excise and excise-equivalent customs duty for tobacco and tobacco products commencing on 1 September 2017.

The *Excise Tariff Amendment (Tobacco) Bill 2016* and the *Customs Tariff Amendment (Tobacco) Bill 2016* were passed by the Parliament of Australia on 15 September 2016 and received Royal Assent on 23 September 2016.

[DIBP Notice 2016/31](#) advises of the amendment to section 19AB of the *Customs Tariff Act 1995* (Customs Tariff) that adds a series of four annual 12.5 per cent increases to excise-equivalent customs duty for tobacco and tobacco products commencing 1 September 2017, and annually on 1 September 2018, 1 September 2019 and 1 September 2020. These increases will coincide with the indexation adjustments for tobacco and tobacco products scheduled for these dates.

The indexation increases in excise-equivalent customs duty for tobacco and tobacco products referenced above also applies to goods in:

- Schedule 5 (US originating goods)
- Schedule 6 (Thai originating goods)
- Schedule 7 (Chilean originating goods)
- Schedule 8 (ASEAN-Australia-New Zealand originating goods)
- Schedule 9 (Malaysian originating goods)
- Schedule 10 (Korean originating goods)
- Schedule 11 (Japanese originating goods)
- Schedule 12 (Chinese originating goods)

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
30-08-16	DIBP № 2016/28	Cheese and Curd Quota Scheme - Allocations for 2016-2017
08-09-16	DIBP № 2016/30	Assurances that imported goods do not contain asbestos
23-09-16	DIBP № 2016/31	Additional factor in calculation of indexation of certain customs duty rates for tobacco and tobacco products - 1 September 2017-2020
21-09-16	DIBP № 2016/33	Declaring Overseas Freight and Insurance for Customs Valuation and Value of the Taxable Importation Purposes

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
01-09-16	Notice of Rates of Exchange - 30/08/2016
	Notice of Substituted Rates of Customs Duty for Excise-Equivalent Goods - Notice (No. 4) 2016
06-09-16	Notice of Rates of Exchange - 06/09/2016
07-09-16	TC16-34
12-09-16	Notice under section 234AA of the Customs Act 1901 - Darwin International Airport
14-09-16	TC16-35
19-09-16	Notice under section 234AA of the Customs Act 1901 - Canberra International Airport
21-09-16	TC16-36
28-09-16	TC16-37
29-09-16	Notice of Rates of Exchange - 27/09/2016

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 [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.](#)

Bangladesh

Bangladesh ratifies Trade Facilitation Agreement

On 27 September 2016, the WTO [announced](#) that Bangladesh has ratified the *Trade Facilitation Agreement* (TFA), becoming the 94th member of the WTO and 12th least developed country (LDC) to do so. The TFA will enter into force once two-thirds of the WTO membership has formally accepted the Agreement. Bangladesh's acceptance means over 85 per cent of the ratifications needed for entry into force have now been received.

China (including Hong Kong SAR)

China launches safeguard investigation on sugar

On 22 September 2016, the WTO [announced](#) that China notified the WTO's Committee on Safeguards that it initiated on 22 September 2016 a safeguard investigation on sugar.

Trade Remedy and Investigation Bureau
Ministry of Commerce
The People's Republic of China
2, Dong Chang An Street, Beijing, China
Tel: 0086-10-65198757, 65198412
Fax: 0086-10-85093401
Websites: <http://trb.mofcom.gov.cn>
<http://www.cacs.mofcom.gov.cn>

The deadlines and procedures for interested parties to present evidence and their comments

(i) Comments on initiation of investigation: Interested parties may submit written comments to Trade Remedy and Investigation Bureau of MOFCOM within 20 days from the Initiation Notice publication day if they wish to comment on the product under investigation, standing of the applicant, or any other related matters.

(ii) Registration for participating in the safeguard investigation: Any interested parties may register to participate in the safeguard investigation at Trade Remedy and Investigation Bureau of MOFCOM within 20 days from the publication day of this notice.

(iii) Hearing: Interested parties may apply to Trade Remedy and Investigation Bureau of MOFCOM for holding a hearing, and may inquire relevant information of hearings on relevant websites."

Further information is available in [G/SG/N/6/CHN/2](#).

China lifts ban on U.S. beef imports

On September 22, 2016, China's Ministry of Agriculture and the General Administration of Quality Supervision, Inspection and Quarantine [announced](#) that it has lifted its decade old ban on some beef products from the United States following a recently concluded review of the U.S. supply system. The ban on bone-in and boneless beef from cattle under 30 months old from the United States was removed effective immediately. Authorities will formulate rules on traceability and

quarantine for the beef products. China halted beef imports from the United States in 2003 to prevent the spread of mad cow disease.

Chinese expanded ITA reductions take effect

On September 14, 2016, the Ministry of Finance [announced](#) that on September 15, 2016, the tariff reductions for 201 products agreed upon for the expansion of the *Information Technology Agreement* (ITA) at the WTO December 2015 Ministerial Meeting in Nairobi will take effect. The 201 information technology products are covered by 480 separate Chinese tariff subheadings. The agreement includes a new generation of multi-element ICs, touch screens, and semiconductor manufacturing equipment, audio-visual products, medical devices and instrumentation, information technology products for the production of special spare parts and raw materials. Import duties for most products will be reduced to zero in the next three or five years. However, a small number of products will have their import duties reduced to zero over the next seven years.

Many of the countries that signed onto to the expanded ITA implemented their tariff reductions on July 1, 2016, the date agreed upon in Nairobi. However, China, Japan and Korea did not complete their domestic requirements for implementation in time to meet that date. The State Council approved the reductions during the 22nd Meeting of the Standing Committee of the National People's Congress on September 3.

The lists of products may found as attachments to [General Administration of Customs Announcement 50](#).

State Council issues plan to improve standards and quality of consumer goods

On September 12, 2016, the State Council [announced](#) that it had issued a plan to improve the standards and quality of consumer goods. The announcement said:

Implemented from 2016 to 2020, the plan is set to improve people's livelihoods and develop Made-in-China products with supply-side structural reform, advance standards, upgrade the equipment manufacturing industry, and spur technology innovation.

The plan focuses on nine major sectors, including household appliances, electronic products, home furnishings, garment and accessories, products for women, children and disabled people, cosmetics and household chemicals, education, sports and entertainment products, traditional cultural products, and food.

Efforts will be made to integrate Chinese consumption goods standards with international norms and participate in making international standards, and enterprises will play a main role in the efforts, as they will improve quality management systems and promote the spirit of craftsmanship, according to the plan.

In addition, leading enterprises are encouraged to invest in product standards research and development, setting advanced standards and promoting technology and business innovation.

According to the plan, a group of modern enterprises and industry clusters with global popularity and competitiveness will be created by 2020.

Public service platforms for consumer goods quality information will be completed by 2020, forming the integration of enterprise information platforms and credit information sharing and exchange platforms.

Efforts will also be made to regulate quality safety and risks of consumer goods by cracking down on counterfeit products, constructing a quality credit system and encouraging people's awareness of product quality and safety.

By 2020, 60 national demonstration zones for export product quality safety and 400 demonstration enterprises will be set up to improve the quality of import and export consumer goods.

Zika rules eased for most U.S. shipments

The U.S. Foreign Agricultural Service (FAS) [announced](#) that on September 2, China's General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) stated that it has decided to regionalize its Zika requirements for shipments of cargo from the United States based on a risk-assessment performed by AQSIQ, using data supplied by U.S. Centers for Disease Control and Prevention (CDC). AQSIQ experts determined that due to the low risk of Zika transmission through shipments of cargo, **vessels originating from the United States, other than the state of Florida, do not require disinsection certification.** However, if during the course of routine sampling and inspection, local CIQ officials discover any adult mosquitoes, eggs, larva or infected cases, the vessel and its contents will be subject to the full Zika requirements described below. Also, if a vessel loads or unloads in Florida or a Zika infected country, it is subject to the full requirements. AQSIQ will continue to monitor the situation and may amend its decision to regionalize based on the Zika situation in the United States.

The FAS said its understanding of China's Zika requirements for U.S. origin shipments from Florida are as follows:

1. Chinese authorities require all cargo shipments originating from the state of Florida to provide proof of disinsection upon arrival at the Chinese port, whether arriving by air or sea. This applies to all vessels that left Florida 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 and can be found on [the FAS website](#).
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. 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.

Seven new free trade zones authorized

The Ministry of Commerce (MOFCOM) [reported](#) that, during an interview with the Xinhua News Agency, MOFCOM Minister Gao Hucheng announced that because

of the successful pilots of the four existing free trade zones (FTZs) in Shanghai, Guangdong, Tianjin and Fujian, the State Council decided to expand the FTZ program to additional locations: Liaoning, Zhejiang, Henan province, Hubei, Chongqing, Sichuan and Shaanxi Province. The existing FTZs are testing grounds for new ideas and have piloted information exchanges, currency programs, mutual recognition of regulations, law enforcement mutual aid, optimization of the open line regulatory approach, animal and plant quarantine examination, approval of a negative list system for investments, classification regulations and other initiatives, as well as taking the lead on the international trade “single window.”

Many of the piloted programs will be expanded nationwide, including the negative list system. On 6 September 2016, the Hong Kong Trade Development Council [reported](#) that four laws will be amended to permit the nationwide expansion: the *Law on Chinese-foreign Equity Joint Ventures*, *Law on Chinese-foreign Co-operative Joint Ventures* and *Law on Wholly Foreign-owned Enterprises* and the *Law on the Protection of Investment of Taiwan Compatriots*.

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
17-08-16	AQSIC/GAC Joint 81	On exit inspection and quarantine institutions to implement the entry and exit inspection and quarantine Catalog (2016)
31-08-16	GAC Ann. № 47	Customs import goods for delayed payment special instrument
14-09-16	GAC Ann. № 50	On the implementation of the adjustment of imported IT products MFN tariff matters related announcement

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 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		
01-09-16	119/2016-Cus (NT)	Rate of exchange of conversion of the foreign currency with effect from 02-09-16
02-09-16	47/2016-Cus. (T)	Further amends notification No. 12/2012-Customs dated 17.03.2012
06-09-16	F.No.450/101/2016-Cus-IV	FSSAI Auhtorised Officers Training Plan- September 2016
07-09-16	F.No. 450/25/2009-Cus-IV	Entry of factory stuffed export containers into port

Date	Series and №	Subject
		terminals prior to LEO
	F.No. 450/25/2009-Cus-IV	Delay in issuing of Sub manifest transhipment permit (SMTP)
08-09-16	48/2016-Cus. (T)	Further amends notification No. 12/2012-Customs, dated 17.03.2012
12-09-16	F. No. 20000/4/2011- IC (ICD)	Instructions regarding implementation of Rules of Origin under Free/Preferential Trade Agreements and the verification of preferential Certificates of Origin
15-09-16	120/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver
	121/2016-Cus (NT)	Rate of exchange of conversion of the foreign currency with effect from 16th September, 2016
16-09-16	49/2016-Cus.(T)	Further amends notification No. 12/2012-Customs, dated 17.03.2012 so as to increase the effective rate of Basic Customs Duty for Marble and Travertine blocks, Marble slabs and Granite slabs with effect from 01.10.2016.
22-09-16	50/2016-Cus (T)	Further amends notification No. 12/2012-Customs dated 17.03.2012
	122/2016-Cus (NT)	Rate of exchange of conversion of the foreign currency with effect from 16th September, 2016
	Cir. 44/2016 F. No. 450/115/2016-CUS-IV	Regarding setting up of 'Custom Clearance Facilitation Committee' (CCFC) for Land customs stations and Inland Container Depots-reg
23-09-16	51/2016-Cus (T)	Further amends notification No.12/2012-Customs dated the 17-03-12, so as to: 1. Reduce import duty on potatoes from 30% to 10% up to 31.10.2016. 2. Reduce import duty on wheat from 25% to 10% up to 29.02.2017. 3. Reduce import duty on palm oil from 12.5% to 7.5% for crude palm oil of edible grade, and from 20% to 15% for refined palm oil of edible grade
	52/2016-Cus (T)	Further amend notification No.12/2012-Customs dated the 17th March, 2012, so as to retain the basic customs duty on ghee, butter and butter oil at 40% beyond 30.09.2016, for a further period up to 31.03.2017
	Cir. 45/2016 F.No.605/60/2013-DBK	Explains option extended by DGFT for surrendering one benefit in case of simultaneous issuance of SHIS and Zero duty EPCG/PE EPCG
	F.No. 528/79/2016-STO(TU)	Clarification of certain inorganic chemicals such as mono potassium phosphate, calcium nitrate, potassium magnesium phosphate as fertiliser-reg
28-09-16	F.No. 605/30/2015-DBK	Discontinuation of practice of making manual debits on physical copy of Advance Authorizations registered at EDI Customs port
29-09-16	53/2016-Cus (T)	Further amends notification No.12/2012-Customs dated the 17th March, 2012, so as to retain the basic customs duty on ghee, butter and butter oil at 40% beyond 30.09.2016, for a further period up to 31.03.2017
30-09-16	123/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver- Reg
DGFT		
02-09-16	Pub. Not. 28/2015-2020	Amendment in paragraph 4.61 of Hand Book of Procedures 2015-20.
	Not. 25/2015-2020	Relaxation in export policy for export of Red

Date	Series and №	Subject
		Sanders wood under Sl. No. 188, Chapter 44 of Schedule 2 of ITC (HS) Classification of Export and Import 2012.
08-09-16	Pub. Not. 29/2015-2020	Amendments in paragraph 4A.21 of Hand Book of Procedures 2009-14 for export of Gems and Jewellery products manufactured from gold during the period 22.07.2013 to 14.02.2014 in terms of paragraph 4A.18 of Handbook of Procedures 2009-14 as one time exemption to claim replenishment of Gold-reg.
	Pub. Not. 30/2015-2020	Notification of procedure to be followed in cases of incorrectly issued simultaneous benefits of Zero Duty EPCG and SHIS in FTP 2009-14 by the Director General of Foreign Trade in exercise of powers conferred under Para 2.04 of the Foreign Trade Policy 2015-2020.
09-09-16	Pub. Not. 31/2015-2020	One additional Pre-Shipment Inspection Agency is notified as PSIAs in terms of Para 2.55(d) of HBP 2015-20 in Appendix 2G.
	Not. 26/2015-2020	Amendment in import policy of Urea under ITC (HS) code 3102 10 00 of Chapter 31 of ITC (HS), 2012 - Schedule - 1 (Import Policy).
14-09-16	Trade Notice No.16/2016	Guidelines for Issuance of Duty Credit Scrips under Incremental Export Incentivisation Scheme (IEIS) for Quarterly period (01.01.2013 to 31.03.2013) in pursuance of Trade Notice 04 dated 05.05.2016.
15-09-16	Circ. 02/2015-20	Issuance of Free Sale & Commerce Certificate to Merchant Exporters
17-09-16	Not. 27/2015-2020	Import Policy of Rough Marble and Travertine Blocks
	Not. 28/2015-2020	Import Policy of Worked monumental or building stone (except slate) and articles thereof, other than goods of heading 6801; mosaic cubes and the like, of natural stone (including slate), whether or not on a backing; artificially coloured granules, chippings and powder, of natural stone (including slate).
	Not. 29/2015-2020	Import Policy of Worked monumental or building stone (except slate) and articles thereof, other than goods of heading 6801; mosaic cubes and the like, of natural stone (including slate), whether or not on a backing; artificially coloured granules, chippings and powder, of natural stone (including slate)
22-09-16	Pub. Not. 32/2015-2020	Merchandise Exports from India Scheme (MEIS)- Additions/amendments in Table 2[containing ITC (HS) code wise list of products with reward rates] of Appendix 3B
28-09-16	Pub. Not. 34/2015-2020	Allocation of quantity for export of preferential quota sugar to EU under CXL quota.
	Pub. Not. 35/2015-2020	Amendment in Public Notice No. 29/2015-20 dated 08.09.2016 and in Public Notice No. 27 dated 31.08.2016

Antidumping and countervailing duty cases

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

Malaysia

Federal Government Gazette

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

Date	Matter
01-09-16	P.U. (B) 391/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
07-09-16	P.U. (B) 401/2016 Notice of Affirmative Final Administrative Review Determination of an Anti-Dumping Duty With Regard to the Imports of Cellulose Fibre Reinforced Cement Flat and Pattern Sheets Originating or Exported From the Kingdom of Thailand in Respect of Mahaphant Fibre-Cement Public Company Limited - Countervailing and Anti-dumping Duties Act 1993
13-09-16	P.U. (B) 407/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
14-09-16	P.U. (A) 239/2016 Customs (Anti-Dumping Duties) (Administrative Review) Order 2016 - Countervailing and Anti-Dumping Duties Act 1993 and Customs Act 1967
20-09-16	P.U. (B) 413/2016 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
23-09-16	P.U. (A) 241/2016 Customs (Provisional Safeguard Duties) Order 2016 - Safeguards Act 2006 and Customs Act 1967
	P.U. (A) 242/2016 Customs (Provisional Safeguard Duties) (No. 2) Order 2016 - Safeguards Act 2006 and Customs Act 1967
	P.U. (B) 420/2016 Notice of Affirmative Preliminary Determination of an Investigation With Regard to Steel Concrete Reinforcing Bar Products Imported Into Malaysia - Safeguards Act 2006
	P.U. (B) 421/2016 Notice of Affirmative Preliminary Determination of an Investigation With Regard to Steel Wire Rods and Deformed Bar in Coils Products Imported Into Malaysia - Safeguards Act 2006
26-09-16	P.U. (B) 423/2016 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
	P.U. (B) 422/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
30-09-16	P.U. (A) 250/2016 Customs (Prohibition Of Exports) (Amendment) (No. 3) Order 2016 - Customs Act 1967

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

Certificate of Origin data required for exports to China as of 1 Oct.

The New Zealand Customs Service (NZCS) [reminds](#) traders that on 1 October 2016, a change to the [Customs Export Entry Rules 1997](#) will come into effect.

It will be necessary to enter the Certificate of Origin (COO) number (where issued) in the export entry declaration for goods exported to China under the [New Zealand–China Free Trade Agreement](#), where tariff preference is requested.

This data must be entered into the export entry header in the 'Other' field using the code 'COO' followed by the number without full stops '.' (For example, the COO number 11.1234.12345 would be entered as 11123412345). If a COO number is not known when the Customs export delivery order is generated, the export entry must be amended once it is known.

This process does not replace the requirement for paper COOs to be presented to the General Administration of China Customs (GACC) for New Zealand origin preference. It provides another layer of assurance to address any queries and reduce risk of delays for clearance of goods in China.

This change helps streamline legitimate trade into China by making information related to each export entry available to the GACC. It enables them to quickly and accurately check the COO information, as any documentation queries raised upon import to China can be actioned by NZ Customs more effectively.

New Zealand Gazette

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

Date	Matter
06-09-16	Tariff Concession (Advertisement) Notice No. 2016/24 Tariff Concession Approvals, Withdrawals and Declines Notice (No. 24) 2016
13-09-16	Tariff Concession (Advertisement) Notice No. 2016/25
20-09-16	Tariff Concession (Advertisement) Notice No. 2016/26
27-09-16	Tariff Concession (Advertisement) Notice No. 2016/27

Singapore

Changes to the Strategic Goods Control List and Brokering Order

On 9 September 2016, the new [Strategic Goods \(Control\) Order 2016](#) ("SGCO 2016") was gazetted and will come into effect from 1 November 2016. The SGCO 2016 brings Singapore's strategic goods control list up to date with the 2015 Wassenaar Arrangement Munitions List, and the 2015 European Union's List of Dual-Use Items ("EUDL"). The EUDL contains dual-use items controlled by the four multilateral export control regimes (the Wassenaar Arrangement, the Missile Control Technology Regime, the Australia Group, and the Nuclear Suppliers Group).

The SGCO 2016 will incorporate revisions such as new controls, relaxation of controls, as well as editorial changes for consistency and clarity of controls. The highlights of key changes to the strategic goods control list can be found at [Singapore Customs website](#).

The scope of strategic goods subject to brokering controls will be expanded to include the entire category of ML8 items. This change will be reflected in the *Strategic Goods (Control) (Brokering) (Amendment) Order 2016*. Any person, who intends to broker ML1 to ML4, and ML8 items, has to be registered with Singapore Customs.

A strategic goods permit is required for the transshipment and transit of strategic goods prescribed in the 4th and 5th Schedules to the [Strategic Goods \(Control\) Regulations](#) ("SGCR") respectively. A technical amendment will be made to the SGCR to reflect its reference to the new SGCO 2016. There are no changes to the scope of transshipment and transit controls

Notices, circulars, etc.

Date	Reference	Matter
05-09-16	Notice № 08/2016	Awareness Briefings on Changes to the Strategic Goods Control List
13-09-16	Circular № 10/2016	Changes to the Strategic Goods Control List and Brokering Order

Vietnam

Decree issued for preferential tariffs in 2016-2019

On 1 September 2016, the Government issued Decree 09 to implement for 2016-2019 the Free Trade Agreements of which Vietnam is a Party. The Decree came into effect at the same time as the *Law on Export and Import Tax in 2016*. Previously preferential tariffs were announced by the Minister of Finance in the form of circulars, but pursuant to Section 11 of the *Law on Export and Import Tax in 2016*, the implementation will be in the form of Government Decrees. The following Decrees were issued in response to Decree 9:

- [Decree No. 125/2016 / NĐ-CP](#) to implement the *Vietnam and Japan Economic Partnership Agreement* (VJEPA) for the period 2016-2019.
- [Decree No. 126/2016 / NĐ-CP](#) issued to implement the *Agreement on Trade in Goods of ASEAN-India* (AIFTA) for the period from 2016 to 2018, abolished Circular 169/2014 / TT-BTC dated 11/14/2014 of the Ministry of Finance.
- [Decree No. 127/2016 / NĐ-CP](#) issued to implement the *Agreement establishing the Free Trade Area ASEAN - Australia - New Zealand* (AANZFTA) for the period 2016-2018.
- [Decree No. 128/2016 / NĐ-CP](#) issued to implement the ASEAN - China Agreement on Trade in Goods (ACFTA) for the period from 2016 to 2018
- [Decree No. 129/2016 / ND-CP](#) issued to implement the ASEAN Trade in Goods Agreement (ATIGA) for the period from 2016 to 2018
- [Decree No. 130/2016 / NĐ-CP](#) issued to implement the ASEAN - Korea Agreement on Trade in Goods (AKFTA) for the period from 2016 to 2018
- [Decree No. 131/2016 / NĐ-CP](#) issued to implement the Vietnam - Korea Free Trade Agreement (VKFTA) for the period from 2016 to 2018
- [Decree No. 132/2016 / NĐ-CP](#) issued to implement the Vietnam - Chile Free Trade Agreement (VCFTA) for the period from 2016 to 2018
- [Decree No. 133/2016 / NĐ-CP](#) issued to implement the ASEAN - Japan Comprehensive Economic Partnership Agreement (AJCEP) for the period 2016-2019.

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
01-09-16	Decree № 122/2016/NĐ-CP - of the Government dated 09/01/2016 export tariff, preferential import tariff, the list of goods and the absolute tax rate, the tax mix, in addition to import duties TRQ. Decree № 124/2016/NĐ-CP - Import Tariffs special offers to implement the bilateral trade agreement between the Government of the Socialist Republic of Vietnam and the Government of the People's Democratic Republic of Laos

Date	Reference and Matter
	Decree № 125/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement between the Socialist Republic of Vietnam and Japan on economic Partnership period 2016-2019.
	Decree № 126/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement on Trade in Goods of ASEAN - India period 2016- 2018.
	Decree № 127/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement establishing the Free Trade Area ASEAN - OT enter and remain indefinitely Italians - New Zealand 2016-2018 period.
	Decree № 128/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement on Trade in Goods of ASEAN - China period 2016- 2018.
	Decree № 129/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement on Trade in Goods of ASEAN period 2016-2018.
	Decree № 130/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement on Trade in Goods of ASEAN - South Korea period 2016- 2018.
	Decree № 131/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Free Trade Agreement Vietnam - Korea 2016 -2018.
	Decree № 132/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Free Trade Agreement between Vietnam and Chile stage 2016-2018.
	Decree № 133/2016/NĐ-CP - of the Government dated 01.09.2016 V / v preferential import tariff of Vietnam in particular to implement the Agreement on Comprehensive Economic Partnership ASEAN - Japan phase 2016-2019.
	The decision of the Prime Minister No. 36/2016 / QĐ-TTg dated 01.09.2016 regulating the normal tax rate for imported goods.
	Official Letter No. 1739/TXNK-QLN of 09.01.2016 of the General Department of Customs on duty 275 days grace
05-09-16	Official Letter No. 8530 / TCHQ-TXNK dated 05.09.2016 of the General Department of Customs duties on imported goods
	Official Letter No. 1184 / GSQ-L-GQ1 of 05-09-16 of the General Department of Customs on imports of raw materials for medicine
14-09-16	Dispatch 12802 / BTC-TCHQ 2016 about the time of submission of C / O issued by the Ministry of Finance
16-09-16	Official Letter No. 8920 / TCHQ-TXNK dated 16.09.2016 of the General Department of Customs on the tax treatment applicable to goods of export processing enterprises
20-09-16	Circular 21/2016 / TT-BCT regulations implementing the rules of origin of goods in the Free Trade Agreement between Vietnam and the Asian Economic Union - Europe issued by the Minister of Industry and Trade
22-09-16	Official Letter No. 1918 / TXNK-CST dated 22.09.2016 of the General Administration of Customs on the handling of tax on goods supplied to EPE
23-09-16	Official Letter No. 1925 / TXNK-CST dated 23.09.2016 of the General Administration of Customs on the tax treatment of EPE goods
29-09-16	Decree 137/2016 / NĐ -CP of preferential import tariff of Vietnam in particular to implement the Free Trade Agreement between the State of Vietnam and the other Asian Economic Union - Europe and the member States period 2016-2018
29-09-16	Official Letter No. 9376 / TCHQ-TXNK dated 29.09.2016 of the General Department of Customs, the tax treatment for EPE

Europe and Middle East

European Union and EFTA

EU renews Burundi sanctions until 31 October 2017

On 29 September 2016, the Council [announced](#) that it had renewed the EU restrictive measures against Burundi until 31 October 2017. These measures consist of a travel ban and asset freeze against four persons whose activities were deemed to be undermining democracy or obstructing the search for a political solution to the crisis in Burundi. These activities include acts of violence, repression or incitement to violence, and acts which constitute serious human rights violations. The announcement said:

The EU has repeatedly and continuously called on all parties to refrain from, and to condemn, any acts of violence. This is essential if the conditions for progress in the search for a political solution to the crisis are to be put in place and maintained.

The Council considered that the absence of progress in the situation regarding the four persons under restrictive measures justified the prolongation of the sanctions.

The names of the persons concerned and the reasons for listing them are included in the annex to the decision of 1 October 2015 published in the Official Journal.

Commission proposes to modernise and strengthen controls on exports of dual-use items

On 28 September 2016, the European Commission issued a [press release](#) announcing that the Commission proposes to strengthen controls on exports of certain goods and technologies that – in addition to legitimate civilian applications – may also be misused for severe human rights violations, terrorist acts or the development of weapons of mass destruction.

According to the release, a main element of the proposal is a new "human security" dimension in export controls, to prevent human rights violations associated with certain cyber-surveillance technologies. Furthermore, the proposal simplifies and harmonises the existing export control rules, in order to save time and money for EU exporters and national authorities. These export controls reflect the EU's commitment to international peace and security.

The purpose of the proposal is to strike a balance between ensuring a high level of security and adequate transparency, and maintaining the competitiveness of European companies and legitimate trade in dual-use items. With the emergence of, for instance, specifically designed surveillance technology such as monitoring centres and data retention systems, it is essential to ensure that regulations allow EU authorities to stop exports in cases where they could be misused for human rights violations, for repression or armed conflict.

Specifically, the Commission proposes to make these export controls:

- more efficient – simplifying the administration of controls by optimising licensing processes, introducing EU General Export Authorisations, and simplifying the controls on technology transfers, while ensuring a high level of security and adequate transparency to prevent illicit use of the exported items;
- more consistent – avoid divergent levels of controls throughout the EU by e.g. harmonising the controls on brokering, technical assistance and transit of dual-use items;
- more effective – by introducing specific provisions preventing the misuse of dual-use items in relation to terrorism.

Council conclusions on the follow up of the Union Customs Code

On 29 September 2016, the *Official Journal* published a document entitled, [Council conclusions on the follow up of the Union Customs Code](#), which invites the Commission and Member States to continue the work in keeping the ‘UCC package’ up to date, that is, modern, agile and able to cope with challenges for customs. This entails, but is not limited to:

- further developing effective simplifications and modernization, such as centralised clearance and self-assessment, as well as a modern approach to for instance single window and cooperation between customs and other government
- enhancing benefits for Authorised Economic Operators;
- ensuring the best alignment of provisions and procedures in customs and other policy areas, including efficient and effective risk management in the wider customs area;
- improving transparency in the development of IT systems, in particular in relation to planning, by finding flexible approaches, funding, and cost-efficiency;
- having clear provisions in the basic legislative text and a common view on the use of delegated acts, implementing acts and guidance. Guidance should be based on best practices to help the implementation by Member States, and cannot ex
- promoting the use of UCC-based provisions, in e.g. Free Trade Agreements and World Customs Organization instruments.

When considering further work, the Council said the following should be taken into account:

- ensuring a proper balance between controls and trade facilitation for legitimate trade by Member States, and by the Commission in particular, when developing new legislative proposals;
- ensuring that adequate attention is given to realistic timelines, costs, and impact on customs and trade, based on comprehensive business cases and, when possible, pilot projects;
- ensuring timely and optimal involvement of trade;
- data protection legislation and the respective competences of the Union and the Member States.
- to continue cooperation in a pro-active way on strategic topics at Council level, in order to obtain the maximum from the post-Lisbon institutional framework. This remains essential in securing a viable customs union.

EU suspends restrictive measures against FARC

On 27 September 2016, the *Official Journal* published [Council Decision \(CFSP\) 2016/1711 of 27 September 2016 amending Common Position 2001/931/CFSP on the application of specific measures to combat terrorism](#) and [Council Regulation \(EU\) 2016/1710 of 27 September 2016 amending Regulation \(EC\) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism](#). The Decision amends Common Position 2001/931/CFSP to add an Art 5 which suspends (subject to a specific review by the Council after six months) the measures referred to in Articles 2, 3 and 4 of the Common Position, in so far as they apply to “Fuerzas armadas revolucionarias de Colombia” — “FARC” (“Revolutionary Armed Forces of Colombia”), as a result of the signing of a peace agreement between FARC and the Colombian government. In order to insure its uniform application throughout the Union, the Council Regulation, which suspends measures in paragraphs 1 and 2 of Art. 2 of Regulation (EC) No 2580/2001, was adopted.

EU adopts EU autonomous ISIL/Da'esh and Al-Qaida sanctions

On September 20, 2016, the European Council [announced](#) the adoption of new measures enabling the EU to apply sanctions autonomously to ISIL/Da'esh and Al-Qaida and persons and entities associated or supporting them. Before this, sanctions could only be applied to parties listed by the United Nations or by individual EU member states.

The decision enables the EU to impose restrictive measures, such as travel bans and asset freezes, on those persons and entities considered to be associated with ISIL/Da'esh and Al-Qaida. The EU will be able to target those who have participated in the planning or execution of terrorist attacks, have provided financing, oil or arms to ISIL/Da'esh and Al-Qaida, or have received terrorist training from these organisations. Individuals and entities could also be listed for related activities, such as recruiting; inciting or publicly provoking acts and activities in support of these organisations, or being involved in abuses of human rights outside the EU, including abduction, rape, sexual violence, forced marriage and enslavement of persons.

In particular, the EU measures will focus on the so-called “foreign fighters”, by listing and ultimately enforcing restrictive treatment on those individuals travelling to or seeking to travel both outside the EU and into the EU, with the aim of supporting or receiving training from these groups. The travel bans will prevent listed persons from entering any EU member state. For listed EU nationals, individuals will be prevented from travelling to any EU member state other than that of which they are a national.

For additional information, please contact [Ross Denton](#) or any member of the European Trade Group. Please check our [Sanctions blog](#) for updates.

See [Council Decision \(CFSP\) 2016/1693 of 20 September 2016 concerning restrictive measures against ISIL \(Da'esh\) and Al-Qaeda and persons, groups, undertakings and entities associated with them and repealing Common Position 2002/402/CFSP](#) and [Council Regulation \(EU\) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL \(Da'esh\) and Al-Qaeda and natural and legal persons, entities or bodies associated with them](#) published in the *Official Journal* on 21 September 2016.

EU establishes European Border and Coast Guard Agency

On 16 September 2016, the *Official Journal* published [Regulation \(EU\) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation \(EU\) 2016/399 of the European Parliament and of the Council and repealing Regulation \(EC\) No 863/2007 of the European Parliament and of the Council, Council Regulation \(EC\) No 2007/2004 and Council Decision 2005/267/EC](#). The Regulation establishes a European Border and Coast Guard to ensure the effective implementation of European integrated border management. The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union ('Frontex') will be expanded and renamed the European Border and Coast Guard Agency (the 'Agency'), which will continue to be commonly referred to as Frontex.

Frontex will remain the same legal person, with full continuity in all its activities and procedures. The key role of the Agency will be to establish a technical and operational strategy for implementation of integrated border management at Un-

ion level; to oversee the effective functioning of border control at the external borders; to provide increased technical and operational assistance to Member States through joint operations and rapid border interventions; to ensure the practical execution of measures in a situation requiring urgent action at the external borders; to provide technical and operational assistance in the support of search and rescue operations for persons in distress at sea; and to organise, coordinate and conduct return operations and return interventions.

The European Border and Coast Guard will consist of the Agency and national authorities which are responsible for border management, including coast guards to the extent that they carry out border control tasks. As such it will rely upon the common use of information, capabilities and systems at national level and the response of the Agency at Union level.

European integrated border management will be implemented as a shared responsibility of the Agency and the national authorities responsible for border management, including coast guards to the extent that they carry out maritime border surveillance operations and any other border control tasks. While Member States retain the primary responsibility for the management of their external borders in their interest and in the interest of all Member States, the Agency will support the application of Union measures relating to the management of the external borders by reinforcing, assessing and coordinating the actions of Member States which implement those measures.

The Agency will contribute to preventing and detecting serious crime with a cross-border dimension, such as migrant smuggling, trafficking in human beings and terrorism, where it is appropriate for it to act and where it has obtained relevant information through its activities. It should coordinate its activities with Europol as the agency responsible for supporting and strengthening Member States' actions and their cooperation in preventing and combating serious crime affecting two or more Member States. Cross-border crimes necessarily entail a cross-border dimension. Such a cross-border dimension is characterised by crimes directly linked to unauthorised crossings of the external borders, including trafficking in human beings or smuggling of migrants. That said, Article 1(2) of Council Directive 2002/90/EC (4) allows Member States not to impose sanctions where the aim of the behaviour is to provide humanitarian assistance to migrants.

European integrated border management does not alter the respective competences of the Commission and Member States in the customs area, in particular regarding controls, risk management and the exchange of information.

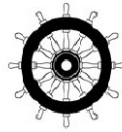
Marine Equipment Directive enters into force in the EEA

The European Free Trade Association (EFTA) announced that on 26 August 2016, the EEA EFTA States and the European Union adopted a [Joint Committee Decision](#) (JCD) incorporating the new Marine Equipment Directive into the EEA Agreement.

Directive 2014/90/EU entered into force in the EEA on 27 August 2016 and repealed the former Marine Equipment Directive (1996/98/EC).

The directive covers any ship flying the flag of an EEA Member State and affects manufacturers, suppliers and buyers of the equipment listed therein. Due to the global dimension of shipping, trade in and use of marine equipment is to a large extent regulated by international conventions. However, these international instruments leave a substantial margin of discretion and, consequently, result in differing national imple-

mentation. With the objective of promoting safety at sea and preventing marine pollution, the new Marine Equipment Directive harmonises EEA Member States' application of these international technical requirements.



When a conformity assessment has proved that an item of marine equipment is in compliance with the requirements of the directive, the so-called “wheel mark” (see image) can be affixed to it. An electronic tag can be used instead of, or in addition to, the wheel mark.

The directive brings the legislative framework for market surveillance in this sector in line with the horizontal requirements set out in Regulation (EC) No 765/2008. The obligations placed upon national market surveillance authorities are expanded to apply not only to equipment placed on board ships, but also to marine equipment that is not placed on board.

The JCD incorporating the act was adopted by written procedure, an exceptional procedure envisaged for the adoption of JCDs on important and urgent matters outside the regular EEA Joint Committee meetings.

Seven leading trade associations call on EU to boost trade through better border management coordination and UCC harmonised implementation

On 8 September 2016, a [Joint Statement was issued](#) by seven leading trade associations – the American Chamber of Commerce to the EU, CLECAT, Euro-Commerce, the European Express Association, the Foreign Trade Association, the International Air Transport Association and the World Shipping Council – that announced that on 7 September, at a conference at WCO Headquarters in Brussels, they called on EU institutions to enhance the competitiveness of business and boost trade through more coordinated border management, additional benefits for economic operators and a harmonised implementation of the new European Customs Code (UCC) among the EU's Member States.

The conference, “EU Customs - Making a difference in modern trade?”, concluded that the fact that the UCC has just entered into force does not mean that further improvements cannot be considered in the coming years. Moreover, new electronic customs systems are needed to implement several elements of the UCC by 2020, which business regards as a challenging deadline. To mitigate these risks and ensure the UCC succeeds as a tool of enhanced trade facilitation, the conference called on EU policy makers to consider the following:

- Strategic cross-government, coordination for EU customs policy development and delivery;
- Renewed efforts to rationalise, simplify and align EU customs procedures, data requirements and IT processes. These measures need to be more closely based on global standards such as the WCO SAFE Framework of Standards in order to reflect the global nature of Europe's trade;
- The implementation in the EU of IT systems with harmonised functional and technical specifications for receiving and reusing EU wide harmonised data. A fragmented approach in the implementation of such systems cannot work;
- The creation of new benefits for compliant operators including AEOs;
- Further improvements to centralised customs clearance, concrete support for the needs of small and medium sized enterprises to ensure they can maximise the benefits of the new UCC;

- Ensuring that customs treatment does not lead to market and competitive distortions and improving customs processes as essential elements for enhanced trade competitiveness.

Commission amends the Common Nomenclature

On 13 September 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/1638 of 6 September 2016 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#). The Regulation amends Annex I to [Regulation \(EEC\) No 2658/87](#) by replacing the current text of Additional note 2 to Chapter 15 of the Common Nomenclature, defining the characteristics of oils derived solely from the treatment of olives, which are to be classified under headings 1509 and 1510 based on [Regulation \(EEC\) No 2568/91](#). The new text of Additional note 2 to Chapter 15 now reads:

2. A. Headings 1509 and 1510 cover only oils derived solely from the treatment of olives and having the characteristics, with regard to the content of fatty acids and sterols, which are referred to in Annex I to Commission Regulation (EEC) No 2568/91 (). Their presence can be determined using methods set out in Annexes V and X to that Regulation.*

Headings 1509 and 1510 do not cover chemically altered olive oil (in particular re-esterified olive oil) and mixtures of olive oil with other oils. The presence of re-esterified olive oil is ascertained using the method set out in Annex VII to Regulation (EEC) No 2568/91.

B. Subheading 1509 10 covers only the olive oils defined in points 1, 2 and 3 below, obtained solely by mechanical or other physical means under conditions which do not lead to the modification of the oil, and which have not undergone any treatment other than washing, decantation, centrifugation or filtration. Olive oils obtained using solvents, chemical or biochemical reagents, or re-esterification processes, as well as any mixtures with oils of other kinds, are excluded from this subheading. 1. For the purposes of subheading 1509 10 10, 'lampante olive oil' means olive oil having the characteristics of olive oils of category 3 as set out in Annex I to Regulation (EEC) No 2568/91.

2. For the purposes of subheading 1509 10 20 'extra virgin olive oil' means olive oil having the characteristics of olive oils of category 1 as set out in Annex I to Regulation (EEC) No 2568/91.

3. Subheading 1509 10 80 covers other virgin olive oils which have the characteristics of olive oils of category 2 as set out in Annex I to Regulation (EEC) No 2568/91.

C. Subheading 1509 90 covers olive oil obtained by the treatment of olive oils of subheading 1509 10 10, 1509 10 20 and/or 1509 10 80, whether or not blended with virgin olive oil, and having the characteristics of olive oils of categories 4 and 5 as set out in Annex I to Regulation (EEC) No 2568/91.

D. For the purposes of subheading 1510 00 10, 'crude oils' means oils with the characteristics of olive oils of category 6 as set out in Annex I to Regulation (EEC) No 2568/91.

E. Subheading 1510 00 90 covers oils obtained by the treatment of oils of subheading 1510 00 10, whether or not blended with virgin olive oil, and oils not having the characteristics of the oils referred to in points B, C and D of this additional note.

Oils of this subheading must have the characteristics of the olive oils of categories 7 and 8 as set out in Annex I to Regulation (EEC) No 2568/91

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

[See separate section below](#) for amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* that 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, regardless 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
01-09-16	Commission Delegated Regulation (EU) 2016/1443 of 29 June 2016 amending Regulation (EC) No 273/2004 of the European Parliament and of the Council and Council Regulation (EC) No 111/2005 as regards the inclusion of certain drug precursors in the list of scheduled substances
	Commission Implementing Regulation (EU) 2016/1444 of 31 August 2016 amending Regulation (EU) No 37/2010 as regards the substance hydrocortisone aceponate
03-09-16	Commission Implementing Decision (EU) 2016/1452 of 2 September 2016 concerning certain interim protective measures relating to African swine fever in Poland (notified under document C(2016) 5708)
	Corrigendum to Commission Implementing Decision (EU) 2016/887 of 2 June 2016 amending Annex II to Decision 2007/777/EC as regards the list of third countries or parts thereof from which the introduction into the Union of meat products and treated stomachs, bladders and intestines is authorised (OJ L 148, 4.6.2016)
08-09-16	Commission Decision (EU) 2016/1610 of 7 September 2016 on the publication with a restriction in the <i>Official Journal of the European Union</i> of the reference of harmonised standard EN 13383-1:2002 'Armourstone: Part 1: Specifications' in accordance with Regulation (EU) No 305/2011 of the European Parliament and of the Council
09-09-16	Commission Regulation (EU) 2016/1618 of 8 September 2016 amending Regulation (EC) No 2003/2003 of the European Parliament and of the Council relating to fertilisers for the purposes of adapting Annexes I and IV
	Update of the list of border crossing points as referred to in Article 2(8) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union

OJ Date	Subject
	<p>Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification) [2016/C 331/02]</p> <p>Commission communication in the framework of the implementation of the Directive 2006/42/EC of the European Parliament and of the Council on machinery, and amending Directive 95/16/EC (recast) (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 332/01]</p> <p>Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 332/02]</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 332/03]</p> <p>Commission communication in the framework of the implementation of Directive 2013/53/EU of the European Parliament and of the Council on recreational craft and personal watercraft and repealing Directive 94/25/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 332/04]</p>
13-09-16	<p>Commission Implementing Regulation (EU) 2016/1638 of 6 September 2016 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff</p>
14-09-16	<p>Summary of European Commission Decisions on authorisations for the use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) (Text with EEA relevance) [2016/C 337/04]</p>
15-09-16	<p>Commission Implementing Decision (EU) 2016/1658 of 13 September 2016 amending Decision 2008/911/EC establishing a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products (notified under document C(2016) 5747) (Text with EEA relevance)</p> <p>Commission Implementing Decision (EU) 2016/1659 of 13 September 2016 amending Decision 2008/911/EC establishing a list of herbal substances, preparations and combinations thereof for use in traditional herbal medicinal products (notified under document C(2016) 5748) (Text with EEA relevance)</p> <p>Dangerous substances — List of authorisation decisions taken by the EEA EFTA States in accordance with Article 64(8) of Regulation (EC) No 1907/2006 (REACH) in the second half of 2015 [2016/C 338/13]</p>
16-09-16	<p>Council Decision (EU) 2016/1623 of 1 June 2016 on the signing, on behalf of the European Union and provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part</p> <ul style="list-style-type: none"> Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part
20-09-16	<p>Commission Delegated Regulation (EU) 2016/1675 of 14 July 2016 supplementing Directive (EU) 2015/849 of the European Parliament and of the Council by identifying high-risk third countries with strategic deficiencies [anti-money laundering]</p> <p>Commission Implementing Decision (EU) 2016/1685 of 16 September 2016 authorising the placing on the market of products containing, consisting of, or produced from genetically modified maize Bt11 × MIR162 × MIR604 × GA21, and genetically modified maizes combining two or three of the events Bt11, MIR162, MIR604 and GA21, and repealing Decisions 2010/426/EU, 2011/892/EU, 2011/893/EU and 2011/894/EU (notified under document C(2016) 5746)</p>

OJ Date	Subject
21-09-16	Commission Regulation (EU) 2016/1688 of 20 September 2016 amending Annex VII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards skin sensitisation
22-09-16	Medicinal products — List of marketing authorisations granted by the EEA EFTA States for the first half of 2015 [2016/C 347/04]
	Medicinal products — List of marketing authorisations granted by the EEA EFTA States for the second half of 2015 [2016/C 347/05]
24-09-16	Commission Implementing Regulation (EU) 2016/1713 of 20 September 2016 fixing the quantitative limit for exports of out-of-quota sugar and isoglucose until the end of the 2016/2017 marketing year
27-09-16	Commission Regulation (EU) 2016/1718 of 20 September 2016 amending Regulation (EU) No 582/2011 with respect to emissions from heavy-duty vehicles as regards the provisions on testing by means of portable emission measurement systems (PEMS) and the procedure for the testing of the durability of replacement pollution control devices
	Commission Implementing Decision (EU) 2016/1721 of 26 September 2016 on the approval of the Toyota efficient exterior lighting using light emitting diodes for the use in non-externally chargeable hybrid electrified vehicles as an innovative technology for reducing CO2 emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council
	Corrigendum to Commission Implementing Regulation (EU) 2016/1047 of 28 June 2016 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 170, 29.6.2016)
28-09-16	Commission Regulation (EU) 2016/1726 of 27 September 2016 amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards carvone, diammonium phosphate, <i>Saccharomyces cerevisiae</i> strain LAS02 and whey
30-09-16	Regulation No 44 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of restraining devices for child occupants of power-driven vehicles ('Child Restraint Systems') [2016/1722]
	Regulation No 48 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of vehicles with regard to the installation of lighting and light-signalling devices [2016/1723]
	Regulation (EU) 2016/1724 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures
	Corrigendum to Regulation (EU) No 1169/2011 of the European Parliament and of the Council of 25 October 2011 on the provision of food information to consumers, amending Regulations (EC) No 1924/2006 and (EC) No 1925/2006 of the European Parliament and of the Council, and repealing Commission Directive 87/250/EEC, Council Directive 90/496/EEC, Commission Directive 1999/10/EC, Directive 2000/13/EC of the European Parliament and of the Council, Commission Directives 2002/67/EC and 2008/5/EC and Commission Regulation (EC) No 608/2004 (OJ L 304, 22.11.2011)
	Corrigendum to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013)
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 August 2016 to 31 August 2016(Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2016/C 362/01]
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 August 2016 to 31 August 2016(Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2016/C 362/02]

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
01-09-16	Council Implementing Decision (CFSP) 2016/1446 of 31 August 2016 implementing Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic
	Council Implementing Regulation (EU) 2016/1442 of 31 August 2016 implementing Article 17(1) and (3) of Regulation (EU) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic
06-09-16	Commission Implementing Regulation (EU) 2016/1453 of 5 September 2016 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
10-09-16	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)
	Corrigendum to Council Decision (CFSP) 2016/478 of 31 March 2016 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya (OJ L 85, 1.4.2016)
13-09-16	Commission Implementing Regulation (EU) 2016/1641 of 12 September 2016 amending for the 252nd 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
	Commission Implementing Regulation (EU) 2016/1642 of 12 September 2016 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
16-09-16	Council Decision (CFSP) 2016/1671 of 15 September 2016 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
	Council Implementing Regulation (EU) 2016/1661 of 15 September 2016 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
20-09-16	Commission Implementing Regulation (EU) 2016/1683 of 19 September 2016 amending for the 253rd 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
21-09-16	Council Decision (CFSP) 2016/1693 of 20 September 2016 concerning restrictive measures against ISIL (Da'esh) and Al-Qaeda and persons, groups, undertakings and entities associated with them and repealing Common Position 2002/402/CFSP
	Council Regulation (EU) 2016/1686 of 20 September 2016 imposing additional restrictive measures directed against ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them
	Council Implementing Decision (CFSP) 2016/1694 of 20 September 2016 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
	Council Implementing Regulation (EU) 2016/1687 of 20 September 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya
22-09-16	Commission Implementing Regulation (EU) 2016/1695 of 21 September 2016 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
27-09-16	Council Regulation (EU) 2016/1710 of 27 September 2016 amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism
	Council Regulation (EU) 2016/1710 of 27 September 2016 amending Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism

OJ Date	Restrictive Measure
30-09-16	Council Implementing Decision (CFSP) 2016/1746 of 29 September 2016 implementing Decision 2013/255/CFSP concerning restrictive measures against Syria
	Council Implementing Regulation (EU) 2016/1735 of 29 September 2016 implementing Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria
	Council Implementing Decision (CFSP) 2016/1748 of 29 September 2016 implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan
	Council Implementing Regulation (EU) 2016/1736 of 29 September 2016 implementing Article 11(4) of Regulation (EU) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan
	Council Implementing Decision (CFSP) 2016/1747 of 29 September 2016 implementing Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen
	Council Implementing Regulation (EU) 2016/1737 of 29 September 2016 implementing Article 15(3) of Regulation (EU) No 1352/2014 concerning restrictive measures in view of the situation in Yemen
	Commission Implementing Regulation (EU) 2016/1739 of 29 September 2016 amending for the 254th 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
	Council Decision (CFSP) 2016/1745 of 29 September 2016 amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in Burundi

Antidumping and countervailing duty cases

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

Individual Countries

Finland

Transitional regulations concerning electronic cigarettes and nicotine liquids

On 19 August 2016, Finnish Customs [posted the following](#) on its website:

Customs supervises compliance with the import prohibitions and restrictions as provided for by the new Finnish *Tobacco Act* (549/2016) which entered into force on 15 August 2016. Sellers are allowed to carry out cross-border distance selling of electronic cigarettes and nicotine liquids until 1 January 2017. However, ordering these products from private individuals is prohibited according to section 65 of the *Tobacco Act*.

Section 65 of the *Tobacco Act* provides that a private individual is not allowed to obtain or receive by mail, as a goods shipment or by comparable means tobacco products, electronic cigarettes or nicotine liquids from a trader outside of Finland.

Section 120 of the *Tobacco Act* does not provide for any transitional regulation that would concern the acquisition and receipt of these products from outside Finland as provided for by section 65.

An urgent amendment to the *Tobacco Act* is currently underway. The amendment provides for a transitional period concerning the acquisition and receipt of tobacco products, electronic cigarettes and nicotine liquids. Products seized and detained based on section 65 of the *Tobacco Act* will be returned to their owners before the amendment enters into force.

The *Tobacco Act* is partly related to the implementation of the Tobacco Products Directive 2014/40/EU, but some of the changes were based on national requirements.

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
20-09-16	DA № 16-044 arrangements for implementing the tax on reproduction equipment or printing at import delivery operations between mainland France and overseas departments (DOMs)

United Kingdom

House of Lords issues report on invoking Art. 50 (Brexit)

On 13 September 2016, the House of Lords Constitution Committee published its report, [“The invoking of Article 50”](#) on the process by which the United Kingdom will withdraw from the European Union. The Committee accepts that the referendum result is clear and therefore must be implemented, but it is also firmly of the view that Parliament must be involved: “The Government should not trigger Article 50 [TEU] without consulting Parliament.”

European Commission sets up Task Force for Art. 50 negotiations with the UK

On 14 September 2016, the European Commission (Commission) [announced](#) that the Commission has set up a Task Force to plan preparations for, and the conduct of, the Commission’s Brexit negotiations once the UK triggers the Article 50 process. This follows the announcement on 27 July 2016 that Michael Barnier had been appointed by the Commission to lead its Brexit negotiations (see our related blog post [here](#)).

As head of the so-called Article 50 Task Force, Barnier will report directly to Commission President Jean-Claude Juncker and be supported by a team of experts, including Commission Directors-General whose departments deal with issues relevant to the negotiations. The Task Force will:

- Be in charge of preparing and conducting Brexit negotiations with the UK, taking account of the framework for the UK’s future relationship with the EU;
- Coordinate the Commission’s work on all strategic, operational, legal and financial issues related to the Brexit negotiations; and
- Be able to draw on policy support from all Commission services.

The Commission has further appointed Sabine Weyand, currently Deputy Director-General in the Commission’s trade directorate, as Deputy Chief Negotiator in the Brexit talks. Commission President Juncker was quoted as saying that the Task Force’s “*deep knowledge and rich experience*” would benefit Barnier in ne-

gotiations with the UK, adding that the team would live up to the challenge and help the EU “develop a new partnership with the UK after it will have left the EU”.

For additional Brexit information, please contact [Ross Denton](#). Check our [Brexit website](#) often for additional articles and updates on this topic.

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)	
23-09-16	Customs Information Paper 54 (2016): detention and seizure of goods
30-09-16	Customs Information Paper 53 (2016): update on Customs processing work
Tariff Notices	
02-09-16	UK Trade Tariff: relief from customs and excise duties and VAT Tariff Stop Press Notice 28 (2016): commodity code deleted in chapter 39
07-09-16	Tariff Stop Press Notice 27 (2016): amendments to commodity codes in chapters 72 and 73 UK Trade Tariff: exports
19-09-16	Tariff Stop Press Notice 26 (2016): Document code for shipwork end use relief Tariff Notice 32 (2016): toys, keyrings and puzzles
21-09-16	Tariff Stop Press Notice 30 (2016): commodity code for mackerel deleted and replaced with new codes Tariff Notice 31 (2016): child seats for adult bicycles
23-09-16	Tariff Quota Notice 129 (2016): new tariff quotas for certain agricultural and fishery products originating in Norway
26-09-16	Tariff Stop Press Notice 31 (2016): commodity codes deleted in chapter 38 Tariff Stop Press Notice 31 (2016): commodity codes deleted in chapter 38
29-09-16	Tariff Stop Press Notice 32 (2016): amendments to commodity codes in chapters 6, 7, 8 and 29 Tariff Notice 33 (2016): printing industry adhesive
Other Notices	
01-09-16	Anti-Dumping Duty measure AD2140 Anti-Dumping Duty measure AD2146
02-09-16	Anti-Dumping Duty measure AD2150
08-09-16	Import and export: amendment notice to export/re-export declaration for trade statistics (C81)
12-09-16	Notice 104: ATA and CPD Carnets
19-09-16	Anti-Dumping Duty measure AD2148 Anti-Dumping Duty measure AD2151 Anti-Dumping Duty measure AD2152 Anti-Dumping Duty measure AD2153
28-09-16	Customs Freight Simplified Procedures: contact lists
29-09-16	Electronic Binding Tariff Information: service availability and issues Non-EU trade by declared currency of invoice (2015)

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
02-09-16	Doing business in Cyprus: Cyprus trade and export guide
08-09-16	Notice to exporters 2016/21: EU extends Russia sanctions
27-09-16	Open individual export licence (OIEL) undertaking template (ver. 1.4)

Date	Notice No. and Subject
30-09-16	Notice to exporters 2016/22: EU aims to update dual-use export controls

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	
01-09-16	Economy and Finance: Text № 15 - Decree of 23 August 2016 establishing automated processing of personal data referred recording and computer management of export files (EGIDE) [Exporters of dual use goods]
03-09-16	Agriculture, Food and Forestry: Text № 96 Validation Notice of good hygiene practices guide and application of HACCP
10-09-16	Foreign Affairs: Text № 5 - Decree No. 2016-1001 of 21 July 2016 concerning the publication of the Association Agreement between the European Union and the European Community of Atomic Energy and their Member States, on the one hand, and the Republic of Moldova, on the other, and the Association agreement between the European Union and the European Community of Atomic energy and their Member States, on the one hand, and the Republic of Georgia, on the other hand, signed in Brussels June 27, 2014 (correction)
20-09-16	Text № 64 - Opinion on procedural thresholds and the list of central public authorities entitled to public procurement
22-09-16	Agriculture, etc. : Text № 86 Notice to manufacturers, importers, distributors, sellers, renters and users of shredders horizontal trough or almost horizontal and manual loading
29-09-16	Text № 15 - Decree No. 2016-1256 of 27 September 2016 amending Decree No. 78-1297 of 28 December 1978 on the exercise of the transaction law on customs offenses, offenses relating to financial relations with foreign countries or breaches the obligation to declare the sums or securities in or from a member State of the European Union or of a third State to the European Union
Ireland (Eire)	
09-09-16	S.I. No. 470 of 2016 European Union (Identification of Equidae) (Amendment) (No. 2) Regulations 2016
16-09-16	S.I. No. 473 of 2016 European Communities (Intra-Community Transfers of Defence Related Products) (Amendment) Regulations 2016
23-09-16	S.I. No. 483/2016 - European Communities (Direct support schemes) Offences and Control (Amendment) Regulations 2016.
	S.I. No. 484/2016 - European Union (Food Additives) (Amendment) Regulations 2016
	S.I. No. 492/2016 - European Union (Beef Producer Organisations) (Amendment) Regulations 2016
Liechtenstein	
08-09-16	LGBI № 2016.290 Regulation of 6 September 2016, the amendment of Regulation weapons (LR № 514.11)
	LGBI № 2016.291 Promulgation of July 8, 2014 Decision no. 1/2013 of the EFTA Chile Joint Committee (LR № 0.632.311.451)
Luxembourg	
08-09-16	Mem. A № 187 - Grand-Ducal regulation of 24 August 2016 laying down detailed rules for implementing Regulation (EEC) No 607/2009 of 14 July 2009 laying down detailed rules for implementing Regulation (EC) No 479/2008 regarding protected designations of origin and protected geographical indications, traditional terms, labeling and presentation of certain wine products and estab-

Date*	Measure
	lishing the National Office of protected designations of origin.
09-09-16	Mem. A № 190 Grand Ducal Regulation of 3 September 2016 fixing the national list of varieties of agricultural plant species.
26-09-16	Mem. A № 202 - Several Laws and Regulations dated 31 August 2016 and 22 Sept. 2016 on national and international waste shipment
29-09-16	Mem. A № 203 Grand-Ducal regulation of 27 September 2016 amending the Grand Ducal Regulation of 27 February 2014 laying down the conditions of marketing, production and certification of cereal seed.
Norway	
02-09-16	FOR-2016-08-31-1027 Industry and Fisheries Ministry Regulation amending the Regulation on defense and security procurement (adjustments to thresholds)
06-09-16	FOR-2016-09-05-1035 Industry and Fisheries Ministry of Agriculture and Food Regulations on animal welfare by showing animals
13-09-16	FOR-2016-09-12-1055 Health and Care Services Regulation amending the Regulation on food hygiene
16-09-16	FOR-2016-09-14-1064 Industry and Fisheries Ministry of Agriculture and Food Regulation on animal by-products not intended for human consumption (animal-iejproduktforskriften)
27-09-16	FOR-2016-09-24-1101 Labour and Social Affairs, Ministry of Justice, Agriculture and Food, Climate and Environment Ministry Regulation amending the Regulation on classification, labeling and packaging of substances and mixtures (CLP)
	FOR-2016-09-26-1102 Agriculture and Food Regulation amending the Regulation on prevention, control and eradication of transmissible spongiform encephalopathies (TSE)
30-09-16	FOR-2016-06-23-1128 Climate and Environment Ministry Regulation amending the Regulation on the restriction of use of hazardous chemicals and other products (Product Regulations)
	FOR-2016-09-14-1129 Climate and Environment Ministry Regulation amending the Regulation on the recycling of waste Chapter 13 (implementation of Regulation (EC). 660/2014 and Regulation (EC). 1234/2014 that modify Regulation (EC) No. 1013 / ...
	FOR-2016-09-26-1132 Health and Care Services Regulation amending the Regulation on feed additives
Poland	
02-09-16	№ 1388 The announcement of the Prime Minister dated 24 August 2016. On the uniform text of the Council of Ministers on the establishment of the Government Plenipotentiary for negotiations under the World Trade Organisation (WTO)
	№ 1393 Regulation of the Minister of Health of 24 August 2016. On the list of new psychoactive substances
07-09-16	№ 1410 Regulation of the Minister of Health from 1 September 2016. On the list of the laboratories carrying out the verification of the maximum level of secreted tar, nicotine and carbon monoxide in cigarette smoke
09-09-16	№ 1441 Regulation of the Minister of Finance dated 31 August 2016. Amending the Regulation on customs offices in which it can be carried out export, import and transit of goods of strategic importance
	№ 1442 Regulation of the Minister of Finance dated 31 August 2016. Amending the Regulation on customs offices in which operations are carried out under the customs rules, depending on the type of goods or customs procedures which may be acquired goods
13-09-16	№ 1454 The law of 5 September 2016. On special rules for settlement of tax on goods and services and reimbursement of public funds allocated for the implementation of projects financed with funds from the EU budget or from Member States of the European Free Trade Agreement by local governments
15-09-16	№ 1470 Statement of the Minister of Internal Affairs and Administration of 24 August 2016. On the uniform text of the Regulation of the Minister of Internal Affairs and Administration on the properties of the bodies and organizational units of the Border Guard in matters arising from the employment relationship of the Border Guard and the procedure in these matters
19-09-16	№ 1498 Regulation of the Minister of Finance dated 8 September 2016. On cus-

Date*	Measure
	toms declarations № 1500 Notice of the President of the Council of Ministers on 9 September 2016. On the uniform text of the Council of Ministers on the social benefits of customs officers and their family members
21-09-16	№ 1521 Regulation of the Minister of Agriculture and Rural Development dated 21 September 2016. On the requirements for meat products and to determine how to deal with raw materials, which can not be used for the production of meat products
22-09-16	№ 1523 Council of Ministers on 5 September 2016. On the implementation of the Agricultural Market Agency tasks related to the establishment of further temporary extraordinary support measures for producers of certain fruit and vegetables in connection with the continuation of the ban on their imports from the European Union to the Russian Federation
23-09-16	№ 1531 The Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, on the other hand, done at Brussels on 27 June 2014. № 1532 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 their Member States, of the one part, and Georgia, on the other hand, signed in Brussels on 27 June 2014.
27-09-16	№ 1546 Council of Ministers of 26 September 2016. On the establishment of the Government Plenipotentiary for activities related to the occurrence of African swine fever in the territory of the Polish Republic
28-09-16	№ 1566 Regulation of the Minister of Agriculture and Rural Development dated 27 September 2016. On the measures taken to limit the spread of African swine fever
Spain	
09-09-16	Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, for which the draft standards undergo public information UNE that the Spanish Association for Standardization and Certification is pending, for the month July 2016. (BOE-A-2016-8338) Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, by undergoing public information projects of European and international standards that have been processed as projects of UNE, for the month July 2016. (BOE-A-2016-8339)
14-09-16	Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, for which the relationship of European standards that have been ratified during the month of July 2016 as Spanish standards is published (BOE-A-2016-8417) Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, for which the relationship of UNE annulled by the Spanish Association for Standardization and Certification during the month of July 2016 is published (BOE-A-2016-8418) Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, for which the relationship of UNE standards approved by the Spanish Association for Standardization and Certification during the month of July 2016 is published (BOE-A-2016-8419) Industry, Energy, Etc.: Resolution of 5 September 2016, the Directorate General of Industry and Small and Medium Enterprises, for which the relationship of UNE standards approved by the Spanish Association for Standardization and Certification during the month of June 2016 is published (BOE-A-2016-8420)
21-09-16	Economy and Competitiveness: Order ECC / 1493/2016, of 19 September amending the annexes to the Regulation control of foreign trade in defense material, other material and products and dual-use technologies, approved by Royal Decree 679 are updated / 2014, August 1. (BOE-A-2016-8633)
Switzerland	
02-09-16	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)
06-09-16	Ordinance on the Placing on the market and use of biocidal products (Ordinance

Date*	Measure
	on Biocidal Products, OBP (RS 813.12)
	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
	Ordinance of the FOAG on phytosanitary temporary measures (OMPT) (RS 916.202.1)
13-09-16	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)
	Decision № 1/2013 of the EFTA-Chile Joint Committee: Amendment of Appendices 1 and 2 of Annex I concerning the definition of the term "originating products" and methods of administrative cooperation of the Free Trade Agreement of 26 June 2003 between the EFTA countries and the Republic of Chile (RS 0.632.312.451)
	Framework Agreement between the Swiss Federal Council and the Government of the Republic of Croatia on the implementation of the Swiss-Croatian cooperation program to reduce economic and social disparities within the enlarged European Union (RS 0.973.229.11)
27-09-16	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
	Protocol amending the Agreement of 26 May 1998 between the Swiss Federal Council and the Republic of Moldova concerning international road transport of people and goods (RS 0.741.619.565)
United Kingdom	
08-09-16	SI 2016/868 - The Food Safety and Hygiene (England) (Amendment) Regulations 2016
09-09-16	SSI 2016/260 - The Food Hygiene (Scotland) Amendment Regulations 2016
12-09-16	SI 2016/868 - The Food Safety and Hygiene (England) (Amendment) Regulations 2016
23-09-16	SR 2016/343 - The Passenger and Goods Vehicles (Tachographs) (Amendment) Regulations (Northern Ireland) 2016
26-09-16	SR 2016/345 - The Food Hygiene (Amendment) Regulations (Northern Ireland) 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)	
06-09-16	S.I. No. 463 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) (No. 2) Regulations 2016
	S.I. No. 472 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) (No. 3) Regulations 2016
	S.I. No. 474 of 2016 European Union (Restrictive Measures concerning Central African Republic) Regulations 2016
16-09-16	S.I. No. 475 of 2016 European Union (Restrictive Measures concerning Zimbabwe) (No. 2) Regulations 2016
	S.I. No. 476 of 2016 European Union (Restrictive Measures concerning Syria) Regulations 2016
	S.I. No. 477 of 2016 European Union (Restrictive Measures concerning Iran) (No. 2) Regulations 2016
	S.I. No. 478 of 2016 European Union (Restrictive Measures concerning Iran)

Date*	Restrictive Measure
	Regulations 2016
23-09-16	S.I. No. 493 of 2016 European Union (Restrictive Measures concerning Libya) (No. 3) Regulations 2016
30-09-16	S.I. No. 500 of 2016 European Union (Restrictive Measures concerning Iraq) Regulations 2016
Liechtenstein	
01-09-16	LGBI № 2016.285 Decree of August 30, 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)
	LGBI № 2016.286 Decree of August 30, 2016 concerning amendment of the ordinance on measures against the Central African Republic (LR 946.224.1)
08-09-16	LGBI № 2016.288 Decree of September 6, 2016 concerning amendment of the regulation on economic measures against the Republic of Iraq (LR № 946.221.1)
	LGBI № 2016.289 Decree of September 6, 2016 concerning amendment of the ordinance on measures against Yemen (LR № 946.224.4)
15-09-16	LGBI № 2016.292 Decree of 13 September 2016 concerning the amendment of the regulation on economic measures against the Republic of Iraq (LR № 946.221.1)
	LGBI № 2016.293 Decree of 13 September 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the Taliban (LR № 946.222.21)
	LGBI № 2016.294 Decree of 13 September 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)
22-09-16	LGBI № 2016.297 Decree of 20 September 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)
29-09-16	LGBI № 2016.298 Decree of 27 September 2016 concerning the amendment of the regulation on economic measures against the Republic of Iraq (LR № 946.221.1)
	LGBI № 2016.299 Decree of 27 September 2016 concerning amendment of the ordinance on measures against Libya (LR № 946.221.4)
Norway	
13-09-16	FOR-2016-09-09-1054 Foreign Affairs Regulations repealing the regulation on sanctions and special measures against Ivory Coast
Switzerland	
07-09-16	Amendment to the Order of 7 August 1990 establishing economic measures against the Republic of Iraq (RS 946.206) [eff. 06-09-16]
	Amendments 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. 06-09-16]
08-09-16	Amendments 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. 07-09-16]
15-09-16	Amendments 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. 14-09-16]
19-09-16	Amendments to the Order of 7 August 1990 establishing economic measures against the Republic of Iraq (RS 946.206) [eff. 16-09-16]
26-09-16	Amendments 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. 24-09-16]
United Kingdom	
09-09-16	SI 2016/893 - The Côte d'Ivoire (Asset-Freezing) (Revocation) Regulations 2016
21-09-16	SI 2016/937 - The Al-Qaida (Asset-Freezing) (Amendment) Regulations 2016

Non EU-EFTA European Countries

Turkey

Turkey publishes draft changes in cosmetics regulation

On August 5, 2016, the Cosmetics Products Department of the Turkish Medicines and Medical Devices Agency (TİTCK) announced that it has been working on an amendment to Annexes III, IV, V and VI of the *Cosmetics Regulation*.

On August 11, 2016, the Cosmetics Products Department of TİTCK published the draft changes in the *Cosmetics Regulation* ([*Kozmetik Yönetmeliğinde Değişiklik Yapılmasına Dair Yönetmelik Taslağı*](#)). The amendment is expected to align Turkey's cosmetics rules with the EU regulations 2016/314, 2016/621, 2016/622, 2016/1120, 2016/1121, 2016/1143 and 2016/1198, all of which amended the EU's Cosmetics Regulation (1223/2009) earlier this year.

According to the draft changes in the *Cosmetics Regulation*:

- Ethoxydiglycol and potassium hydroxide are added to Annex III of the Cosmetics Regulation, which lists the ingredients that cannot be contained within cosmetic products (subject to certain exceptions);
- Titanium dioxide and zinc oxide are added to Annex IV of the Cosmetics Regulation, which lists the permitted coloring materials in cosmetics; and
- If a health-related problem occurs during the use of a cosmetic product, the form provided under Annex X of the Cosmetics Regulation must be filled in by the manufacturer and must be submitted to the TİTCK electronically, to be later submitted to the National Poison Consultation Center.

Click [here](#) for the full text of the draft changes in the *Cosmetics Regulation* (available only in Turkish).

For more information, please contact [Can Sozer](#) of our Istanbul office.

Turkey brings new standards to claims of cosmetics products

The Turkish Medicines and Medical Devices Agency ("TİTCK") has announced new standards for cosmetics claims. Based on the *Cosmetics Law* and the *Cosmetics Regulation*, the *Claims of Cosmetics Products Guidelines Version 3.0* (in Turkish, [*Kozmetik Ürünlerin İddialarına İlişkin Kılavuz Sürüm 3.0*](#)) published by the TİTCK replaces the existing guidelines and brings new standards to cosmetics claims.

According to the *Claims of Cosmetic Products Guidelines Version 3.0*:

- cosmetics claims must generally be in line with the cosmetics regulations;
- no claim or visual can be placed on the labelling, packaging or advertisements that indicates that a cosmetics product is approved or permitted by an authority;
- cosmetic claims must be easily understandable, taking into account the profile of the end users of the cosmetic products in question;
- cosmetic claims must not be inaccurate or misleading; and
- cosmetic claims must not include indications of being "unique, one-of-a kind, best or most effective."

For the full text of the *Claims of Cosmetic Products Guidelines Version 3.0*, please click [here](#) (in Turkish).

Cosmetics companies must review the new guidelines and ensure that their claims comply with these new rules.

For more information, please contact [Can Sozer](#) of our Istanbul office.

Ukraine

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
08-09-16	On the adoption of the draft law of Ukraine on Amendments to Certain Legislative Acts of Ukraine on simplification of licensing procedures in the field of foreign trade activities - Resolution of the Verkhovna Rada of Ukraine on September 8, 2016 № 1500-VIII

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 [Eurasian Economic Commission documentation page](#).

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission (Решения)	
01-09-16	№ 100 (30-08-16) On introduction of changes in the plan of measures necessary for the implementation of the technical regulations of the Customs Union "On the safety of low voltage equipment" (TR CU 004/2011)
	№ 101 (30-08-16) On Amendments to the procedure for the formation and maintenance of a single register of authorized bodies (organizations) of states - members of the Eurasian Economic Union and organizations - manufacturers of vehicles (chassis vehicles), self-propelled machines and other types of equipment, carrying passports (e-passports) of vehicles (vehicle chassis), self-propelled vehicles and other equipment
	№ 102 (30-08-16) On approval of the Rules of information interaction of authorized bodies of the states - members of the Eurasian Economic Union and the Eurasian Economic Commission in the field of protection of intellectual property rights
07-09-16	№ 103 (06-09-16) On Amendments to the list of selected goods in respect of which the rates of import customs duties in accordance with 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, dated May 29, 2015 are applicable, and the amounts of such rates
13-09-16	№ 104 (12-09-16) On Amendments to the Resolution of the Board of the Eurasian Economic Commission dated November 6, 2012 № 210

Publication Date	Title
Board Распоряжение	
01-09-16	№ 126 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On approval of the mutual recognition of the results of the Rules to ensure traceability"
	№ 127 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Decision of the Customs Union Commission dated April 7, 2011 № 620"
	№ 128 (30-08-16) On Amendments to the composition of the working group on the development of common approaches to regulation of circulation of medical products in the framework of the Eurasian Economic Union
	№ 129 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the list of goods, works and services, the Eurasian Economic Commission to be placed with a single supplier"
	№ 130 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "About the order of the Supreme Eurasian Economic Council" On approval of the liberalization plans in individual service sectors "
05-09-16	№ 131 (30-08-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Decision of the Council of the Eurasian Economic Commission dated June 20, 2012 № 48"
07-09-16	№ 132 (06-09-16) Draft decision of the Council of the Eurasian Economic Commission "On the draft decision of the Supreme Eurasian Economic Council" On amendments to the criteria for inclusion in the cross-border market "
	№ 133 (06-09-16) About the order of the Council of the Eurasian Economic Commission "On the formation of the priorities of Eurasian technology platforms"
	№ 134 (06-09-16) About the Methodology of calculation of consolidated forecast balance of supply and demand states - members of the Eurasian Economic Union on agricultural products, food, flax, leather raw material, cotton and wool
	№ 135 (06-09-16) About the Memorandum of Cooperation between the Eurasian Economic Commission and the Association of the German manufacturers of agricultural machinery
	№ 136 (06-09-16) Draft Protocol on Amendments to the Agreement on the protection of confidential information and the responsibility for its disclosure in the implementation of the Eurasian Economic Commission powers to monitor compliance with uniform rules on competition from November 12, 2014
	№ 137 (06-09-16) Draft decision of the Council of the Eurasian Economic Commission "On Technical Regulation of the Eurasian Economic Union" On the safety of amusement "
	№ 138 (06-09-16) On introduction of changes in the composition of certain working groups
12-09-16	№ 139 (06-09-16) Draft decision of the Council of the Eurasian Economic Commission "About the order of the Eurasian Intergovernmental Council" On joint forecasts of development of agriculture, supply and demand of states - members of the Eurasian Economic Union, the main types of agricultural products and foodstuffs for 2016 - 2017 years "
	№ 140 (12-09-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Decision of the Council of the Eurasian Economic Commission dated 17 December, 2012 № 117"
13-09-16	№ 141 (12-09-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Decision of the Council of the Eurasian Economic Commission dated 17 December, 2012 № 118"
	№ 142 (12-09-16) On Amendments to the plan of scientific research work of the Eurasian Economic Commission in the years 2016 - 2017
	№ 143 (12-09-16) On Amendments to the Advisory Committee for Information, Information and Communication Technologies and Protection of Information
14-09-16	№ 143 (12-09-16) On Amendments to the Advisory Committee for Information, Information and Communication Technologies and Protection of Information
Board Recommendations	
07-09-16	№ 15 (06-09-16) About the Methodology of calculation of the forecast balances of supply and demand states - members of the Eurasian Economic Union on

Publication Date	Title
	agricultural products, food, flax, leather raw material, cotton and wool

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 web-site 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 in September 2016. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

Belarus

SCC creates portal for preliminary declaration of personal goods

On 6 September 2016, the State Customs Committee (SCC) [announced](#) that it had established a special [electronic portal](#) for individuals to file information about goods and vehicles crossing the Belarus customs border. Passengers who fill out the on-line information may print out the completed form with its unique identification number (УИИП) and bar code and present it at the border to significantly speed up customs clearance.

Restrictions on export of fuel abolished

The State Customs Committee [announced](#) that effective 1 September 2016, restrictions on the export of fuel from Belarus were eliminated. This action was the result of passage on 1 July 2016 of Council of Ministers of Belarus Decision № 526, which repealed Council of Ministers Resolution № 753 of 10 June 2011 “On some issues of regulation of export of motor fuel from the territory of the Republic of Belarus” and № 1554 of 18 November 2011.

Public consultation on draft Treaty on the EAEU Customs Code

The State Customs Committee (SCC), in accordance with sub-paragraph 9.4 of paragraph 9 of Directive № 4 of the President of the Republic of Belarus dated December 31, 2010 “On the development of entrepreneurship and stimulating business activity in Belarus” held a public discussion of the 1100 page draft [Treaty on the Customs Code of the Eurasian Economic Union \(проекту Договора о таможенном кодексе Евразийского экономического союза\)](#). The SCC invited all interested parties to review the draft Treaty, and submit comments and suggestions to the SCC by 7 September 2016.

Legislation (acts, resolutions, orders, etc.)

The following normative legal acts of Belarus that pertain to international trade were posted on the official [Legal Internet Portal website](#):

Date	Subject
01-09-16	Ministry of Finance Decree of the Republic of Belarus of June 30, 2016 № 58 - On establishing the form of the consignment note, bill of lading and the approval of the Instruction on the procedure for filling the bill of lading, consignment note, amendments and changes to the Resolution of the Ministry of Finance of the Republic of Belarus of April 22, 2011 № 23

Date	Subject
21-09-16	Resolution of the Council of Ministers № 734 on September 16, 2016 "On amendments and additions to the Decree of the Council of Ministers of the Republic of Belarus № 1256 of December 30, 2014 " specifies the procedure for determining the list of persons involved in terrorist activities.

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 September 2016. It may be searched by tariff code or description (in Russian).

Kazakhstan

State Revenue Committee of Ministry of Finance (orders, etc.)

The following normative legal acts of the State Revenue Committee (SRC) of the Ministry of Finance were posted to the [website](#):

Date	Subject
	Code of the Republic of Kazakhstan dated June 30, 2010 № 296-IV «On Customs Affairs in the Republic of Kazakhstan" (the Customs Code) (as amended as of 26.07.2016)
	Order of the Minister of Finance of the Republic of Kazakhstan dated July 29, 2016 № 412 On Amendments to the Order of the Republic of Kazakhstan Minister of Finance on March 31, 2015 № 246 "On approval of the rules for the customs clearance of goods by officials of the State Revenue officials" (registered in the Ministry of Justice of the Republic of Kazakhstan on August 31, 2016 № 14181);
	Joint Order of the Deputy Prime Minister of the Republic of Kazakhstan - Minister of Agriculture of the Republic of Kazakhstan dated August 1, 2016 № 349, Minister of Finance of the Republic of Kazakhstan from June 28, 2016 № 346 , Minister of National Economy of the Republic of Kazakhstan dated July 28, 2016 № 336, Minister for Investment and development of the Republic of Kazakhstan dated July 29, 2016 № 585 "on approval of the Procedure of interaction of state bodies in the centers of customs clearance and international transport - logistic centers in the commission of customs operations related to the customs declaration, customs clearance and release of goods"

Russian Federation

New rules for phytosanitary control at Russian border

[Government Resolution No. 792 of August 13, 2016](#), approved the new *Rules for the State Quarantine Phytosanitary Control (Supervision) at Checkpoints on the Border of the Russian Federation*. The new Rules specify the role of the Federal Service for Veterinary and Phytosanitary Surveillance in the phytosanitary control at the border, procedures for such controls and the basis for decisions on whether to allow or ban access of products of phytosanitary concern to the territory of the Russian Federation.

The new rules are explained in GAIN Report № RS1649 (issued by the U.S. Foreign Agricultural Service): [Russian Federation: New Rules for Phytosanitary Control at the State Border of the RF](#)

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 23 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 the *Official Portal for Legal Information* ([Официальный интернет-портал правовой информации](#)) during the period of coverage of this *Update: The italicized summaries were prepared by the Official Portal.*

Date of Publication or Document	Subject
27-08-16	Russian Federation Government Resolution № 847 (27.08.16) – “The development of the territory of advancing socio-economic development of the “Amur-Khingansky”” (created territory of advancing socio-economic development of the “Amur-Khingansky” in the municipality “City of Birobidzhan”, “Leninsky municipal district” and “October municipal district” Jewish Autonomous Region . it was determined that a minimum amount of capital investments of resident area of advancing socio-economic development of the “Amur-Khingansky” in the implementation of the relevant economic activities is 500,000 rubles. it was established that on the territory of advancing socio-economic development of the “Amur-Khingansky” the customs procedure of free customs zone established right of the Eurasian economic Union)
	Russian Federation Government Resolution № 846 of 27-08-16 “On Amendments to the Resolution of the Russian Government dated 30 November 2015 № 1296” (Amendments to the Resolution of the Russian Government dated 30 November 2015 № 1296 “On measures to implement the Decree of the President of Russian Federation of November 28, 2015 number 583” on measures to ensure the national security of the Russian Federation and the protection of Russian citizens from criminal and other illegal actions and the application of special economic measures against the Republic of Turkey by the Russian Federation.” The Ministry of transport instructed to take additional measures to ensure the transport (aviation) safety the implementation of regular air links with the Republic of Turkey
30-08-16	Russian Federation Government Resolution № 859 of August 29, 2016 - “On Amendments to the Decree of the Russian Federation of July 27, 2012 № 775” (Amendments to the Decree of the Russian Federation of July 27, 2012 № 775 “On excise stamps for alcohol labeling.” In particular, it was found that realization of alcoholic products, marked with excise stamps, made in accordance with the requirements of the Russian Federation Government of 21 December 2005 № 786, is allowed until 1 September 2017)
31-08-16	Agreement between the Government of the Russian Federation and the Government of the Republic of Finland to amend the Agreement between the Government of the Russian Federation and the Government of the Republic of Finland on the checkpoints on the Russian-Finnish border on 11 March 1994 (concluded by exchange of notes entered into force on 10 April 2016)
01-09-16	Presidential Decree № 442 of 01-09-16 – “On the Repeal of certain decrees of the President of the Russian Federation in connection with the adoption of UN Security Council Resolution 2288 of 25 May 2016”
02-09-16	Russian Federation Government Resolution № 863 of August 31, 2016 - “On the bodies (organizations) of the Russian Federation authorized to confirm the country of origin of the goods when they are exported in the state - members of

Date of Publication or Document	Subject
	the Commonwealth of Independent States ” (Chamber of Commerce of the Russian Federation is the central competent authority (organization) for the issuance of certificates of origin form ST-1 at its export in the state - parties to the Agreement on Rules of origin of goods in the Commonwealth of Independent States of 20 November 2009, management of the unified electronic system of certification of origin of goods in accordance with the terms of the Agreement, as well as to monitor the proper functioning of this system)
05-09-16	Presidential Decree № 450 of 03-09-2016 - "On the members of the Supervisory Board of the State Corporation for Assistance to Development, Production and Export of Advanced Technology Industrial Product" Rostec "
06-09-16	Russian Federation Government Resolution № 871 of August 31, 2016 - “On Amendments to the Rules of the joint-stock company “Russian export center” activities to support exports and cooperation with federal executive authorities and the State Atomic Energy Corporation” Rosatom” (In particular, the agreements concluded by the Centre and the federal executive bodies engaged issuance of documents established by the legislation of the Russian Federation for the treatment of products in the territory of the Russian Federation, the list of documents defined, whose presence at the exporter will be the basis for registration and issuance of the Center for a free sale certificate, including a foreign language, required for import of Russian products in foreign countries)
08-09-16	Order of the Russian Federation №1872-r dated September 6, 2016 - “On The signing of the Protocol on cooperation of the Federal Customs Service and the National Bank of Belarus in the sphere of exchange control, the Protocol on cooperation of the Federal Customs Service and the National Bank of the Republic of Kazakhstan in the sphere of exchange controls and the Protocol on cooperation of the Federal Customs Service and the State Control Committee of the Republic of Belarus in the sphere of currency control”
13-09-16	<p>Russian Federation Government Resolution № 897 of September 10, 2016 “On Amendments to the annex to the decision of the Government of the Russian Federation dated August 7, 2014 № 778” (The list of agricultural products, raw materials and food, originating in the United States, European Union, Canada, Australia, UK, Norway, Ukraine, The Republic of Albania, Montenegro, the Republic of Iceland and Liechtenstein and that on December 31, 2017 are prohibited for importation into the Russian Federation’s position is supplemented as follows: “2501 00 salt (including table salt and denatured) and pure sodium chloride, dissolved or not dissolved in water, or whether or not containing agents added anti-caking or free-flowing;. water sea “This Decision shall enter into force on 1 November 2016)</p> <p>Russian Federation Government Resolution dated 10-09-2016 № 905 “On the granting of subsidies from the federal budget automotive organizations in order to compensate part of the transportation costs, homologation and confirmation of compliance with international standards, as well as to participate in the activities of international organizations.”</p> <p>Russian Federation Government Resolution № 894 (09-09-16) “On the order and amount of payment of monetary compensation for employment (sublease) premises employees to the institutions and bodies of the correctional system, federal fire service of the State Fire Service and the customs authorities of the Russian Federation, as well as family members employees of these institutions and bodies, the dead (dead) as a result of injury or other damage to health, received in connection with the performance of official duties or as a result of the disease, resulting in a period of service in these institutions and bodies “</p>
14-09-16	Order of the Federal Customs Service № 1618 of 22-08-16 “On the order of admission to the customs authorities of the Russian Federation appeals and applications, is the basis for the meeting of the Commission to comply with the requirements of the official conduct of federal officials and resolve conflicts of interest (Attestation Commission)”
15-09-16	Order of the Russian Federation № 1933-r (14-09-16) (On approval of the chairman of the Russian part of the Intergovernmental Kyrgyz-Russian com-

Date of Publication or Document	Subject
	<i>mission on trade-economic, scientific-technical and humanitarian cooperation) (Head of the Federal Customs Service Bulavin VI approved the chairman of the Russian part of the said commission)</i>
19-09-16	Russian Federation Government Resolution № 925 (16.09.16) "On the priority of goods of Russian origin, works and services carried out or rendered by Russian persons in relation to goods originating from a foreign country, works and services carried out or rendered by foreign persons" Russian Federation Government Resolution № 935 (17.09.16) "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 is not subject to tax on added cost "
20-09-16	Russian Federation Government Resolution № 929 (17.09.16) "On Amendments to the list of technically sophisticated products," .
23-09-16	Russian Federation Government Resolution dated 9.14.2016 number 924 "On approval of requirements for transport security, including the requirements for anti-terrorist protection of objects (territories), taking into account the levels of security for different categories of road transport infrastructure of the economy, to ensure transport safety requirements, including requirements to counter-terrorism security of objects (territories), taking into account the levels of security for different categories of transport infrastructure and vehicles of road and urban land-electric vehicles, and amending the Regulations on licensing of carriage of passengers by motor vehicles equipped to carry more than 8 persons (for except when this activity is carried out on the orders or for the needs of a legal entity or individual entrepreneur) "
27-09-16	Russian Federation Government Resolution dated 09/26/2016 number 966 "On amending the rates of export customs duties on goods exported from the Russian Federation outside the States - participants of the Customs Union"
30-09-16	Russian Federation Government Resolution dated 09/26/2016 number 967 . "Determination of the timing of, and waiting for the state control while passing vehicles, cargoes, goods and animals at checkpoints across the state border of the Russian Federation, located in the free port of Vladivostok," Russian Federation Government Resolution dated 09/26/2016 number 968 "On the restrictions and conditions of admission of certain types of electronic products, originating from foreign countries for the purposes of procurement for state and municipal needs" Russian Federation Government Resolution dated 9.28.2016 number 975 "On the composition of the information provided by the customs authorities with advance information on goods and vehicles before crossing the customs border of the Eurasian Economic Union, required for customs, transport, sanitary-quarantine, veterinary and phytosanitary quarantine control (supervision) at checkpoints across the state border of the Russian Federation, located in the free port of Vladivostok "

Middle East

Bahrain ratifies TFA

On 23 September 2016, the WTO [announced](#) that the Kingdom of Bahrain has become the 93rd member of the WTO to ratify the *Trade Facilitation Agreement* (TFA). Bahrain's WTO ambassador submitted his country's instrument of acceptance to WTO Director-General on 23 September 2016. The TFA will enter into force once two-thirds of the WTO membership has formally accepted the Agreement. Bahrain's acceptance means 85 per cent of the ratifications needed for entry into force have now been received.

More information on the WTO and trade facilitation is available at www.wto.org/tradefacilitation.

Africa

South Africa

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

Publication Date	Publication Details	Subject	Implementation Date
16-09-16	GG.40282 R.1059	Amendment of Part 1 of Schedule No. 1, by the substitution of tariff subheadings 1701.12, 1701.13, 1701.14, 1701.91, and 1701.99 to reduce the rate of customs duty on sugar from 144,33c/kg to 31.89c/kg in terms of the existing variable tariff formula as recommended in Minute M05/2016 <ul style="list-style-type: none"> Notice R.1059 	16-09-16
23 -09-16	GG.40294 R.1151	Amendment of Part 1C of Schedule No. 6 to provide for refund items on wine, vermouth and other fermented beverages that have become off-specification, contaminated or have undergone post-manufacturing deterioration <ul style="list-style-type: none"> Notice R.1151 	23 -09-16
	GG.40294 R.1150	Amendment of Part 1 of Schedule No. 2, by the termination of anti-dumping duties on paper insulated lead covered electric cable originating in or imported from India – ITAC Report 531 <ul style="list-style-type: none"> Notice R.1150 	07-04-16
	GG.40294 R.1149	Amendment of Part 1 of Schedule No. 3 by the substitution of the definition for “VAA” where it appears under “Definitions” in Note 1.2 to rebate item 317.03 – Minute 04/2016 <ul style="list-style-type: none"> Notice R.1149 	01 -01-16

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; FCC= Federal Communications Commission; 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 Commis-

sion; 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
09-01-16	Pakistani National Extradited and Sentenced for Attempting to Export Sensitive Technology for Pakistani Military (ICE, DOJ, Belgian Police)
09-06-16	ICE-rescued ancient fossil on display at Carnegie Museum of Natural History (ICE, DOJ)
09-07-16	WTC Corporation Settles Potential Civil Liability for Alleged Violations of the Iranian Transactions and Sanctions Regulations [\$43,200] (OFAC)
09-09-16	2 arrested in crackdown on northern California businesses suspected of selling counterfeit and misbranded goods, including medications (ICE, Local DA)
09-09-16	Owner of Major Online Colored Contact Lens Business Pleads Guilty in Largest-Ever Investigation of Counterfeit and Misbranded Contact Lenses in the United States (DOJ, FDA, USPIS, ICE)
09-12-16	Norfolk CBP Finds Destructive Beetle (CBP, APHIS)
09-12-16	SEC Charges Former Information Technology Executive with FCPA Violations; Former Employer Not Charged Due to Cooperation with SEC (SEC)
09-13-16	PanAmerican Seed Company Settles Potential Civil Liability for Alleged Violations of the Iranian Transactions and Sanctions Regulations [\$4,320,000] (OFAC)
09-14-16	To Bee or Not To Bee: CBP and Partners Seized 132 Drums of Honey (CBP, ICE)
09-16-16	5 indicted for fraud against the US Government in "Made in America" marketing scheme (ICE, DOJ, DoD, GSA)
09-21-16	Order Denying Export Privileges to Francisco Javier Mendoza-Esquivel [AECA violations] (BIS)
09-22-16	Siemens to Pay \$175k for Failing to Disclose Felonies [FCPA] (FCC)
09-23-16	New York apparel businesses charged in double-invoice scheme (ICE, CBP, DOJ)
09-26-16	Four Chinese Nationals and China-Based Company Charged with Using Front Companies to Evade U.S. Sanctions Targeting North Korea's Nuclear Weapons and Ballistic Missile Programs (DOJ, FBI, OFAC)
09-27-16	Woman sentenced for acting as illegal agent for a foreign government (ICE, DOJ, FBI, IRS, DoD)
09-28-16	Former Canadian Mountie Pleads Guilty to Money Laundering Charges Stemming from a Conspiracy to Smuggle Narwhal Tusks (DOJ, FWS, NOAA, Environment Canada)
09-29-16	Capital Management Co. Admits to Role in Africa Bribery Conspiracies and Agrees to Pay \$213 Million Criminal Fine (DOJ, IRS, FBI, SEC, Swiss, BVI, Malta)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [September 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 International Trade Compliance Update – September 2016	{Archives here}
Buenos Aires Aduana (Customs) Alert: Aduana Intima a Importadores por Supuestas Irregularidades con las DJAIS	
Buenos Aires Customs Alert: Customs Reduces Requirements for the Payment of Export Benefits (Eng.); Aduana Reduce Requisitos Para el Pago de Reintegros a la Exportación (Span.)	
North American Litigation & Government Enforcement Client Alert: Harris Corporation Obtains FCPA Declination While Former Employee is Sanctioned	
Mexico Foreign Trade and Customs Legal Alert: Antidumping News - Steel wire rods from Ukraine, Steel plates from Rumania, Russia and Ukraine, Reinforcing steel bars from Brazil (Eng.) Noticias Antidumping - Alambión de Acero de Ucrania, Placas de Acero de Rumania, Rusia y Ucrania, Varilla Corrugada de Brasil (Span.)	
Mexico Foreign Trade and Customs Legal Alert: Antidumping News - Steel wire rods from Ukraine, Steel plates from Rumania, Russia and Ukraine, Reinforcing steel bars from Brazil (Eng.); Noticias Antidumping - Alambión de Acero de Ucrania, Placas de Acero de Rumania, Rusia y Ucrania, Varilla Corrugada de Brasil (Span.)	
Other areas	
Buenos Aires Antitrust Alert: New Argentine Antitrust Law: The Argentine antitrust commission initiates consultation process (Eng.); nueva Ley de Defensa de la Competencia: CNDC inicia proceso de consultas (Span.)	
Buenos Aires Banking Alert: Amendments to the Amounts to Detect and Report Suspicious Operations (Eng.); Modifican los Montos para Detectar y Reportar Operaciones Sospechosas (Span.)	
Kyiv Intellectual Property Law – Client Alert: Liquidation of State Intellectual Property Service in Ukraine: business as usual for now (Eng.); Ліквідація Державної служби інтелектуальної власності в Україні: для бізнесу поки що без змін (Ukr.); Ликвидация Государственной службы интеллектуальной собственности в Украине: для бизнеса пока без перемен (Rus.)	
b:INFORM: New York Proposes First-In-The-Nation Cybersecurity Regulation for Banks and Insurers	
Turkey IT & Communications Legal Alert: Turkey: Have you taken the required actions for the new Data Protection Law?	
EMEA Healthcare Industry Group Newsletter (September 2016)	

Webinars, Meetings, Seminars, Etc.

Annual International Trade and Anti-Bribery Conference

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

For in-house legal counsel and compliance professionals.

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](#).

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 July 26	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
 Albania	ALB/82	9/30/2016	11/29/2016	Tobacco and cigarettes
 Argentina	ARG/173/Add.6	09/01/2016	Not given	Cleaning products
 Argentina	ARG/298/Add.1	09/01/2016	Not given	Organic products for human or animal consumption and organic textile products.
 Argentina	ARG/305	09/01/2016	Not given	Lifts and lift components
 Bahrain, Kingdom of	BHR/452	09/02/2016	11/01/2016	Barley Flour
 Bahrain, Kingdom of	BHR/453	09/02/2016	11/01/2016	Cheddar cheese
 Bahrain, Kingdom of	BHR/454	09/02/2016	11/01/2016	Jams, jellies and marmalade
 Bahrain, Kingdom of	BHR/455	09/02/2016	11/01/2016	Cream analogue
 Bahrain, Kingdom of	BHR/456	09/02/2016	11/01/2016	Soy sauce
 Bahrain, Kingdom of	BHR/457	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Bahrain, Kingdom of	BHR/458	09/14/2016	11/13/2016	Dried shark fins
 Bahrain, Kingdom of	BHR/459	09/19/2016	11/18/2016	Dehydrated green beans
 Bahrain, Kingdom of	BHR/460	09/21/2016	11/20/2016	Preserved tomatoes
 Brazil	BRA/689	08/31/2016	10/25/2016	HS 22 - Alcoholic beverages, Beverages, spirits and vinegar
 Brazil	BRA/690	09/07/2016	11/01/2016	Fruit, nuts and other edible parts of plants, otherwise prepared or preserved, whether or not











Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				containing added sugar or other sweetening matter or spirit, not elsewhere specified or included. (HS 2008)
 Brazil	BRA/691	09/07/2016	11/01/2016	Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter (HS 2009)
 Brazil	BRA/692	09/15/2016	Not given	Narcotic, psychotropic, precursor and other drugs under special control
 Brazil	BRA/316/Add.2	09/19/2016	Not given	Bleach
 Brazil	BRA/600/Add.1	09/19/2016	Not given	Sanitizing products
 Brazil	BRA/625/Add.1	09/19/2016	Not given	Personal hygiene products, cosmetics and perfumes
 Brazil	BRA/693	09/19/2016	11/11/2016	Personal hygienic products, cosmetics and perfumes
 Brazil	BRA/694	09/23/2016	11/14/2016	Wheat and corn flours enriched with iron and folic acid
 Canada	CAN/496	09/12/2016	Not given	Controlled substances (HS 1211) Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered (HS 1211)
 Canada	CAN/497	09/15/2016	10/8/2016	Propionyl chloride; 1-Phenethyl-4-piperidone and its salts; 4-Piperidone and its salts; Norfentanyl (N-phenyl-N-piperidin-4-ylpropanamide) and its salts; 1-Phenethylpiperidin-4-ylidenephethylamine and its salts; N-Phenyl-4-piperidinamine and its salts. Inorganic chemicals
 Canada	CAN/498	09/15/2016	11/25/2016	Radiocommunications
 Canada	CAN/496/Corr.1	09/20/2016	Not given	Controlled substances (HS 1211) Plants and parts of plants (including seeds and fruits), of a kind used primarily in perfumery, in pharmacy or for insecticidal, fungicidal or similar purposes, fresh or dried, whether or not cut, crushed or powdered (HS 1211)
 Canada	CAN/499	09/22/2016	11/01/2016	Radiocommunications
 Chile	CHL/370	09/19/2016	11/18/2016	Pressure regulators and pressure regulators with flow-metering devices for LPG cylinders used in welding, cutting and allied processes.
 Chile	CHL/371	09/20/2016	11/19/2016	Water meters for cold potable water and hot water
 Chile	CHL/372	09/20/2016	11/19/2016	Plastics piping systems for waste discharge
 China	CHN/1180	09/14/2016	11/13/2016	Drugs
 China	CHN/391/Rev.1	09/30/2016	Not given	Category M1, M2 and N1 vehicles (HS 8702, 8703, 8704)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 China	CHN/1181	09/29/2016	11/28/2016	Light-duty vehicles (HS 87)
 Colombia	COL/196/Add.5	09/20/2016	Not given	Biological medicines
 Costa Rica	CRI/162	08/30/2016	10/29/2016	Organic agricultural products
 Costa Rica	CRI/118/Add.1	09/20/2016	Not given	Biological medicines
 Ecuador	ECU/101/Add.3	09/20/2016	Not given	Safety glass for motor vehicles (HS 7007.11, 7007.19, 7007.21, 7007.29, 8708.29)
 Ecuador	ECU/134/Add.1	09/20/2016	Not given	Engine parts and fittings (HS 8407.29, 8407.31, 8407.32, 8407.33, 8407.34, 8407.90, 8408.20.10, 8408.20.90, 8408.90.10, 8408.90.20, 8409.91.10, 8409.91.20, 8409.91.30, 8409.91.40, 8409.91.50, 8409.91.60, 8409.91.70, 8409.91.80, 8409.91.91, 8409.91.99, 8409.99.10, 8409.99.20, 8409.99.30, 8409.99.40, 8409.99.50, 8409.99.60, 8409.99.70, 8409.99.80, 8409.99.91, and 8409.99.92)
 Ecuador	ECU/147/Add.1	09/20/2016	Not given	Headphones and earphones (HS 8518.30)
 Ecuador	ECU/300/Add.1	09/20/2016	Not given	Projectors (HS 8528.6900, 9007.2090, 9008.5010 and 9008.5030)
 Ecuador	ECU/321/Add.1	09/20/2016	Not given	Microphones (HS 8518.10)
 Ecuador	ECU/161/Add.1	09/23/2016	Not given	Chemical pesticides and insecticides (HS 3808.91.19, 3808.92.19, 3808.93.19 and 3808.93.99)
 Ecuador	ECU/219/Add.1	09/23/2016	Not given	Hand tools, Hammers (HS 8205.20)
 Ecuador	ECU/220/Add.1	09/23/2016	Not given	Fresh fruit (HS 0803.10.10, 0803.90.11, 0803.90.12, 0803.90.19, 0804.30.00, 0804.40.00, 0804.50.10, 0804.50.20, 0805.10.00, 0805.20.10, 0805.20.90, 0805.40.00, 0805.50.21, 0805.90.00, 0807.11.00, 0807.19.00, 0807.20.00, 0810.10.00, 0810.20.00, 0810.90.20, 0810.90.30, 0810.90.40, 0810.90.50, 0810.90.10, 0810.90.90, 0810.90.90.20, and 0810.90.90.90)
 Ecuador	ECU/231/Add.1	09/23/2016	Not given	Hand-held masonry, carpentry and mechanic's tools (HS 8202.10.10, 8202.10.90, 8202.20.00, 8202.31.00, 8202.39.00, 8202.91.00, 8202.99.00, 8203.10.00, 8203.20.00, 8203.30.00, 8203.40.00, 8204.11.00, 8204.12.00, 8204.20.00, 8205.10.00, 8205.30.00, 8205.40.10, 8205.40.90, 8205.59.10, 8205.59.20, 8205.59.30, 8205.59.92, 8205.59.99, 8205.70.00, 8205.90.90, 8206.00.00, 8207.13.20, 8207.13.30, 8207.19.29, 8207.19.30, and 8207.19.80)




Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Ecuador	ECU/233/Add.1	09/23/2016	Not given	Agricultural tools (HS 8201.10.00, 8201.30.00, 8201.40.10, 8201.40.90, 8201.50.00, 8201.60.10, 8201.60.90, 8201.90.10, and 8201.90.90)
 Ecuador	ECU/296/Add.1	09/23/2016	Not given	Knives and cutlery 71141190, 71141900, 71142000, 73239310, 82111000, 82119100, 82119200, 82151000, 82152000, 82159100, 82159900, 83062100 and 83062900
 Ecuador	ECU/297/Add.1	09/23/2016	Not given	Stationary training equipment 95069100
 Ecuador	ECU/327	09/20/2016	12/11/2016	Food supplements (HS 2106.90.71.00, 2106.90.72.00, 2106.90.73.00, 2106.90.74.00 and 2106.90.79.00)
 El Salvador	SLV/185	09/21/2016	11/20/2016	Natural gas
 European Union	EU/401	09/07/2016	11/06/2016	Cosmetics
 European Union	EU/402	09/14/2016	11/13/2016	Biocidal products
 European Union	EU/403	09/14/2016	11/13/2016	Biocidal products
 European Union	EU/404	09/14/2016	11/13/2016	Biocidal products
 European Union	EU/405	09/14/2016	11/13/2016	Biocidal products
 European Union	EU/405/Corr.1	09/16/2016	Not given	Biocidal products
 European Union	EU/406	09/16/2016	11/15/2016	Biocidal products
 European Union	EU/407	09/21/2016	11/20/2016	Chemical substances
 European Union	EU/408	09/23/2016	11/22/2016	Food
 Guatemala	GTM/65/Corr.2	09/01/2016	Not given	Grain and soya seeds
 Guatemala	GTM/92/Corr.1	09/12/2016	Not given	Organic agricultural products
 Guatemala	GTM/92	08/15/2016	10/14/2016	Organic agricultural products
 Honduras	HND/88	09/1/2016	10/31/2016	Organic agricultural products
 India	IND/56	09/22/2016	11/21/2016	Textiles - High Density Polyethylene and Polypropylene Woven Sacks
 Indonesia	IDN/110	08/31/2016	08/30/2016	Food
 Indonesia	IDN/105/Add.1	09/21/2016	Not given	Sweet biscuits (HS 190531), waffles (HS 190532, 190590)
 Israel	ISR/560/Add.1	09/16/2016	Not given	Playground equipment and surfacing (HS 9506.90, 9508)
 Israel	ISR/791/Add.1	09/16/2016	Not given	Food additives
 Japan	JPN/533	09/02/2016	10/15/2016	O-Toluidine (HS 2921.43) and preparations containing them, etc.
 Japan	JPN/534	09/14/2016	11/13/2016	Portable mobile satellite communication system for disaster measures


Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Japan	JPN/535	09/22/2016	11/21/2016	Organic processed foods
 Japan	JPN/536	09/22/2016	11/21/2016	Organic plants
 Japan	JPN/537	09/22/2016	10/20/2016	Pharmaceutical products (HS 30)
 Kazakhstan	KAZ/8	09/21/2016	11/14/2016	Tractors and trailers, and their components
 Kazakhstan	KAZ/9	09/21/2016	11/14/2016	Perfumery and cosmetics
 Kazakhstan	KAZ/10	09/21/2016	11/14/2016	Individual protection equipment
 Kazakhstan	KAZ/7/Add.2	09/23/2016	Not given	Toys (HS 9503-9508)
 Korea, Republic of	KOR/669	08/31/2016	10/09/2016	Cosmetics
 Korea, Republic of	KOR/670	09/19/2016	11/18/2016	Veterinary medicinal products
 Korea, Republic of	KOR/671	09/19/2016	11/18/2016	Plastic bath mats
 Kuwait	KWT/334	09/02/2016	11/01/2016	Barley Flour
 Kuwait	KWT/335	09/02/2016	11/01/2016	Cheddar cheese
 Kuwait	KWT/336	09/02/2016	11/01/2016	Jams, jellies and marmalade
 Kuwait	KWT/337	09/02/2016	11/01/2016	Cream analogue
 Kuwait	KWT/338	09/02/2016	11/01/2016	Soy sauce
 Kuwait	KWT/339	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Kuwait	KWT/340	09/14/2016	11/13/2016	Dried shark fins
 Kuwait	KWT/341	09/19/2016	11/18/2016	Dehydrated green beans
 Kuwait	KWT/342	09/21/2016	11/20/2016	Preserved tomatoes
 Mexico	MEX/300/Add.3	09/01/2016	Not given	Petroleum products (headings 27.01 to 2901.10)
 Mexico	MEX/317	08/29/2016	10/28/2016	Solar water heaters (tariff subheading 8419.19.02)
 Mexico	MEX/318	09/02/2016	11/01/2016	Hauled rail units (heading 86)
 Mexico	MEX/319	09/07/2016	11/01/2016	Sleepers (cross-ties) of wood (tariff heading 4406)
 Nicaragua	NIC/147	08/29/2016	10/28/2016	Organic agricultural products
 Nicaragua	NIC/148	09/01/2016	10/31/2016	Metrological control register
Nicaragua	NIC/149	09/01/2016	10/31/2016	Cement
Oman	OMN/272	09/02/2016	11/01/2016	Barley Flour
Oman	OMN/273	09/02/2016	11/01/2016	Cheddar cheese
Oman	OMN/274	09/02/2016	11/01/2016	Jams, jellies and marmalade

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Oman	OMN/275	09/02/2016	11/01/2016	Cream analogue
 Oman	OMN/276	09/02/2016	11/01/2016	Soy sauce
 Oman	OMN/277	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Oman	OMN/278	09/14/2016	11/13/2016	Dried shark fins
 Oman	OMN/279	09/19/2016	11/18/2016	Dehydrated green beans
 Oman	OMN/280	09/21/2016	11/20/2016	Preserved tomatoes
 Panama	PAN/87	08/29/2016	10/28/2016	Organic agricultural products
 Paraguay	PRY/85/Add.1	09/20/2016	Not given	Table-top sweeteners or sweetening agents containing stevia (Stevia rebaudiana Bertoni)
 Peru	PER/56/Add.1	09/05/2016	Not given	Insulated (including enamelled or anodised) wire, cable (including coaxial cable) and other insulated electric conductors (HS 8544.49: 8544.49.10; 8544.49.10.90)
 Peru	PER/36/Rev.1/Add.1	09/02/2016	Not given	Processed food product labels
 Peru	PER/88	09/05/2016	Not given	Processed foods and fishery and aquaculture products
 Peru	PER/89	09/20/2016	12/8/2016	Food
 Qatar	QAT/448	09/02/2016	11/01/2016	Barley Flour
 Qatar	QAT/449	09/02/2016	11/01/2016	Cheddar cheese
 Qatar	QAT/450	09/02/2016	11/01/2016	Jams, jellies and marmalade
 Qatar	QAT/451	09/02/2016	11/01/2016	Cream analogue
 Qatar	QAT/452	09/02/2016	11/01/2016	Soy sauce
 Qatar	QAT/453	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Qatar	QAT/454	09/14/2016	11/13/2016	Dried shark fins
 Qatar	QAT/455	09/19/2016	11/18/2016	Dehydrated green beans
 Qatar	QAT/456	09/21/2016	11/20/2016	Preserved tomatoes
 Russian Federation	RUS/74	09/21/2016	11/10/2016	Perfumery and cosmetics
 Russian Federation	RUS/75	09/21/2016	11/10/2016	Personal protective equipment
 Russian Federation	RUS/76	09/21/2016	11/10/2016	Agricultural and forestry tractors and their trailers
 Saudi Arabia	SAU/908/Rev.1	09/05/2016	Not given	Air conditioners
 Saudi Arabia	SAU/954	09/02/2016	11/01/2016	Barley Flour
 Saudi Arabia	SAU/955	09/02/2016	11/01/2016	Cheddar cheese
 Saudi Arabia	SAU/956	09/02/2016	11/01/2016	Jams, jellies and marmalade
 Saudi Arabia	SAU/957	09/02/2016	11/01/2016	Cream analogue

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Saudi Arabia	SAU/958	09/02/2016	11/01/2016	Soy sauce
 Saudi Arabia	SAU/959	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Saudi Arabia	SAU/960	09/14/2016	11/13/2016	Dried shark fins
 Saudi Arabia	SAU/961	09/19/2016	11/18/2016	Dehydrated green beans
 Saudi Arabia	SAU/962	09/21/2016	11/20/2016	Preserved tomatoes
 South Africa	ZAF/207	09/14/2016	11/13/2016	Lamp holders
 South Africa	ZAF/208	09/14/2016	11/13/2016	Electric cables with extruded solid dielectric insulation for fixed installations
 South Africa	ZAF/201/Add.1	09/19/2016	Not given	Live lobsters
 South Africa	ZAF/209	09/19/2016	11/19/2016	Chemicals for industrial and domestic disinfection purposes
 South Africa	ZAF/210	09/19/2016	11/18/2016	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS: 16), Sugars and sugar confectionery (HS: 17), Cocoa and cocoa preparations (HS: 18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 04.01 to 04.04, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (HS: 1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared (HS: 1902), Tapioca and substitutes there for prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms (HS: 1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included (HS: 1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products (HS: 1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid (HS: 2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS: 2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid (HS: 2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic














Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>acid, frozen, other than products of heading 20.06 (HS: 2004), Other vegetables prepared or preserved otherwise Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS: 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS: 0402), Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa. (HS: 0403), Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included. (HS: 0404), Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS: 16), Sugars and sugar confectionery (HS: 17), Cocoa and cocoa preparations (HS: 18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading 04.01 to 04.04, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (HS: 1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagna, gnocchi, ravioli, cannelloni; couscous, whether or not prepared (HS: 1902), Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms (HS: 1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included (HS: 1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products (HS: 1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid (HS: 2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS: 2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid. (HS: 2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06 (HS: 2004)</p>




















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 South Africa	ZAF/211	09/19/2016	12/13/2016	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS: 16), Sugars and sugar confectionery (HS: 17), Cocoa and cocoa preparations (HS: 18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 04.01 to 04.04, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (HS: 1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared (HS: 1902), Tapioca and substitutes there for prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms (HS: 1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included (HS: 1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products (HS: 1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid (HS: 2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS: 2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid (HS: 2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06 (HS: 2004), Other vegetables prepared or preserved otherwise
 South Africa	ZAF/151/Rev.1	09/27/2016	Not given	Sodium in foodstuffs (HS 2501) salt (including table salt and denatured salt) and pure sodium chloride, whether or not in aqueous solution or containing added anti-caking or free-flowing agents; sea water
 South Africa	ZAF/204/Rev.1	09/26/2016	Not given	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS:16), Sugars and sugar confectionery (HS:17), Cocoa and cocoa preparations (HS:18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 04.01 to 04.04, not containing cocoa or containing less than 5 % by weight of cocoa























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>calculated on a totally defatted basis, not elsewhere specified or included. (HS:1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared. (HS:1902), Tapioca and substitutes there for prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms. (HS:1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included. (HS:1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products. (HS:1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid. (HS:2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid. (HS:2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid. (HS:2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06. (HS:2004), Other vegetables prepared or preserved otherwise</p>
 South Africa	ZAF/210/Corr.1	09/26/2016	Not given	<p>Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS: 16), Sugars and sugar confectionery (HS: 17), Cocoa and cocoa preparations (HS: 18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 04.01 to 04.04, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (HS: 1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared (HS: 1902), Tapioca and substitutes there for prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms (HS: 1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included (HS:</p>


Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products (HS: 1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid (HS: 2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS: 2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid (HS: 2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06 (HS: 2004), Other vegetables prepared or preserved otherwise Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS: 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS: 0402), Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa. (HS: 0403), Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included. (HS: 0404), Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS: 16), Sugars and sugar confectionery (HS: 17), Cocoa and cocoa preparations (HS: 18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of heading 04.01 to 04.04, not containing cocoa or containing less than 5% by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included (HS: 1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagna, gnocchi, ravioli, cannelloni; couscous, whether or not prepared (HS: 1902), Tapioca and substitutes therefor prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms (HS: 1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked or otherwise prepared, not elsewhere specified or included (HS: 1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether</p>

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products (HS: 1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid (HS: 2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS: 2002), Mushrooms and truffles, prepared or preserved otherwise than by vinegar or acetic acid. (HS: 2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06 (HS: 2004)
 Taiwan Economy	TPKM/244	09/01/2016	10/31/2016	Aloe products
 Taiwan Economy	TPKM/245	09/01/2016	10/31/2016	Bicycles for young children (refer to attachment) (HS 8712)
 Taiwan Economy	TPKM/230/Add.1	09/12/2016	Not given	Food for human consumption
 Taiwan Economy	TPKM/185/Rev.2	09/15/2016	Not given	Specific dietary foods for patients
 Taiwan Economy	TPKM/229/Add.1	9/27/2016	Not given	Food for human consumption
 Taiwan Economy	TPKM/246	09/26/2016	11/25/2016	Imported food and related products
 Taiwan Economy	TPKM/247	09/27/2016	11/26/2016	1) Plugs and socket-outlets for fixed wiring and adapters: a. Plugs and socket-outlets for fixed wiring (CCCN 8536.69.90.00.6A) b. Adapters (CCCN 8536.69.90.00.6C) 2) Cord sets: a. Cord extension sets (CCCN 8544.42.90.90.9A) b. Non-detachable cord sets (CCCN 8544.42.90.90.9B) c. Detachable cord sets (CCCN 8544.42.90.90.9C) d. Cord sets (CCCN 8544.42.90.90.9D) e. Cable reels (CCCN 8544.42.90.90.9E) Other (HS 853669)
 Thailand	THA/462/Add.1	09/07/2016	Not given	Motor-compressors: safety requirement (HS 8414)
 Thailand	THA/463/Add.1	09/07/2016	Not given	A.C. electric fans-safety requirements (HS 8414)
 Thailand	THA/481	09/16/2016	11/15/2016	Road vehicle tyres (HS 4011)
 Thailand	THA/482	09/16/2016	11/15/2016	Road vehicle tyres (HS 4011)
 Thailand	THA/483	09/16/2016	11/15/2016	Road vehicle tyres (HS 4011)
 Thailand	THA/484	09/19/2016	11/18/2016	Glass in building
 Thailand	THA/485	09/19/2016	11/18/2016	Glass in building
 Thailand	THA/486	09/19/2016	11/18/2016	Glass in building
 Thailand	THA/487	09/19/2016	11/18/2016	Glass in building

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Thailand	THA/488	09/19/2016	11/18/2016	Glass in building
 Trinidad and Tobago	TTO/115/Corr.1	09/05/2016	Not given	Self-ballasted LED lamps
 Uganda	UGA/570	09/12/2016	11/04/2016	Dry soybeans. Soya beans, whether or not broken. (HS 1201), Soya beans, whether or not broken. (HS 120100)
 Uganda	UGA/571	09/12/2016	11/04/2016	Sorghum flour. Cereal flours other than of wheat or meslin (HS 1102)
 Uganda	UGA/572	09/12/2016	11/04/2016	Millet flour. Cereal flours other than of wheat or meslin (HS 1102)
 Uganda	UGA/573	09/12/2016	11/04/2016	Fortified wheat flour. Wheat or meslin flour. (HS 1101), Wheat or meslin flour (HS 110100)
 Uganda	UGA/574	09/13/2016	11/04/2016	Fortified milled maize (corn) products (HS 110220)
 Uganda	UGA/575	09/15/2016	11/04/2016	Milled maize (corn) products (HS 110220)
 Uganda	UGA/576	09/15/2016	11/04/2016	Wheat flour (HS 1101; 110100)
 Uganda	UGA/577	09/15/2016	11/07/2016	Concrete pipes, ancillary concrete products, unreinforced concrete pipes, reinforced concrete pipes. Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810)
 Uganda	UGA/578	09/15/2016	11/07/2016	Concrete pipes, ancillary concrete products, unreinforced manholes and soakaways, reinforced concrete manholes and soakaways. Articles of cement, of concrete or of artificial stone, whether or not reinforced (HS 6810)
 Uganda	UGA/579	09/15/2016	11/07/2016	Concrete pipes, ancillary concrete products, unreinforced concrete inspection chambers, reinforced concrete inspection chambers. Articles of cement, of concrete or of artificial stone, whether or not reinforced (HS 6810)
 Uganda	UGA/580	09/15/2016	11/07/2016	Concrete pipes, ancillary concrete products, pre-stressed non-pressure pipes, pre-stressed non-pressure fittings with flexible joints. Articles of cement, of concrete or of artificial stone, whether or not reinforced (HS 6810)
 Uganda	UGA/581	09/16/2016	11/07/2016	Concrete pipes, ancillary concrete products, ogee pipes, ogee fittings. Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810)
 Uganda	UGA/582	09/16/2016	11/07/2016	Concrete pipes, ancillary concrete products, porous pipes. Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810)
 Uganda	UGA/583	09/16/2016	11/07/2016	Concrete pipes, ancillary concrete products, road gullies, road gully cover slabs. Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810)
 Uganda	UGA/584	09/16/2016	11/07/2016	Concrete poles. Articles of cement, of concrete or of artificial stone, whether or not reinforced. (HS 6810)
 Uganda	UGA/585	09/16/2016	11/07/2016	Incineration plant, hospital waste. Clinical waste (HS 382530)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/586	09/16/2016	11/07/2016	SALT; SULPHUR; EARTHS AND STONE; PLASTERING MATERIALS, LIME AND CEMENT (HS 25). Cement. Gypsum, Lime, Mortar
 Uganda	UGA/587	09/19/2016	11/07/2016	Cement, Portland cement, Portland -slag cement, Portland silica fume cement, Portland -Pozzolana cement, Portland -fly ash cement, Portland burnt shale cement, Portland -limestone cement, Portland composite cement, Blast furnace cement, Pozzolanic cement, Composite cement. SALT; SULPHUR; EARTHS AND STONE; PLASTERING MATERIALS, LIME AND CEMENT (HS: 25), - Portland cement : (HS: 25232)
 Uganda	UGA/588	09/19/2016	11/04/2016	Fish protein concentrate
 Uganda	UGA/589	09/19/2016	11/04/2016	Fried fish
 Uganda	UGA/590	09/19/2016	11/04/2016	Frozen lobster tails. Tunas (of the genus Thunnus), skipjack or stripe-bellied bonito (Euthynnus (Katsuwonus) pelamis), excluding livers and roes : (HS: 03023), - Rock lobster and other sea crawfish (Palinurus spp., Panulirus spp., Jasus spp.) (HS: 030611), - Rock lobster and other sea crawfish (Palinurus spp., Panulirus spp., Jasus spp.) (HS: 030621), - Lobster (HS: 160530)
 Uganda	UGA/591	09/19/2016	11/04/2016	Tunas, canned tunas. Tunas, skipjack and bonito (Sarda spp.) (HS: 160414)
 Uganda	UGA/592	09/22/2016	12/09/2016	Occupational safety, onshore oil and gas production operations. Petroleum gases and other gaseous hydrocarbons (HS 2711), - Natural gas (HS 271111), - Natural gas (HS 271121), Hydrogen, rare gases and other non-metals (HS 2804)
 Ukraine	UKR/108	09/28/2016	11/27/2016	Vacuum cleaners
 Ukraine	UKR/109	09/28/2016	11/27/2016	Air conditioners
 United Arab Emirates	ARE/332	09/02/2016	11/01/2016	Barley Flour
 United Arab Emirates	ARE/333	09/02/2016	11/01/2016	Cheddar cheese
 United Arab Emirates	ARE/334	09/02/2016	11/01/2016	Jams, jellies and marmalade
 United Arab Emirates	ARE/335	09/02/2016	11/01/2016	Cream analogue
 United Arab Emirates	ARE/336	09/02/2016	11/01/2016	Soy sauce
 United Arab Emirates	ARE/337	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 United Arab Emirates	ARE/338	09/14/2016	11/13/2016	Dried shark fins
 United Arab Emirates	ARE/339	09/19/2016	11/18/2016	Dehydrated green beans
 United Arab Emirates	ARE/340	09/21/2016	11/20/2016	Mechanical structures for electronic equipment
 United Arab Emirates	ARE/341	9/21/2016	11/20/2016	Preserved tomatoes

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United Arab Emirates	ARE/342	09/27/2016	11/26/2016	Mechanical structures for electronic equipment
 United States	USA/1018/Add.1	08/31/2016	Not given	Medium base compact fluorescent lamps (MBCFLs) (HS 9405)
 United States	USA/1037/Add.1	09/06/2016	Not given	Motor vehicle parts and accessories
 United States	USA/1037/Add.1/Corr.1	09/07/2016	Not given	Motor vehicle parts and accessories
 United States	USA/1038/Add.1	09/05/2016	Not given	Air emission sources
 United States	USA/1045/Add.1	09/19/2016	Not given	Energy labels
 United States	USA/1065/Add.1	09/05/2016	Not given	Mobile handsets (HS 8517)
 United States	USA/1068/Add.2	09/06/2016	Not given	Closed captioning, user interfaces
 United States	USA/1088/Add.2	09/19/2016	Not given	Electronic cigarette substance
 United States	USA/1153/Add.1	09/05/2016	Not given	Emissions, air quality
 United States	USA/1154/Add.1	09/05/2016	Not given	Fibreglass materials VOC emissions
 United States	USA/1157/Add.1	09/15/2016	Not given	Wine (HS 2204)
 United States	USA/1185	08/31/2016	09/23/2016	Central air-conditioners, heat pumps (HS 8415, 8418)
 United States	USA/1185/Corr.1	09/05/2016	Not given	Central air-conditioners, heat pumps (HS 8415, 8418)
 United States	USA/1186	09/05/2016	10/31/2016	Phthalates
 United States	USA/1187	09/16/2016	11/07/2016	Hazardous materials
 United States	USA/1188	09/16/2016	11/07/2016	Speed limiting devices
 United States	USA/1189	09/16/2016	10/17/2016	Walk-in coolers and walk-in freezers. Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 84.15 (HS 8418)
 United States	USA/1190	09/19/2016	11/14/2016	Walk-in cooler and freezer refrigeration systems. Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 84.15 (HS: 8418)
 United States	USA/1191	09/19/2016	11/14/2016	Portable air conditioners, large-diameter and high-speed small diameter ceiling fans, and instantaneous electric water heaters. Air or vacuum pumps, air or other gas compressors and fans; ventilating or recycling hoods incorporating a fan, whether or not fitted with filters (HS: 8414), Air conditioning machines, comprising a motor-driven fan and elements for changing the temperature and humidity, including those machines in which the humidity cannot be separately regulated (HS: 8415), Electric instantaneous or storage water heaters and immersion heaters (HS: 851610)
 United States	USA/552/Rev.1	09/05/2016	Not given	Air conditioners, heat pumps (HS 8415.10, 8418.61)
 United States	USA/698/Add.4/	09/15/2016	Not given	Light-emitting diode lamps

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
	Corr.1			
 United States	USA/841/Add.1	09/05/2016	Not given	Specially denatured spirits and completely denatured alcohol formulas (HS 2207)
 United States	USA/875/Add.2	09/15/2016	Not given	Consumer antiseptics
 United States	USA/931/Add.2/ Corr.1	09/05/2016	Not given	Ceiling fans
 United States	USA/957/Add.1	09/19/2016	Not given	Boilers (HS 8402, 8403.10, 8404.10)
 United States	USA/987/Add.2	09/05/2016	Not given	Commercial water heaters (HS 84191, 841911, 8516, 851610)
 United States	USA/998/Add.2	09/05/2016	Not given	Residential conventional ovens (HS 851430)
 United States	USA/214/Add.3	09/26/2016	Not given	Human and animal drugs (HS 3004)
 United States	USA/925/Rev.1	09/22/2016	Not given	Beef carcass
 United States	USA/1179/Add.2	09/22/2016	Not given	Fiberglass boat manufacturing emissions
 United States	USA/1189/Add.1	09/22/2016	Not given	Walk-in coolers and walk-in freezers. Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 84.15 (HS 8418)
 United States	USA/1192	09/22/2016	10/17/2016	Avocados (HS 0804)
 United States	USA/1193	09/22/2016	10/17/2016	Exhaust emissions
 United States	USA/974/Add.4	09/28/2016	Not given	Residential furnaces (HS 8416)
 United States	USA/1194	09/26/2016	11/21/2016	Dedicated-purpose pool pumps (HS 8413)
 United States	USA/1195	09/26/2016	10/31/2016	Treated lumber
 United States	USA/1196	09/26/2016	Not given	Rail tank cars
 United States	USA/1197	09/26/2016	11/01/2016	Off-highway recreational vehicles (OHRVs) (HS 8703)
 United States	USA/1198	09/26/2016	11/01/2016	On-highway heavy-duty vehicles
 United States	USA/1199	09/28/2016	Not given	Strabismus detection device
 United States	USA/1200	09/28/2016	Not given	Magnetic surgical instrument systems
 Uruguay	URY/12	09/01/2016	09/20/2016	Pasta
 Viet Nam	VNM/87	09/15/2016	11/14/2016	Fertilisers (HS 31)
 Viet Nam	VNM/5/Add.1	09/28/2016	Not given	Electrical and electronic equipment

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Viet Nam	VNM/9/Add.1	09/28/2016	Not given	Electrical and electronic equipment
 Viet Nam	VNM/83/Add.2	09/27/2016	Not given	Product and goods in general
 Viet Nam	VNM/88	09/27/2016	Not given	Products and goods in general
 Yemen	YEM/54	09/02/2016	11/01/2016	Barley Flour
 Yemen	YEM/55	09/02/2016	11/01/2016	Cheddar cheese
 Yemen	YEM/56	09/02/2016	11/01/2016	Jams, jellies and marmalade
 Yemen	YEM/57	09/02/2016	11/01/2016	Cream analogue
 Yemen	YEM/58	09/02/2016	11/01/2016	Soy sauce
 Yemen	YEM/59	09/02/2016	11/01/2016	Materials and articles in contact with foodstuffs
 Yemen	YEM/60	09/14/2016	11/13/2016	Dried shark fins
 Yemen	YEM/61	09/19/2016	11/18/2016	Dehydrated green beans
 Yemen	YEM/62	9/21/2016	11/20/2016	Preserved tomatoes
 Zambia	ZMB/58	09/01/2016	10/31/2016	Penetration grade bitumen for road construction
 Zambia	ZMB/59	09/01/2016	10/31/2016	Liquefied petroleum gas installations
 Zambia	ZMB/60	09/14/2016	11/13/2016	Liquefied petroleum gas installations
 Zambia	ZMB/61	09/14/2016	11/13/2016	Handling, storage and distribution of liquefied petroleum gas
 Zambia	ZMB/62	09/14/2016	11/13/2016	Carbon steel bars
 Zambia	ZMB/63	09/14/2016	11/13/2016	Engine oil for light duty and heavy duty internal combustion
 Zambia	ZMB/64	09/15/2016	11/14/2016	Greases
 Zambia	ZMB/65	09/16/2016	11/15/2016	Anti-wear hydraulic oils
 Zambia	ZMB/66	09/16/2016	11/15/2016	Diesel engine oils
 Zambia	ZMB/67	09/16/2016	11/15/2016	Greases
 Zambia	ZMB/68	09/19/2016	11/18/2016	Greases
 Zambia	ZMB/69	09/19/2016	11/18/2016	Greases

CBSA Advance Rulings

No new [advance rulings](#) were posted by the Canada Border Services Agency (CBSA) during the period covered by this *Update*.

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)	
Proposed Revocations and Modifications							
(P) 09-21-16	Tariff classification of focaccia	NY J89472 (R)	1905.90.9090	HQ H269056	1905.90.1049 [GRI 1,6; EN 19.05(A)]	(C) 10-21-16	
	Tariff classification of children's fishing rod and reel combinations	NY N003439 (R) NY N004939 (R)	9503.90.0080 9503.70.0000	HQ H194140	9507.30 [GRI 1, 3(c)]		
	Tariff classification of ground mats containing internal padding	NY N253198 (R)	6307.90.9889	6307.90.9989	HQ H264344		9404.90.2000 [GRI 1]
		NY H82586 (R)					
		NY G85866 (R)					
		NY G86314 (R)					
NY G86128 (R)							
NY F81159 (R)							
NY E87993 (R)							
NY D80795 (R)							
NY 878296 (R)							
NY 849584 (R)		6307.90.9050					
	Tariff classification of refinery modules	NY N047164 (M)	7308.90.9590	HQ H269853	PS4 Pipe Racks are classified in the heading describing the article that imparts the modules' essential character. [GRI 1, 3(b)]		
	Country of origin marking of certain roasted vegetables [IQFs from NAFTA and non-NAFTA countries]	NY N260916 (M)	Origin: US under NAFTA marking rules 19 C.F.R. § 102.11(a)(3), and 102.20(d)	HQ H270451	Substantial transformation determines origin of non-NAFTA goods: Here: none. NAFTA marking rules for NAFTA goods=MX		
Revocations and Modifications							
(A) 09-21-16	Tariff classification of a printed artwork from China	NY N260772 (M)	4911.91.2020	HQ H265036	4911.91.2040 [GRI 1,6]	(E) 10-21-16	
	Country of origin marking of bicycles	NY N269994 (R)	Origin: USA	HQ H273304	Origin: Where frames are manufactured		
	Tariff classification of a	NY M82559 (R)	4202.12.80	HQ H275674	4202.12.20		

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)
	rolling Pullman case, backpacks, a tote bag, and an insulated lunch bag	NY M84189 (R)	4202.92.08 4202.92.30		4202.92.10 4202.92.45 [GRI 1, 3(b) and 6]	
	Tariff classification of plant movers.	NY N024680 (R) NY N024678 (R) NY N012582 (R) NY N012026 (R)	8716.80.50	HQ H271824	9403.20.00 [GRI 1; Chap 95 EN]	
	Tariff classification of thermal transfer ribbons	HQ 958899 (R) HQ 958572 (R) NY 814940 (R) NY 814490 (R)	9612.10.10 and 9612.10.90	HQ H252683	8443.99.25 [GRI 1 (Note 2(b) to Section XVI) and 6]	
	Tariff classification of portable light towers	NY N026470 (R)	9405.40.60	HQ H270400	8502.11.00 [GRI 1, 3(b), and 6]	
	Tariff classification of cast iron ring carriers	NY N073512 (R)	8409.91.50	HQ H100675	8409.91.10 [GRI 1, 6]	
	Tariff classification of graduated compression hosiery	NY N235286 (R)	6115.30.90	HQ H237738	6115.10.05 [GRI 1,6; EN to 61.15]	
	Tariff classification of certain articles of footwear (foot wrap, straps, flats, insoles, mesh bag) for exercise	NY N239002 (R)	6402.6404, 6307.6406 Not sets put up for retail-not GRI 3(b)	HQ H241428	6404.19.39 [GRI 1, 3(c) as sets put up for retail; EN (X) to GRI 3(b)]	
	Tariff classification of bilberry and blueberry extract powders	HQ 964139 (R) NY N219927 (R) NY N037866 (R) HQ 967972 (M) NY 814027 (M)	1302.19.40 1302.19.91 1302.19.91 1302.19.40 1302.19.40	HQ H262217	3824.90.9290 [GRI 1]	
	Tariff classification of Galaxolide® mixtures.	NY N196797 (R) NY C85217 (R)	2932.99.70	NY H274972	3302.90.1050 [GRI 1; AUS Note 2(a) to Section Note VI]	
	Tariff classification of FM transmitters for iPods; tariff classification of plastic car mounts.	NY N008149 (R) NY N005439 (M)	8517.69.00 8525.60.20 3926.30.50	HQ H023819 HQ H007467	8525.50.7010 [GRI 1] 8525.50.70 [GRI 1]	Proposal to modify car mount ruling withdrawn due to pending litigation
	Tariff classification of a cable cutter.	NY N021177 (R)	8203.20.60	HQ H270402	8203.30.0000 [GRI 1, 6]	
	Tariff classification of cranks and chain rings that are parts of bicycle cotterless-type crank sets.	NY K81790 (M) NY K80388 (M) HQ 083052 (M)	8714.99.80	HQ H243595	8714.96.50 [GRI 1, 6]	
	Tariff classification of tubular cotton knit yarn measuring more than 20,000 decitex	NY N200641 (R) NY N244143 (M)	5607.90.9000	HQ H249752	5606.00.0010 [GRI 1, General EN to Section XI, Section (I), Sub-section (B) Yarn, Table 1]	

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) 2016/1645 of 07-09-16	<p>A product in the form of irregular, flat, brown, hard fragments (about 2 mm thick) or flakes, manufactured of (% by weight):</p> <ul style="list-style-type: none"> — pine resin (also called tall oil rosin or rosin) approx. 58-69, — maleic acid anhydride approx. 1-4, — various phenols approx. 11-24, — formaldehyde approx. 5,5-9, — pentaerythritol approx. 7-12. <p>The product results from a multi-step process starting with rosin and maleic anhydride being transformed into a rosin adduct. After the addition of magnesium oxide (as a catalyst for the subsequent reactions), phenols and formaldehyde a polymerised resin is formed. Finally, free acid groups of the resin are esterified after the addition of pentaerythritol.</p> <p>The product at issue is used in the printing industry as an adhesive.</p>	3909 40 00	<p>Classification is determined by general rules 1, 3(a) and 6 for the interpretation of the Combined Nomenclature (CN) and the wording of CN codes 3909 and 3909 40 00 .</p> <p>Classification under heading 3506 as adhesives based on polymers of headings 3901 to 3913 is excluded by application of general rule 3(a) as the product is described more specifically in heading 3909 .</p> <p>In the manufacture of a rosin derivative, the rosin adduct is esterified with ethylene glycol, glycerol or another polyhydric alcohol (see also the Harmonized System Explanatory Notes to heading 3806 (D)(I)(7)). However, in the case of the product in question, before esterification with a polyhydric alcohol (pentaerythritol, in this case), a polymerisation reaction with phenol and formaldehyde takes place. Classification under heading 3806 as a derivative of rosin is therefore excluded.</p> <p>The molecules of the polymerised intermediary product have a molecular weight of around 5 000 -30 000 g/mol. Subsequently, the free acid groups are esterified through the addition of pentaerythritol and a cross-linking follows with an increase of molecular mass to about 100 000 g/mol. Consequently, the obtained product is a polymer of Chapter 39, which differs from the adducts and derivatives of the rosin of heading 3806 due to its high molecular mass.</p> <p>The product is therefore to be classified in CN code 3909 40 00 as phenolic resins.</p>

Amendments to the CN Explanatory Notes

The table below shows amendments to the explanatory notes to the *Combined Nomenclature of the European Union* that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

Official Journal	CN code or page	Description of Articles
29-09-16 (2016/C 357/04)	p. 138 Annex A to ENs of Chap. 27	Substitution of new text and illustration to "Method of Determining the Content of Aromatic Constituents in Products With a Distillation End Point Exceeding 315 °C"

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-833	Certain Digital Models, Digital Data, and Treatment Plans for Use in Making Incremental Dental Positioning Adjustment Appliances, the Appliances Made Therefrom, and Methods of Making the Same	Rescission of Cease and Desist Orders; Termination of an Investigation
337-TA-933 (Advisory Opinion)	Certain Stainless Steel Products, Certain Processes for Manufacturing or Relating to Same, and Certain Products Containing Same	Notice of the Issuance of an Advisory Opinion
337-TA-965	Certain Table Saws Incorporating Active Injury Mitigation Technology and Components Thereof	Notice of Request for Statements on the Public Interest
337-TA-981	Certain Electronic Devices Containing Strengthened Glass and Packaging Thereof	Termination of an Investigation on the Basis of Withdrawal of the Complaint
337-TA-994	Certain Portable Electronic Devices and Components Thereof	Commission Determination Not To Review the 100-Day Initial Determination Finding the Asserted Claims of U.S. Patent No. 6,928,433 Invalid Under 35 U.S.C. 101; Termination of Investigation
337-TA-1017	Certain Quartz Slabs and Portions Thereof (II)	Commission Decision Not to Review an Initial Determination Terminating the Investigation Based Upon Withdrawal of the Complaint; Termination of Investigation
337-TA-1018	Certain Athletic Footwear	Institution of an Investigation based on a complaint filed on behalf of Reebok International Ltd. and Reebok International Limited alleging patent infringement
337-TA-1019	Certain Krill Oil Products and Krill Meal for Production of Krill Oil Products	Institution of an Investigation based on a complaint filed on behalf of Aker BioMarine Antarctic AS and Aker BioMarine Manufacturing, LLC alleging patent infringement
337-TA-1020	Certain Industrial Control System Software, Systems Using Same and Components Thereof	Institution of an Investigation based on a complaint filed on behalf of Rockwell Automation, Inc. alleging patent infringement
337-TA-1021	Certain Personal Transporters and Components Thereof	Institution of an Investigation based on a complaint filed on behalf of Segway Inc.; DEKA Products Limited Partnership; and Ninebot (Tianjin) Technology Co., Ltd. alleging patent infringement
337-TA-1022	Certain Sleep-Disordered Breathing Treatment Mask Systems and Components Thereof	Institution of an Investigation based on a complaint filed on behalf of ResMed Corp.; ResMed Inc., California; and ResMed Ltd. 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 3173	Certain Memory Modules and Components Thereof, and Products Containing Same	Netlist, Inc.
DN 3174	Certain Integrated Circuits with Voltage Regulators and Products Containing Same	R2 Semiconductor, Inc.
DN 3153	Certain Silicon-on-Insulator Wafers	Silicon Genesis Corporation
DN 3175	Certain Audio Processing Hardware, Software, and Products Containing the Same	Andrea Electronics Corp.

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 No	Merchandise/Country	Action
A-570-038	Certain Amorphous Silica Fabric From China	Affirmative Preliminary Determination of Sales at LTFV, Preliminary Affirmative Determination of Critical Circumstances, and Postponement of ADD Final Determination
A-583-850	Certain Oil Country Tubular Goods From Taiwan	Final Results of ADD Administrative Review; 2014-2015
A-580-867	Large Power Transformers From S. Korea	Preliminary Results of ADD Administrative Review; 2014-2015
A-570-045	1-Hydroxyethylidene-1, 1-Diphosphonic Acid From China	Postponement of Preliminary Determination of ADD Investigation
A-821-811	Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation	Rescission of ADD Administrative Review; 2015-2016
A-570-040	Truck and Bus Tires From China	Preliminary Affirmative Determinations of Sales at LTFV and Critical Circumstances, and Postponement of Final Determination
A-433-812 A-423-812 A-351-847 A-580-887 A-583-858 A-489-828 C-580-888	Certain Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, Brazil, S. Korea, Taiwan, and Turkey	AD and CVD Investigations: Preliminary Determinations of Critical Circumstances
A-533-820	Certain Hot-Rolled Carbon Steel Flat Products From India	Notice of Preliminary Results of ADD Administrative Review; 2014 - 2015
A-570-010	Certain Crystalline Silicon Photovoltaic Products From China	Partial Rescission of ADD Administrative Review
C-570-046	1-Hydroxyethylidene-1, 1-Diphosphonic Acid From China	Preliminary Affirmative CVD Determination and Alignment of Final Determination with Final ADD Determination
A-570-904	Certain Activated Carbon From China	Final Results of ADD Administrative Review; 2014-2015
A-821-809	Certain Hot-Rolled Flat-Rolled Carbon-Quality Steel Products From the Russian Federation	Final Results of the Expedited Sunset Review of the ADD Order
A-533-813	Certain Preserved Mushrooms From India	Final Results of ADD Administrative Review; 2014-2015
C-533-872	Finished Carbon Steel Flanges From India	Postponement of Preliminary Determination in the CVD Investigation
A-533-810	Stainless Steel Bar From India	Final Results of ADD Administrative Review; 2014-2015
A-570-890	Wooden Bedroom Furniture, From China	Partial Rescission of ADD Administrative Review
A-570-954	Magnesia Carbon Bricks From China	Preliminary Results and Partial Rescission of the ADD Administrative Review; 2014-2015
A-570-929	Small Diameter Graphite Electrodes From China	Final Results of ADD Administrative Review; 2014-2015
A-552-802	Certain Frozen Warmwater Shrimp From Vietnam	Final Results of ADD Administrative Review, 2014-2015


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

Case No	Merchandise/Country	Action
A-570-909	Certain Steel Nails From China	Preliminary Results of the ADD Administrative Review and Preliminary Determination of No Shipments; 2014-2015
A-580-836	Certain Cut-to-Length Carbon-Quality Steel Plate Products From S. Korea	Final Results of ADD Administrative Review and New Shipper Review; 2014-2015
A-201-842	Large Residential Washers From Mexico	Final Results of the ADD Administrative Review; 2014-2015
A-580-868	Large Residential Washers From S. Korea	Final Results of the ADD Administrative Review; 2014-2015
A-570-928	Uncovered Innerspring Units From China	Final Results of ADD Administrative Review; 2014-2015
A-475-818	Certain Pasta From Italy	Notice of Initiation of ADD Changed Circumstances Review
A-580-880 A-201-847 A-489-824	Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From S. Korea, Mexico, and Turkey	ADD Orders
A-533-840	Certain Frozen Warmwater Shrimp From India	Final Results of ADD Administrative Review; Final Determination of No Shipments; 2014-2015
C-570-955	Certain Magnesite Carbon Bricks From China	Preliminary Results of CVD Administrative Review; 2014
C-570-048	Certain Carbon and Alloy Steel Cut-to-Length Plate From China	Preliminary Affirmative CVD Determination and Alignment of Final Determination With Final ADD Determination
C-489-825	Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From Turkey	Amended Final Affirmative CVD Determination and CVD Order
C-580-888	Certain Carbon and Alloy Steel Cut-to-Length Plate From S. Korea	Preliminary Negative CVD Determination and Alignment of Final Determination with Final ADD Determination
A-552-802	Certain Frozen Warmwater Shrimp From Vietnam	Preliminary Results of the Second Five-Year Sunset Review of the ADD Order
A-552-801	Certain Frozen Fish Fillets From Vietnam	Preliminary Results and Partial Rescission of the ADD Administrative Review; 2014-2015
A-570-042	Stainless Steel Sheet and Strip From China	Preliminary Affirmative Determination of Sales at LTFV and Preliminary Affirmative Determination of Critical Circumstances
C-580-837	Certain Cut-to-Length Carbon-Quality Steel Plate From S. Korea:	Final Results of CVD Administrative Review and New Shipper Review; Calendar Year 2014
A-821-811	Solid Fertilizer Grade Ammonium Nitrate From the Russian Federation	Final Results of ADD Administrative Review; Final Determination of No Shipments; 2014-2015
A-351-843 A-533-865 A-580-881 A-412-824	Certain Cold-Rolled Steel Flat Products From Brazil, India, S. Korea, and the United Kingdom	Amended Final Affirmative AD Determinations for Brazil and the United Kingdom and ADD Orders
C-351-844 C-533-866 C-580-882	Certain Cold-Rolled Steel Flat Products From Brazil, India, and S. Korea	Amended Final Affirmative CVD Determination and CVD Order (S Korea) and CVD Orders (Brazil and India)
A-580-870	Oil Country Tubular Goods From S. Korea	Notice of Final Results of ADD Changed Circumstances Review
A-580-839	Certain Polyester Staple Fiber From S. Korea	Rescission of ADD Administrative Review; 2015-2016
A-570-952 A-583-844 C-570-953	Narrow Woven Ribbons with Woven Selvedge From China and Taiwan	Continuation of ADD Orders and CVD Order
A-351-847 A-791-822 A-489-828	Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and Turkey	Affirmative Preliminary Determinations of Sales at LTFV
C-570-984	Drawn Stainless Steel Sinks From China	Rescission of CVD Administrative Review; 2016
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
C-533-868	Welded Stainless Pressure Pipe from India	Final Affirmative CVD Determination


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

Case No	Merchandise/Country	Action
A-533-867	Welded Stainless Pressure Pipe from India	Final Determination of Sales at LTFV


United States International Trade Commission (USITC)

Inv. No	Merchandise/Country	Action
731-TA-847, 849	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Japan and Romania	(Third Review) Institution of Five-Year Reviews
701-TA-318 731-TA-538, 561	Sulfanilic Acid From China and India	(Fourth Review) Institution of Five-Year Reviews
701-TA-502 731-TA-1227	Steel Concrete Reinforcing Bar From Mexico and Turkey	(Final)(Remand) Notice of remand proceedings.
731-TA-1334-1337	Emulsion Styrene-Butadiene Rubber from Brazil, Korea, Mexico, and Poland	(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
701-TA-539 731-A-280-1282	Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes from Korea, Mexico, and Turkey	(Final) Determinations that an industry in the United States is materially injured by reason of imports that have been found by the Commerce to be sold in the United States at LTFV, and that have been found by Commerce to be subsidized by the government of Turkey
701-TA-552-553 731-TA-1308	Certain New Pneumatic Off-the-Road Tires from India and Sri Lanka	(Final) Scheduling of the final phase of CVD and ADD investigations
701-TA-555 731-TA-1310	Certain Amorphous Silica Fabric from China	(Final) Scheduling of the final phase of CVD and ADD investigations.
701-TA-556 731-TA-1311	Truck and Bus Tires From China	(Final) Scheduling of the Final Phase of CVD and ADD Investigations
701-TA-467 731-TA-1164-1165	Narrow Woven Ribbons With Woven Selvedge From China and Taiwan	(Review) Determinations that revocation of the CVD order (China) and 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-554 731-TA-1309	Biaxial Integral Geogrid Products From China	(Final) Scheduling of the Final Phase of CVD and ADD Investigations
701-TA-540, 542-544 731-TA-1283, 1285, 1287, 1289-1290	Cold-Rolled Steel Flat Products From Brazil, India, Korea, Russia, and the United Kingdom	(Final) Determinations that an industry in the United States is materially injured by reason of imports from Brazil, India, Korea, and the United Kingdom that have been found by Commerce to be sold in the United States at LTFV, and to be subsidized by the governments of Brazil and Korea. The ITC further determined that an industry in the United States is threatened with material injury by reason of imports that have been found by Commerce to be subsidized by the government of India. The ITC also determines that imports that are sold in the United States at LTFV and subsidized by the government of Russia are negligible.
701-TA-554 731-TA-1309	Biaxial Integral Geogrid Products from China	(Final) Revised schedule for hearing in final investigations
701-TA-564 731-TA-1338-1340	Steel Concrete Reinforcing Bar (Rebar) From Japan, Taiwan, and Turkey	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-545-547 731-TA-1291-1297	Certain Hot-Rolled Steel Flat Products from Australia, Brazil, Japan, Korea, the Netherlands, Turkey, and the United Kingdom	(Final) Determinations that an industry in the United States is materially injured by reason of imports from Australia, Brazil, Japan, Korea, the Netherlands, Turkey, and the United Kingdom that have been found by Commerce to be sold in the United States at LTFV.


United States International Trade Commission (USITC)

Inv. No	Merchandise/Country	Action
		ed States at LTFV, and that have been found by Commerce to be subsidized by the governments of Brazil and Korea. The Commission further finds that imports that have been found by Commerce to be subsidized by the government of Turkey are negligible. The Commission also finds that imports subject to Commerce's affirmative critical circumstances determinations are not likely to undermine seriously the remedial effect of the CV and ADD orders on hot-rolled steel from Brazil and the ADD order on imports from Japan


Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
NQ-2016-002	Gypsum board originating in or exported from the USA, for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories	Notice of Commencement of Inquiry
PI-2016-003	Certain Fabricated Industrial Steel Components originating in or exported from China, S. Korea, Spain, the United Arab Emirates and the United Kingdom	Notice of Commencement of Preliminary Injury Inquiry
RR-2015-002	<i>Dumping</i> : Flat Hot-Rolled Carbon and Alloy Steel Sheet and Strip Originating in or Exported From Brazil, China, Chinese Taipei, India And Ukraine' <i>Subsidizing</i> : Flat Hot-Rolled Carbon and Alloy Steel Sheet and Strip Originating in or Exported From India	Orders – Reasons issued


Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
RBII 2016 IN	Concrete Reinforcing Bar originating in or exported from Belarus, Chinese Taipei, the Hong Kong SAR, Japan, Portugal and Spain	Initiation of Investigation - Statement of Reasons
GB22016 NP	Gypsum Board originating in or exported from the USA, for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories.	Notice of Preliminary Determination Statement of Reasons
FISC2016 NI	<i>Dumping</i> : Certain Fabricated Industrial Steel Components originating in or exported from China, S. Korea, Spain, the United Arab Emirates and the United Kingdom; <i>Subsidizing</i> : same from China	Notice of Initiation of Investigations Statement of Reasons
AD 1408	Large Line Pipe from China and Japan	Notice of Final Determinations


NAFTA Panels

Ref. Number	Merchandise/Country	Action
No cases published this period		



Mexico - Ministry of Economy

Ref. Number	Merchandise/Country	Action
E.C. 17/15	Wire rod of iron or non - alloy steel originating in Ukraine, regardless of country of export	Final resolution of the Sunset Review of the ADD investigation – ADD extended for 5 years
E.C. 14/15	Rebar from Brazil, regardless of country of export	Final resolution of the Sunset Review of the ADD investigation – ADD extended for 5 years
E.C. 18/15	Plate steel sheet originating in Romania, the Russian Federation and Ukraine, regardless of country of export	Final resolution of the Sunset Review of the ADD investigation – ADD extended for 5 years



European Union

Ref. Number	Merchandise/Country	Action
2016/C 329/04	Oxalic acid originating in or exported from India and China	Notice of the impending expiry of certain AD measures [19.04.17]
2016/C 329/05	Tartaric acid originating in or exported from China	Notice of the impending expiry of certain AD measures [25.04.17]
2016/C 329/06	Certain ring binder mechanisms originating in or exported from Thailand	Notice of the expiry of certain anti-dumping measures [10.08.16]
2016/C 331/03	Certain seamless pipes and tubes of iron or steel originating in China	Notice concerning the judgments in Joined cases C-186/14 P and C-193/14 P in relation to Council Regulation (EC) No 926/2009 imposing a definitive ADD and collecting definitively the provisional duty imposed and Commission Implementing Regulation (EU) 2015/2272 imposing a definitive ADD following an expiry review pursuant to Article 11(2) of Council Regulation (EC) No 1225/2009
2016/C 336/06	Ceramic tiles originating in China	Notice of initiation of an expiry review of the AD measures
(EU) 2016/1647	Certain footwear with uppers of leather originating in Vietnam	Commission Implementing Regulation re-imposing a definitive ADD and collecting definitively the provisional duty imposed on imports produced by Best Royal Co. Ltd, Lac Cuong Footwear Co., Ltd, Lac Ty Co., Ltd, Saoviet Joint Stock Company (Megastar Joint Stock Company), VMC Royal Co Ltd, Freetrend Industrial Ltd and its related company Freetrend Industrial A (Vietnam) Co, Ltd, Fulgent Sun Footwear Co., Ltd, General Shoes Ltd, Golden Star Co, Ltd, Golden Top Company Co., Ltd, Kingmaker Footwear Co. Ltd, Tripos Enterprise Inc., Vietnam Shoe Majesty Co., Ltd, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14
(EU) 2016/1731	Certain footwear with uppers of leather originating in the People's Republic of China and Vietnam	Commission Implementing Regulation reimposing a definitive ADD and collecting definitively the provisional duty imposed on imports produced by General Footwear Ltd (China), Diamond Vietnam Co. Ltd and Ty Hung Footgearmex/Footwear Co. Ltd and implementing the judgment of the Court of Justice in Joined Cases C-659/13 and C-34/14



Australian Anti-Dumping Commission

Ref. No	Merchandise/Country	Action
2016/88	Resealable Can End Closures from India, Malaysia, the Philippines and Singapore	Extension of time granted to issue Statement of Essential Facts
2016/90	Grinding Balls from China	Findings in relation to a Dumping Investigation
2016/91	Grinding Balls from China	Findings in relation to a Subsidisation Investigation
2016/92	Rod in Coil from China	Termination of part of CV investigation
2016/94	Steel Reinforcing Bar from China	Termination of part of CV investigation



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2016/96	Various	Status Report as at 31 August 2016
2016/99	Pineapples (FSI) from Thailand	Initiation of a Review of AD Measures
2016/101	Zinc Coated (Galvanised) Steel from China and Taiwan	Initiation of a Review of AD Measures
2016/102	Aluminium Zinc Coated Steel from China	Initiation of a Review of AD Measures
2016/103	Aluminium Road Wheels from China	Variation of Notice



China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
43, 2016	Potato starch originating in the EU	Expiry Review of Countervailing Measures
46, 2016	Sugar	Safeguards investigation initiated
51, 2016	Carbon Steel Fasteners originating in the EU	Interim review for one company
48, 2016	Distillers grains originating in the United States	Preliminary ruling in anti-subsidy investigation
49, 2016		Preliminary ruling in AD investigation
40, 2016	Chicken from the United States	Final determination



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
48/2016-Cus (ADD)	Glass Fibre and Articles thereof falling under heading 7019, originating in or exported from China PR	Imposes definitive ADD on.
49/2016-Cus (ADD)	Para Nitroaniline, originating in, or exported from China PR	Extends the levy of ADD on for a period of one year i.e. up to and inclusive of 08-09-17
50/2016-Cus (ADD)	Narrow woven Fabrics [Hook and Loop Velcro Tapes] of specified types, originating in or exported China	Imposes AD for a period of five years



Argentina Ministry of Economy and Public Finance

Ref. Number	Merchandise/Country	Action
CNCE N° 2016.074	Saw blades manual straight speed steel originating in China	Expiry review – continuation of measures until completed
CNCE N° 2015.032	Denim fabrics originating in China	Final resolution



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
SECEX Cir. № 55	Carbon steel seamless tubes, driving (line pipe), used for oil and pipeline with a diameter of up to five inches originating in China	Starts review of ADD
SECEX Cir. № 56	Certain coarse salt which is not intended for animal consumption, including human, to be	Starts review of ADD



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
	used in the manufacture of listed products originating in Chile	
SECEX Cir. № 57	Carbon steel seamless tubes, driving (line pipe), used for oil and pipeline with a diameter of up to five inches originating in Romania	Starts review of ADD
SECEX Cir. № 58	Acetic esters originating in the USA and Mexico.	Initiation of dumping investigation
CAMEX Res. № 84	Canvas polyvinyl chloride (PVC) coated with textile reinforcement on both sides, from South Korea and China	Accepted the application for reconsideration submitted in the face of CAMEX Resolution 51, of June 23, 2016, and changes the right antidumping the companies mentioned in the resolution.
CAMEX Res № 85		Dismissal of the request for reconsideration submitted in the face of CAMEX Resolution 51, 2016.
CAMEX Res № 86		Dismissal of the request for reconsideration submitted in the face of CAMEX Resolution 51, 2016.
CAMEX Res № 87		Dismissal of the request for reconsideration submitted in the face of CAMEX Resolution 51, 2016.
CAMEX Res № 88	Footwear originating in China	Clarifies that sneakers for kart, made in chamois or microfibre, identified in this resolution when originating in China, are subject to the levy of ADD imposed by CAMEX Resolution No. 20, 2016.
CAMEX Res № 89	Polyvinyl chloride resins of vinyl obtained by suspension process (S-PVC), originating in the USA and Mexico	Extending definitive ADD for a period of five (5) years,

Opportunity to Request Administrative Review

In a September 8, 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 September anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Belarus: Steel Concrete Reinforcing Bars	A-822-804	9/1/15 - 8/31/16
India: Lined Paper Products	A-533-843	9/1/15 - 8/31/16
Oil Country Tubular Goods	A-533-857	9/1/15 - 8/31/16
Indonesia: Steel Concrete Reinforcing Bars	A-560-811	9/1/15 - 8/31/16
Japan: Stainless Steel Wire Rod	A-588-843	9/1/15 - 8/31/16
Latvia: Steel Concrete Reinforcing Bars	A-449-804	9/1/15 - 8/31/16
Mexico: Magnesia Carbon Bricks	A-201-837	9/1/15 - 8/31/16
Moldova: Steel Concrete Reinforcing Bars	A-841-804	9/1/15 - 8/31/16
Poland: Steel Concrete Reinforcing Bars	A-455-803	9/1/15 - 8/31/16
S. Korea: Oil Country Tubular Goods	A-580-870	9/1/15 - 8/31/16
Stainless Steel Wire Rod	A-580-829	9/1/15 - 8/31/16
SR of Vietnam: Oil Country Tubular Goods	A-552-817	9/1/15 - 8/31/16
Taiwan: Narrow Woven Ribbons with Woven Selvedge	A-583-844	9/1/15 - 8/31/16
Oil Country Tubular Goods	A-583-850	9/1/15 - 8/31/16
Raw Flexible Magnets	A-583-842	9/1/15 - 8/31/16
Stainless Steel Wire Rod	A-583-828	9/1/15 - 8/31/16
The PR of China: Freshwater Crawfish Tailmeat	A-570-848	9/1/15 - 8/31/16
Foundry Coke	A-570-862	9/1/15 - 8/31/16
Kitchen Appliance Shelving and Racks	A-570- 941	9/1/15 - 8/31/16

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AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Lined Paper Products	A-570- 901	9/1/15 - 8/31/16
Magnesia Carbon Bricks	A-570-954	9/1/15 - 8/31/16
Narrow Woven Ribbons with Woven Selvedge	A-570-952	9/1/15 - 8/31/16
New Pneumatic Off-The-Road Tires	A-570-912	9/1/15 - 8/31/16
Raw Flexible Magnets	A-570-922	9/1/15 - 8/31/16
Steel Concrete Reinforcing Bars	A-570-860	9/1/15 - 8/31/16
Turkey: Oil Country Tubular Goods	A-489-816	9/1/15 - 8/31/16
Ukraine: Solid Agricultural Grade Ammonium Nitrate	A-823-810	9/1/15 - 8/31/16
Steel Concrete Reinforcing Bars	A-823-809	9/1/15 - 8/31/16
Countervailing Duty Proceedings		
India: Lined Paper Products	C-533-844	1/1/15 - 12/31/15
Oil Country Tubular Goods	C-533-858	1/1/15 - 12/31/15
The PR of China: Magnesia Carbon Bricks	C-570-955	1/1/15 - 12/31/15
Kitchen Appliance Shelving and Racks	C-570-942	1/1/15 - 12/31/15
Narrow Woven Ribbons with Woven Selvedge	C-570-953	1/1/15 - 12/31/15
New Pneumatic Off-The-Road Tires	C-570-913	1/1/15 - 12/31/15
Raw Flexible Magnets	C-570-923	1/1/15 - 12/31/15
Magnesia Carbon Bricks	C-570-955	1/1/15 - 12/31/15
Turkey: Oil Country Tubular Goods	C-489-817	1/1/15 - 12/31/15
Suspension Agreements		
Argentina: Lemon Juice	A-357-818	9/1/15 - 8/31/16

Requested Reviews

In a September 12, 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 July anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
India: Polyethylene Terephthalate (Pet) Film	A-533-824	7/1/15 - 6/30/16
Italy: Certain Pasta	A-475-818	7/1/15 - 6/30/16
Malaysia: Steel Nails	A-557-816	12/29/14 - 6/30/16
Oman: Steel Nails	A-523-808	12/29/14 - 6/30/16
R. of Korea: Steel Nails	A-580-874	12/29/14 - 6/30/16
Russia: Solid Urea	A-821-801	7/1/15 - 6/30/16
SR of Vietnam: Steel Nails	A-552-818	12/29/14 - 6/30/16
Taiwan: Polyethylene Terephthalate (Pet) Film	A-583-837	7/1/15 - 6/30/16
Steel Nails	A-583-854	5/20/15 - 6/30/16
PR of China: Certain Steel Threaded Rod	A-570-932	4/1/15 - 3/31/16
Circular Welded Carbon Quality Steel Pipe	A-570-910	7/1/15 - 6/30/16
Xanthan Gum	A-570-985	7/1/15 - 6/30/16
Turkey: Certain Pasta	A-489-805	7/1/15 - 6/30/16
Countervailing Duty Proceedings		
India: Polyethylene Terephthalate (Pet) Film	C-533-825	1/1/15 - 12/31/15
Italy: Certain Pasta	C-475-819	1/1/15 - 12/31/15
SR of Vietnam: Steel Nails	C-552-819	11/3/14 - 12/31/15
PR of China: Circular Welded Carbon Quality Steel Pipe	C-570-911	1/1/15 - 12/31/15
Suspension Agreements		
None		

Initiation of Sunset Reviews

In a September 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-533-806	731-TA-561	India	Sulfanilic Acid (4 th Review)
A-570-815	731-TA-538	PRC	Sulfanilic Acid (4 th Review)
A-588-850	731-TA-847	Japan	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Over 4 1/2 Inches) (3 rd Review).
A-588-851	731-TA-847	Japan	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 1/2 Inches) (3 rd Review).
A-485-805	731-TA-849	Romania	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 1/2 Inches) (3 rd Review).
C-533-807	701-TA-318	India	Sulfanilic Acid (4 th Review)

Advance Notification of Sunset Reviews

In a September 8, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for October 2016.

AD/CVD Proceedings - Merchandise/Country	Case No.
Antidumping Duty Proceedings	
Artist Canvas from China	A-570-899 (2 nd Review)
Pure Magnesium from China	A-570-832 (4 th Review)
Countervailing Duty Proceedings	
No Sunset Review of countervailing duty orders is scheduled for initiation in October 2016.	
Suspended Investigations	
No Sunset Review of suspended investigations is scheduled for initiation in October 2016	

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