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Note: Unless otherwise indicated, all information in this Update is taken from official gazettes, official websites, newsletters or press releases of international organizations (UN, WTO, WCO, APEC, INTERPOL, etc.), the EU, EFTA, EAEU, 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.

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World Trade Organization (WTO)

Trade Policy Review: Iceland, WAEMU

The fifth review of the trade policies and practices of Iceland took place on 4 and 6 October 2017. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Iceland](#).

The first review of the trade policies and practices of West African Economic and Monetary Union (WAEMU) took place on 25 and 27 October 2017. The basis for the review is a [report by the WTO Secretariat](#) and a report by the [Governments of the Member Countries of WAEMU](#): Benin, Burkina Faso, the Côte d'Ivoire, Guinea Bissau, Mali, Niger, Senegal and Togo.

Afghanistan, Brazil welcomed as observers to the WTO Government Procurement Agreement

On 18 October 2017, the WTO [announced](#) that the WTO Committee on Government Procurement agreed on 18 October to grant observer status to Afghanistan and Brazil. The announcement said:

Members welcomed Afghanistan's commitment to seek eventual accession to the *Government Procurement Agreement* (GPA). Some also expressed hopes that Brazil might, in the future, consider acceding to the Agreement.

The GPA aims to open up, based on principles of reciprocity and to the extent agreed between WTO members, government procurement markets to foreign competition, and make government procurement more transparent. It provides legal guarantees of non-discrimination for the products, services or suppliers of GPA parties in covered procurements. The GPA is a plurilateral agreement — potentially open to all WTO members and binding only the parties to the agreement. Currently, [47 WTO members](#) (including the EU and its 28 member states) are bound by the agreement.

Members review implementation of preferential rules of origin for LDCs

On 4 October 2017, the WTO [announced](#) that WTO members reviewed efforts to implement the [Nairobi Decision on preferential rules of origin for least developed countries \(LDCs\)](#) at a meeting of the Committee on Rules of Origin. The Decision aims to facilitate export of LDC goods to both developed and developing countries under unilateral preferential trade arrangements in favour of LDCs.

The WTO also said that in addition to the preferential rules for LDC's, several WTO members, most notably the United States and Canada, once again expressed reservations with the idea of resuming negotiations for the harmonization of non-preferential rules of origin. A mandate for the negotiations was included in the WTO's [Agreement on Rules of Origin](#), but the talks have been stalled since 2007 due to divergences on a number of "core policy" issues.

Non-preferential rules of origin are those which apply in the absence of any trade preference — that is, when trade is conducted on a most-favoured nation (MFN) basis. Around 50 members currently apply specific legislation related to non-preferential rules of origin. However, some trade policy measures such as quotas, anti-dumping or "made in" labels may require a determination of origin and, therefore, the application of non-preferential rules.

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
DS531	Canada - Measures Governing the Sale of Wine In Grocery Stores (Second Complaint) (Request for Consultations by the United States)	02-10-17
DS532	Russian Federation – Measures Affecting the Importation and Transit of Certain Ukrainian Products (Request for Consultations by Ukraine)	19-10-17

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
DS484	Indonesia — Measures Concerning the Importation of Chicken Meat and Chicken Products (Complainant: Brazil)	Panel report issued	17-10-17
DS526	United Arab Emirates — Measures Relating to Trade in Goods and Services, and Trade-Related Aspects of Intellectual Property Rights (Complainant: Qatar)	Qatar requested panel; blocked by UAE; DSB deferred establishment	23-10-17
DS381	United States – Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products – Recourse to Article 21.5 of the DSU by the United States – Second Recourse to Article 21.5 of the DSU by Mexico	Compliance panel reports issued	26-10-17

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)

60th session of HSC

On 9 October 2017, the WCO [announced](#) that the Harmonized System Committee (HSC) held its 60th Session from 27 September to 6 October 2017 at WCO Headquarters in Brussels. The session was attended by 169 participants representing 78 Contracting Parties to the HS Convention, one WCO Member administration and three international organizations. The announcement stated that:

During his opening address Mr. Ping LIU, Director of Tariff and Trade Affairs, referred to the symbolic and historic importance of this gathering; the Harmonized System Committee was now celebrating its 60th Session, thus exceeding the number of sessions held by its predecessor, the old Nomenclature Committee. Since its first ses-

sion, held in April 1988, the Harmonized System Committee had examined 4,144 Agenda items and taken 2,230 decisions.

Over the years, the number of Contracting Parties to the Harmonized System Committee had grown from 4 in 1985 to 156 today, and the number of countries and Economic and/or Customs Unions that used the HS now stood at 209.

In the course of its recent sessions, the Committee had adopted innovative approaches for dealing with a number of challenges, including how to take account of technological developments and requests related to environmental issues, all of which were assuming increasing importance.

The Director also highlighted the tasks that lay in store for the Committee, saying he was confident that it would be able to step up the pace of its decisions thanks to a speedier decision-making process.

During the 60th Session, the HSC took some 50 classification decisions related to products covered by the HS Nomenclature, in at least seven different areas. The Committee adopted 18 sets of amendments to the Explanatory Notes and approved 21 new Classification Opinions.

As part of the work to prepare the Seventh Edition of the HS (HS 2022), six sets of amendments to the Nomenclature were provisionally adopted, and some decisions on the classification of goods were submitted to the HS Review Sub-Committee for consideration of possible amendments to the Nomenclature to facilitate the classification of various products, such as 3D printers for example, and motor vehicle windscreens.

Productive discussions were held on how to classify products newly released on to the world market, in areas which included cutting-edge technology (for example, equipment for manufacturing LCD modules), the food industry (for example, blanched green shell mussels), and the tobacco industry, with a useful exchange on how to classify new tobacco products.

Another notable aspect of the Committee's work was an intervention made by Mexico to withdraw a reservation it had entered in respect of the classification of a commodity, in keeping with the approach adopted by the Council at its 129th/130th Sessions to limit the number of reservations entered by administrations in respect of decisions taken by the Committee.

Announcements and news releases [dd-mm-yy]

Date	Title
03-10-17	WCO attends the 17th World Summit on Counter-Terrorism
	Long-term WCO support on integrity leads to positive outcomes at Rwanda Revenue Authority
	Fiji benefits from the WCO People Development Diagnostic Tool Pilot
	WCO receives endorsement to implement projects funded by the European Union
04-10-17	WCO supports Zimbabwe to adopt a blended training approach covering TFA specific e-Learning modules
	WCO supports Sierra Leone with the development of its Strategic Planning
	WCO supports the East African Community finalize its regional Risk Management Strategy
	Risk-based passenger controls in Laos PDR
05-10-17	Cape Verde demonstrates effective stakeholder engagement in the area of trade facilitation thanks to the WCO Support
06-10-17	Fourth Global Canine Forum in the Czech Republic
	WCO Reaffirms Support for the EAC Trade Facilitation Efforts Through the Mercator Programme and Other Initiatives
09-10-17	Building the Leadership and Management Capabilities of Oman Customs
	WCO Harmonized System Committee (HSC) celebrates its 60th Session
	EAC Master Trainers conclude Intelligence Analysis workshop in Kenya
11-10-17	WCO and UN-OCHA Partner to support Mali Strengthen Capacity to enhance Customs facilitation of relief consignments
	The WCO Assists Uganda Revenue Authority (URA) to enhance its capacity to

Date	Title
	implement the WTO Trade Facilitation Agreement (TFA)
13-10-17	WCO Working Group on ECommerce moves closer to providing new deliverables in the coming months
16-10-17	WCO supports Single Window implementation in Bangladesh
	WCO assesses Malawi's Risk Management procedures to support the implementation of trade facilitation measures
17-10-17	WCO participates at the VII World BASC Conference highlighting Facilitation and Security
	The WCO hosts its 5th Customs Laboratory Programme
	The Gambia Revenue Authority embarks on a critical strategic management reform with the WCO's support
	SACU achieves progress in the development of its Compliance Management Strategy
	Secretary General participates in the 12th ASEM Customs Directors-General and Commissioners Meeting
18-10-17	WCO attended the 2nd Workshop on Customs Detection Technologies
	Côte d'Ivoire National Customs School - training trainers and administrators in e-learning
	Latest edition of WCO News now available
	Study visit to the WCO by a high-level Iraqi delegation focusing on dual-use chemicals
20-10-17	National Revenue Authority of Sierra Leone takes steps to strengthen its valuation training capacity
	Expansion of the WCO expert pool on the HS classification and Customs Valuation Trainers
	El Salvador launches AEO Programme
	8th meeting of the WCO Trade Facilitation Agreement Working Group
24-10-17	HR recognized as priority area in the Western and Central Africa region
	The WCO welcomes the Chairperson of the WTO Trade Facilitation Committee
26-10-17	Mozambique Revenue Authority drafts action plan for enforcement of the CITES convention
	WCO attends the XVIII International Exhibition "The Customs Service - 2017" in Moscow
27-10-17	Future of disruptive technologies in Customs discussed at the Permanent Technical Committee
	The Private Sector Consultative Group meets at the WCO Headquarters
	Burundi Revenue Office embeds Results Based Management principles in new Strategic Plan
	The nCEN Application is making its mark on Asia Pacific
30-10-17	WCO supported Albania's FTA implementation
	Second case study on transfer pricing and Customs valuation finalized by the Technical Committee on Customs Valuation
	WCO supports Members in the development of common data standards for transit interconnectivity in West and Central Africa
	18th Meeting of the SAFE Working Group drives forward the global security and facilitation agenda with tangible deliverables
31-10-17	6th WCO Technology and Innovation Forum gets underway
	Mercator Programme on the move in the Central African Republic
	1st WCO Accreditation Workshop on Customs Laboratories held
	Strategic Trade Control Enforcement (STCE) Expert Trainer Accreditation Workshop
02-11-17	A WCO-UNCTAD Mission Supports Performance Management within the Rwanda Revenue Authority
	The WCO releases the 2016 Illicit Trade Report
03-11-17	WCO attends the 2017 Global Trade Development Week

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
05-10-17	2017/066 New case studies on CITES and livelihoods
10-10-17	2017/067 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
11-10-17	2017/068 Countries directly affected by a document submitted for the 69th meeting of the Standing Committee
24-10-17	2017/069 Candidate species for potential Periodic Review

The Americas - Central America

COSTA RICA

Documents published in *La Gaceta*

Date	Series and №	Subject
11-10-17	RES-DGA-DGT-022-17	Regarding whole rice safeguards (of 11.67% for sub-headings 1006.20.00.00.91 and 1006.20.00.00.99) from 01-01-17 through 31-12-17, with exceptions for certain FTA partners and certain adjustments.
	Resolution	Corrections and modifications to certain tariff headings and subheadings.

EL SALVADOR

Fiscal amnesty (Amnistía Fiscal) enters into force

On 28 October 2017, the Ministry of Finance (Hacienda) [announced](#) that on 27 October 2017, the [Transitory Law to Facilitate the Voluntary Compliance of Tax and Customs Obligations \("Fiscal Amnesty"\)](#), came into force. The announcement states:

During a period of 90 days, taxpayers who have outstanding tax debt administered by the General Directorate of Internal Taxes and the General Directorate of Customs, have the opportunity to voluntarily regularize their situation without incurring the payment of interest, surcharges or fines.

Taxpayers who can benefit under this Law, in the case of Internal Taxes, are:

1. Those who have not submitted their declarations and have not paid the tax.
2. Those who have not submitted one or more tax returns and have not paid the tax, despite having made transactions subject to payment.
3. Those who have not submitted amending statements having tax payable, and that this is less than what is legally required to be paid.
4. Those who have filed tax returns that reflect balances in their favor, in an amount that higher than the one they are legally entitled to, among others.

In the case of the General Directorate of Customs:

1. Those who have submitted goods declarations with omissions or inaccuracies in their report and have not paid the import duties.
2. Those who have presented the goods declaration and have not paid the customs duties, among others.

In addition, taxpayers may enjoy this benefit if their cases are in the Process of Inspection, in the Hearing and Opening of Evidence stage, in the Valuation Process, in the Term for the Submission of Appeal or Demand before the Court of Appeals of the Internal Taxes and Customs (TAIIA) or Chambers of the Supreme Court of Justice (CSJ), with appeal or suit already filed before the TAIIA or Chambers of the CSJ; in process of collection in the General Directorate of Treasury or in judicial process of executive collection by the General Prosecutor's Office of the Republic (FGR).

The Transitory Law also contemplates cases in which this benefit does not apply as: taxpayers who have debts corresponding to obligations of periods or exercises subsequent to the validity of the law; cases in which the FGR has initiated criminal proceedings for customs criminal offenses or crimes against the Public Treasury and those modifications in which the surplus or surplus declared increases.

The Ministry of Finance emphasizes that the beneficiary taxpayer is not exempt from Tax Administration audits to verify the modifications made to normalize its fiscal situation.

Documents

Date	Series and №	Subject
19-10-17	DGA 026-2017	Notice to taxpayers requesting solvency of customs or tax obligations
30-10-17	DGA 028-2017	Notice to taxpayers about the solvency process of customs obligations

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
09-10-17	National Customs Authority (NCA) : Resolution № 425 (28-09-17) authorizing the acceptance of original Air Guides in black and white on bond paper as well as color originals.
13-10-17	Health: Res. № 591 (05-09-17) Inclusion of new safety information in products containing Sodium Piperacillin or the combination of Piperacilin - Tazobactam Health: Res. № 609 (15-09-17) requirement to insert information of excipients in the inserts, and monographs of medicines for human use.
16-10-17	NCA: Resolution No. 453 (16-10-17) in which the use of the economic and financial resources of the Customs Public Management Fund and of the Customs Security Fund of the National Authority of Customs is regulated and a legal provision is repeated.
17-10-17	NCA: Resolution No. 435 (09-10-17) establishes the internal procedure for the exercise of supervisory, supervision, monitoring and control functions in the Free Zone denominated logistic area of the Tocumen Airport and other provisions are provided.
30-10-17	Health: Resolution No. 3143 (16-10-17) That Regulates Article 6 of Law 14 of May 19, 2016 that regulates the activities and use of controlled substances for medical and / or scientific purposes and other provisions.
01-11-17	Cabinet Decree № 35 (31-10-17) Authorizes The Importation of a Contingent

Publication Date	Title
	for Onion Disassembly

The Americas - North America

NAFTA negotiations

Developments of the NAFTA negotiations for automobile and auto parts community

As it was expected by the Canadian and Mexican governments and their business communities in the automobile and auto parts manufacturing industries, during the 4th round of the NAFTA negotiations in Washington DC, the US negotiating team formally presented their proposal of change to the rule of origin that must be met to be entitled to preferential duty treatment (0% duty) for cars and their parts, when exported from Canada or Mexico into the US market.

The proposal confirmed the rumors; only vehicles that at least have an 85% of Regional Value Content ("RVC") (of Canada, the US and/or Mexico) and which have 50% of US Domestic Content, would qualify for 0% duty. The same applies to exported parts. This is an aggressive deviation from the current 62.5% of RVC that currently NAFTA calls for (NAFTA does not require now any US domestic content).

Car and auto parts producers in the NAFTA region, from US, Canada and Mexico and other Asian and European countries, have expressed concerns about the serious challenge to their regional supply chain, if this measure would come into effect. Many of them have said it would be very difficult to meet the new threshold and therefore, they would be forced to pay duties when exporting to the US market.

Also, this proposal does not require that the 50% US Domestic Content applies to those vehicles or parts manufactured and sold in the US market. Only to the goods imported from Canada and Mexico.

The US proposal also seeks to eliminate the concept of substantial transformation as a way for manufactured goods to reach originating status in the NAFTA region. Therefore, it would only be through the RVC and US Domestic Content that origin would be achieved.

At this point, it does not seem that the Governments of Canada or Mexico would accept this change. Negotiations will continue with the 5th Round on November 17- 21 in Mexico City. Outcome of the negotiation is unpredictable.

We at the Automotive Focus group of Baker McKenzie will continue to monitor the developments of this negotiation and are ready to discuss with you any specific question as to the potential impact that the revised NAFTA would have in your organization.

Please contact [Manuel Padron](#), the author (or any of the other individuals listed in the [Client Alert](#)) for additional information.

CANADA

Canada's repeal of facilitation payments exception in Corruption of Foreign Public Officials Act takes effect October 31

On October 30, 2017, Global Affairs Canada [announced](#) the removal of the facilitation payments exception from the [Corruption of Foreign Public Officials Act](#) (CFPOA). The facilitation payments exception was repealed by Bill S-14: [An Act to amend the Corruption of Foreign Public Officials Act](#). The repeal is to come into force on October 31, 2017.

Facilitation payments, also known as “grease payments,” are payments made to foreign government officials to speed up or facilitate routine transactions such as permits. These payments were not previously covered by the bribery offence in the CFPOA.

Consultations on proposed addition of Japan and Mexico to AFCCL

On October 12, 2017, Global Affairs Canada [posted](#) a notice regarding the proposed addition of Japan and Mexico to the Automatic Firearms Country Control List (AFCCL). The posting stated:

Under the Export and Import Permits Act, anyone wishing to export from Canada any items included in the Export Control List is required to obtain, prior to shipment, an export permit (exceptions are made for the export to the United States of certain controlled goods and technology). Applications to export controlled goods or technology are reviewed on a case-by-case basis to ensure that the exports are consistent with Canada's foreign and defence policies.

The Government of Canada invites industry stakeholders and the general public to provide their views regarding a possible regulatory amendment that could result in the addition of Japan and Mexico to the AFCCL. The proposed regulation, if ultimately approved by the Governor in Council, would allow exporters of certain prohibited firearms, prohibited weapons and prohibited devices to submit permit applications for the export of these items to Japan and Mexico.

The Government of Canada is seeking the views of industry stakeholders, non-government organizations and all interested Canadian citizens. There are different ways you can participate in these consultations.

1. Send an email to tieconsultations@international.gc.ca with your ideas or comments.
2. Send your ideas and input by mail to:

Attention – AFCCL Consultation
Export Controls Division (TIE)
Global Affairs Canada
125 Sussex Drive
Ottawa, ON K1A 0G2

Global Affairs Canada publishes Consolidated Special Economic Measures Act Sanctions List

On October 12, 2017, Global Affairs Canada [published](#) the [Consolidated Special Economic Measures Act Sanctions List](#). The list contains the individuals and entities named in the schedules of sanctions regulations made under the *Special Economic Measures Act* (SEMA).

The consolidated list is one of the commitments the government made in July in response to recommendations made by the House of Commons Standing Committee on Foreign Affairs and International Development in its review of the Special Economic Measures Act and the Freezing Assets of Corrupt Foreign Officials Act. The list is

easily accessible and seeks to assist those responsible for implementing and enforcing sanctions in Canada.

The prohibitions may not apply to each individual or entity in the same way, and each applicable sanctions regulation specifies the prohibitions that apply to a particular individual or entity. Users seeking accurate information on which provisions apply to a specific individual or entity must therefore refer to the relevant regulation.

The Consolidated SEMA Sanctions List is for administrative purposes only. The list is not a regulation, and it does not have the force of law. The list was last updated on October 6th, 2017. Regulations are updated frequently; therefore this version of the list may not be up-to-date. For accurate information on which provisions from a given sanctions regulation apply to a specific individual or entity, reference must be made to the [relevant regulations in which that individual or entity is listed](#).

Miscellaneous regulations and proposals

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

Publication Date	Title
10-03-17	Environment and Climate Change: Regulations Amending the Off-Road Small Spark-Ignition Engine Emission Regulations and Making a Consequential Amendment to Another Regulation (SOR/2017-196, Sept. 22, 2017) pursuant to the Canadian Environmental Protection Act, 1999 (R)
10-07-17	Environment: Order 2017-87-08-02 Amending the Non-domestic Substances List pursuant to subsection 87(1) of the Canadian Environmental Protection Act, 1999 (O)
	Environment/Health: Publication after screening assessment of 15 substances specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication of the final decision after screening assessment of a substance — 1,1-ethanediol, 2,2,2-trichloro- (chloral hydrate), CAS RN 11 302-17-0 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)
10-12-17	Global Affairs: Consulting Canadians on proposed addition of Japan and Mexico to the Automatic Firearms Country Control List (AFCCL)
10-14-17	Environment: Ministerial Condition No. 19124 pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999 [substance benzene, 1,1'-(1,2-ethanediyl)bis(2,3,4,5,6- pentabromo)-, Chemical Abstracts Service Registry No. 84852-53-9] (N)
	Environment: Order 2017-66-07-02 Amending the Non-domestic Substances List pursuant to subsection 66(2) of the Canadian Environmental Protection Act, 1999 (O)
10-18-17	Environment: Order 2017-87-08-01 Amending the Domestic Substances List (SOR/2017-209, Sept. 28, 2017) pursuant to subsection 87(1) or (5) of the Canadian Environmental Protection Act, 1999 (O)
	Environment: Order 2017-66-08-01 Amending the Domestic Substances List (SOR/2017-210, Sept. 28, 2017) pursuant to subsection 66(1) of the Canadian Environmental Protection Act, 1999 (O)
	Environment/Health: Regulations Amending the Ozone-depleting Substances and Halocarbon Alternatives Regulations (SOR/2017-216, Oct. 5, 2017) pursuant to the Canadian Environmental Protection Act, 1999 (R)
	Environment: Regulations Amending the Regulations Designating Regulatory Provisions for Purposes of Enforcement (Canadian Environmental Protection Act, 1999) (SOR/2017-217, Oct. 5, 2017) (R)
	Health: Regulations Amending the Pest Control Products Regulations (Per-

Publication Date	Title
	sonal Use Import Exemption)(SOR/2017-220, Oct. 5, 2017) pursuant to the Pest Control Products Act
10-21-17	Environment: Ministerial Condition No. 19233 pursuant to (Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) (N) Environment/Health: Publication of the final decision after screening assessment of four substances — three alkyl sulfates and α-olefin sulfonate — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N) Health: Notice of intent for possible amendments to the Hazardous Materials Information Review Act and the Hazardous Products Act
10-28-17	Environment: Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to the substance benzenamine, 4,4'-[(1-methylethylidene)bis (4,1-phenyleneoxy)]bis- (N) Environment: Notice of intent to amend Schedule II of the Wild Animal and Plant Trade Regulations under the authority of subsection 21(1) of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (WAPPRIITA) [to restrict the importation of salamanders] (N) Environment/Health: Publication after screening assessment of two substances in the Alkyl Aryl Phosphites Group — phosphorus acid, 2-ethylhexyl diphenyl ester (2-ethylhexyl diphenyl phosphite [EHDPP]), CAS RN 61 15647-08-2; and phosphorus acid, diisodecyl phenyl ester (diisodecyl phenyl phosphite [DIDPP]), CAS RN 25550-98-5 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N) Environment/ Health: Publication of final decision after screening assessment of a substance — benzenamine, 4,4'-[(1-methylethylidene)bis(4,1-phenyleneoxy)]bis- (BAPP), CAS RN 11 13080-86-9 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999)(N) Environment/Health: Publication of final decision after screening assessment of a substance — benzene, 1-chloro-2-[2,2-dichloro-1-(4-chlorophenyl)ethyl]- (mitotane), CAS RN 11 53-19-0 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999)(N) Environment/Health: Publication of final decision after screening assessment of a substance — 1-naphthalenepropanol, α-ethenyldecahydro-2-hydroxy-α,2,5,5,8α-pentamethyl-, [1R-[1α(R*),2β,4α,8α]]- (sclareol), CAS RN 11 515-03-7 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999)(N) Health: Notice to interested parties — Proposed regulations amending regulations under the Controlled Drugs and Substances Act with respect to the destruction of controlled substances and international travel with controlled substances prescribed for personal medical use (PR)
11-04-17	Environment: Ministerial Condition No. 19317 pursuant to the Canadian Environmental Protection Act, 1999 [import of bentonite, lanthanian, Chemical Abstracts Service Registry No. 302346-65-2] (N) Global Affairs: Notice of intent to conduct an environmental assessment of the Canada-Pacific Alliance Free Trade Agreement negotiations (N) Health: Proposed Regulations Amending the Toys Regulations (Magnetic Toys) (PR)

Restrictive measures

The following documents imposing restrictive measures on imports or exports were published in the [Canada Gazette](#) or posted on a Government website.

Publication Date	Title
10-03-17	Global Affairs: Special Economic Measures (Venezuela) Regulations (SOR/2017-204, Sept. 22, 2017) pursuant to the Special Economic Measures Act (R)
	Global Affairs: Special Economic Measures (Venezuela) Permit Authorization Order (SOR/2017-205, Sept. 22, 2017) pursuant to the Special Economic Measures Act (O)
10-12-17	Global Affairs: Consolidated Special Economic Measures Act Sanctions List
10-18-17	Royal Assent to: An Act to provide for the taking of restrictive measures in respect of foreign nationals responsible for gross violations of internationally recognized human rights and to make related amendments to the Special Economic Measures Act and the Immigration and Refugee Protection Act (Bill S-226, chapter 21, 2017)

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 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), Global Affairs Canada Notices to Importers (GAC) and other publications issued, revised or cancelled during the past month. (Dates are given in yyyy/mm/dd format.)

Date	Reference	Title
10-01-17	GAC Ser. 904	Notice to Importers – CETA Cheese Tariff Rate Quota
	GAC Ser. 905	Notice to Importers – CETA Industrial Cheese Tariff Rate Quota
	GAC Ser. 906	Notice to Importers – WTO Cheese Tariff Rate Quota
10-16-17	CN 17-33	Publication of Memorandum D17-5-1 on Payment of Duties and Taxes on Imported Commercial Goods
	D17-5-1	Payment of Duties and Taxes on Imported Commercial Goods
	D11-4-4	Rules of Origin Respecting the General Preferential Tariff and Least Developed Country Tariff (Revised)
10-18-17	D11-5-15	Canada–European Union Comprehensive Economic and Trade Agreement (CETA) Rules of Origin
11-01-17	CN 17-34	Canadian Automated Export Declaration (CAED) Program and 2018 Version Release

Antidumping and countervailing duty cases

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

MEXICO

Modification to the list of goods for which importation from, or exportation to, North Korea is restricted

On September 21, 2017 the Ministry of Economy published in the *Diario Oficial de la Federación* (*Federal Official Gazette*) an [Administrative Regulation](#) (Acuer-

do) that modifies the one that prohibits the exportation or importation of diverse goods to the indicated countries, entities and persons.

By means of this publication, the name of the administrative regulation is amended to change the term "*prohibir*" for the term "*restringir*", in order to harmonize the terminology used in the rest of the Mexican legal framework, and since a *prohibition* refers to a total impediment and is not applicable only to a determined country, entity or individual.

Additionally, the list of restricted goods for importation or exportation to the Democratic People's Republic of Korea is restricted is extended, in order to implement internally Resolutions 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2017), 2356 (2017) and 2371 (2017) of the United Nations Security Council.

It is important to mention that this list includes different types of goods, and not only military products and is, therefore, the most comprehensive among the lists of embargoes implemented by Mexico.

The full text of the amendment can also be found [here](#).

For additional information, please contact the author, [José Hoyos Robles](#) or any member of Baker McKenzie's Mexican International Commercial team with whom you normally work.

Diario Oficial

The following documents of interest to international traders were published in the [Diario Oficial de la Federación](#): *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
10-05-17	Economy: Decree amending the Tariff of the General Import and Export Tax Law, the Decree establishing the general import tax for the border region and the northern border strip and the Decree for the Promotion of Manufacturing, Maquiladora and Export Services . Economy: Acuerdo by which the export of sugar is subject to prior authorization and a maximum quota is established for export.
10-13-17	Economy: Notice announcing the amount of the maximum quota for exporting sugar to the United States of America during the period from October 1, 2017 to September 30, 2018. Economy: Notice that discloses the amount of the maximum quota for September 2017 to export sugar to the United States of America during the period between October 1, 2017 and September 30, 2018.
10-17-17	Hacienda: Call for certification on the prevention of operations with resources of illicit provenance and financing of terrorism Economy: Decree modifying the Tariff of the Law of the General Taxes of Import and Export and the Decree that establishes several programs of sectorial promotion.
10-27-17	Energy: Official Mexican Norm NOM-029-ENER-2017, Energy efficiency of external power supplies. Limits, testing methods, marking and labeling.
10-30-17	Economy: Official Mexican Standard NOM-199-SCFI-2017, Alcoholic Beverages-Denomination, physicochemical specifications, commercial information and test methods.
10-31-17	Foreign Affairs: Decree Promulgating the Minamata Convention on Mercury made in Kumamoto, Japan, on October 10, 2013
11-02-17	Economy: Acuerdo that modifies the Acuerdo by which the quota is an-

Publication Date	Title
	nounced to import with the established tariff-quota , fillets of fresh or chilled and frozen fish.

Antidumping and countervailing duty cases

No antidumping countervailing duty or safeguards investigations were published in the *Diario Oficial* this past month.

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 OR ORDER, RFI/FRC= REQUEST FOR INFORMATION/COMMENTS; H=HEARING OR MEETING; E=EXTENSION OF TIME; C=CORRECTION; RO=REOPENING OF COMMENT PERIOD; W=WITHDRAWAL. PLEASE NOTE: MEETINGS WHICH HAVE ALREADY TAKEN PLACE ARE GENERALLY NOT LISTED.]

Presidential documents

During the past month, President Trump signed the following documents that relate to international trade or travel, regulatory reform, national security, law enforcement or related activities:

Date	Subject
10-18-17	Notice of October 16, 2017 - Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered in Colombia
10-23-17	Presidential Determination No. 2017-13 of September 29, 2017 - Presidential Determination on Refugee Admissions for Fiscal Year 2018
	Presidential Determination No. 2017-14 of September 30, 2017 - Presidential Determination With Respect to the Child Soldiers Prevention Act of 2008
10-24-17	Executive Order 13814 of October 20, 2017 - Amending Executive Order 13223 ["Ordering the Ready Reserve of the Armed Forces to Active Duty and Delegating Certain Authorities to the Secretary of Defense and the Secretary of Transportation"]
10-25-17	Notice of October 23, 2017 - Continuation of the National Emergency with Respect to the Democratic Republic of the Congo
10-27-17	Memorandum of October 11, 2017 - Delegation of Certain Functions and Authorities under the Countering America's Adversaries Through Sanctions Act of 2017
	Presidential Determination 2017-15 of September 30, 2017- Presidential Determination with Respect to the Efforts of Foreign Governments Regarding Trafficking in Persons
	Executive Order 13815 of October 24, 2017 - Resuming the United States Refugee Admissions Program With Enhanced Vetting Capabilities
10-30-17	Memorandum of October 25, 2017 - Unmanned Aircraft Systems Integration Pilot Program
11-02-17	Notice of October 31, 2017 - Continuation of the National Emergency With Respect to Sudan

President continues national emergency with respect to Sudan

On November 2, 2017, the *Federal Register* published Presidential [Notice of October 31, 2017 - Continuation of the National Emergency With Respect to Sudan](#), which extends for an additional year the national emergency first declared in Executive Order (EO) 13067 (November 3, 2017) and took related steps to deal with the unusual and extraordinary threat to the national security and foreign pol-

icy of the United States posed by the actions and policies of the Government of Sudan.

On April 26, 2006, by EO 13400, the President determined that the conflict in Sudan's Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States, expanded the scope of the national emergency declared in EO 13067, and ordered the blocking of property of certain persons connected to the Darfur region. On October 13, 2006, by EO 13412, the President took additional steps with respect to the national emergency declared in EO 13067 and expanded in EO 13400. In EO 13412, the President also took steps to implement the *Darfur Peace and Accountability Act of 2006* (Public Law 109–344).

On January 13, 2017, by EO 13761, the President found that positive efforts by the Government of Sudan between July 2016 and January 2017 improved certain conditions that EO 13067 and 13412 were intended to address. Given these developments, and in order to encourage the Government of Sudan to sustain and enhance these efforts, section 1 of EO 13761 provided that sections 1 and 2 of EO 13067 and the entirety of EO 13412 would be revoked as of July 12, 2017, provided that the criteria in section 12(b) of Executive Order 13761 had been met.

On July 11, 2017, by EO 13804, the President amended EO 13761, extending until October 12, 2017, the effective date in section 1 of EO 13761.

Despite recent positive developments, the crisis constituted by the actions and policies of the Government of Sudan that led to the declaration of a national emergency in EO 13067 of November 3, 1997; the expansion of that emergency in EO 13400 of April 26, 2006; and with respect to which additional steps were taken in EO 13412 of October 13, 2006, EO 13761 of January 13, 2017, and EO 13804 of July 11, 2017, has not been resolved. The President determined that it is necessary to continue the national emergency declared in EO 13067, as expanded by EO 13400, with respect to Sudan because these actions and policies continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

President continues national emergency with respect to the DRC

On October 25, 2017, the *Federal Register* published Presidential [Notice of October 23, 2017 - Continuation of the National Emergency with Respect to the Democratic Republic of the Congo](#), which extends for an additional year the national emergency first declared in Executive Order (EO) 13413 (October 27, 2006) which also ordered related measures blocking the property of certain persons contributing to the conflict in that country. The President took this action to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the situation in, or in relation to, the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities and continues to threaten regional stability. The President took additional steps to address this national emergency in EO 13671 of July 8, 2014. The national emergency is being continued for an additional year because the situation in, or in relation to, the Democratic Republic of the Congo continues to pose an unusual and extraordinary threat to the foreign policy of the United States.

President “Decertifies” the Iran nuclear deal and imposes new sanctions against the Iranian Revolutionary Guard Corps

On October 13, 2017, President Trump [announced](#) that he was “decertifying” Iran’s compliance with the Joint Comprehensive Plan of Action (“JCPOA”). By itself, this action does not mean that the United States has withdrawn from the JCPOA, nor does it reinstate sanctions that were lifted under the JCPOA. What it does do, however, is to hand the matter over to the US Congress for a 60-day review period in which Congress must decide whether the sanctions relief under the JCPOA will remain in effect. Congress is also reported to be considering new laws that would automatically re-impose US sanctions if Iran violates existing and new restrictions on its nuclear program and President Trump has threatened to use his authority to cancel US participation in the JCPOA if Congress fails to act. Against this uncertain US political backdrop, both Iran and US allies have reaffirmed their clear commitment to Iran’s compliance with the JCPOA. In parallel, Iran’s Islamic Revolutionary Guard Corps (“IRGC”), which was already designated on the List of Specially Designated Nationals and Blocked Persons (“SDN List”), has been targeted for further sanctions for its support of terrorism, resulting in the loss of certain exemptions under US sanctions.

Why “decertify” the JCPOA now?

The President’s announcement was made in anticipation of an October 15 deadline under the Iran Nuclear Agreement Review Act of 2015 (“INARA”). Under the INARA, every 90 days, the President is required to certify to the US Congress that Iran is in compliance with the terms of the JCPOA and that the suspension of sanctions under the JCPOA is appropriate and proportionate to measures taken by Iran to terminate its illicit nuclear program and continues to be vital to the national security interests of the United States. The President has made this certification twice since he was sworn into office in January 2017, although each time reluctantly. The President has also continued to renew the periodic waivers of US sanctions that are required for the United States to remain in compliance with the JCPOA, which is a process separate from the INARA certification process.

What are the implications for companies?

As noted, the President’s announcement that he will decertify Iran’s compliance with the JCPOA does not terminate the nuclear deal, withdraw the United States from it, or reinstate any sanctions. Rather, the announcement triggers the beginning of a 60-day period in which the US Congress must decide whether to affirmatively introduce legislation to reinstate the statutory sanctions against Iran that have been waived, suspended, or otherwise relieved as part of the United States’ JCPOA commitments. These sanctions, often referred to as “secondary sanctions”, primarily target *non-US companies* engaging in business in or with Iran entirely outside US jurisdiction. They are widely viewed as one of the primary drivers in bringing about the JCPOA.

The decertification does *not* affect the longstanding US primary embargo on Iran, which continues to preclude most US Person dealings with Iran. The decertification also does not affect (for now at least) [General License H](#), which was issued by the former Administration as part of the JCPOA to authorize non-US owned/controlled subsidiaries of US companies to resume business with Iran under certain conditions.

What is Congress likely to do?

In his speech, President Trump said that he would support an effort by the US Congress to amend INARA “to strengthen enforcement, prevent Iran from developing... an intercontinental ballistic missile, and make all restrictions on Iran’s nuclear activity permanent under US law.” To that end, Senate Foreign Relations Committee Chairman Bob Corker and Armed Services Committee member Tom Cotton are [preparing to introduce legislation](#) that would automatically re-impose US sanctions that were suspended or waived under the JCPOA if Iran violates existing restrictions under the JCPOA or new restrictions that are to be enumerated in the bill. In particular, sanctions would be re-imposed if Iran returned to less than a one-year break-out period for developing a nuclear weapon after the “sunset” of certain provisions in the JCPOA.

What happens if no legislative solution is reached?

The President said in his speech that if no solution is reached, the JCPOA will be terminated. He stated that the JCPOA “is under continuous review, and our participation can be cancelled by me, as President, at any time.” In addition to potentially withdrawing the US from the JCPOA, President Trump may also choose not to renew the periodic waivers of US sanctions that are required to fulfill US commitments under the JCPOA.

What has the response been from the EU so far?

In response to President Trump’s announcement, on October 13, 2017, UK Prime Minister Theresa May, German Chancellor Angela Merkel and French President Emmanuel Macron, issued a [joint statement](#) expressing concern for the potential implications of President Trump’s decision and encouraging the US Congress to consider the effects on the security of both the US and its allies. While the leaders also acknowledged a shared concern regarding Iran’s ballistic missile program and a willingness to take appropriate measures in cooperation with the US and other allies, the statement makes clear that they will look to resolve these concerns through negotiations and constructive dialogue with Iran.

Subsequently, on October 16, 2017, the European Council (“EC”) issued a [press release](#) declaring the EU’s continued commitment to the JCPOA and stressing that the JCPOA is a “key element of the nuclear non-proliferation global architecture and crucial for the security of the region.” While the EC views President Trump’s announcement as an “internal US process,” it encourages the US to maintain its commitment to the JCPOA. The press release notes that since the implementation of the JCPOA, the International Atomic Energy Agency has verified Iran’s continued compliance with all of its nuclear-related commitments under the JCPOA eight times. In line with the joint statement above, the EC reiterated that while it remains concerned with Iran’s development of its ballistic missile program, it contends that such concerns ought to be addressed outside of the JCPOA.

If the US were to withdraw from the JCPOA and re-impose sanctions against Iran following the 60-day Congressional review period, and aside from any possible automatic “snapback” of UN sanctions under the JCPOA’s dispute resolution provisions, the EU will need to consider how it reacts. One option that the EU is reportedly considering is to resurrect and expand its blocking regulation ([Council Regulation 2271/96, as amended](#)) to “block” the extra-territorial aspects of the US Iranian sanctions as they apply to parties subject to EU jurisdiction. This would be similar to the position the EU has taken in relation to the extra-territorial aspects of the US comprehensive embargo against Cuba. However, as with Cu-

ba, this approach could put EU-incorporated entities with US parent companies in the difficult position of choosing between complying the US sanctions or complying with the EU's blocking regulation.

IRGC Terrorism Designation

President Trump also announced that he was authorizing the US Treasury Department to impose additional sanctions against the IRGC for its support for terrorism. The IRGC was already designated on the SDN List pursuant to a number of other sanctions authorities, including authorities relating to non-proliferation and human rights abuses (denoted with the following tags next to the relevant entry on the SDN List: [NPWMD] [IRGC] [IFSR] [IRAN-HR] [HRIT-IR]).

[OFAC implemented these new sanctions](#) by designating the IRGC under Executive Order 13224, attaching an additional [SDGT] tag next to the entry for the IRGC on the SDN List. This designation was made consistent with the requirements of the Countering America's Adversaries Through Sanctions Act ("CAATSA") enacted on August 2, 2017, which required the President to impose sanctions against the IRGC and foreign persons that are officials, agents, or affiliates of the IRGC under EO 13224 within 90 days of the law being enacted, i.e., by October 31, 2017. See our prior blog post on CAATSA [here](#).

Because the IRGC was already an SDN, its property was already subject to blocking, and US Persons were already prohibited from dealing directly or indirectly with the IRGC or entities 50% or more owned by the IRGC. However, designating the IRGC under Executive Order 13224 means that [the so-called "Ber-man exemptions"](#) to the International Emergency Economic Powers Act ("IEEPA") are no longer available when dealing with the IRGC or IRGC-owned entities. Importantly, these include key exemptions covering travel, exchanges of information or informational materials, personal communications and humanitarian donations.

OFAC also concurrently announced the designation of three additional entities in Iran and one additional entity in China under Executive Order 13382 (blocking property of weapons of mass destruction proliferators and their supporters) for providing support to the IRGC or Iran's military. This continues a recent trend of targeting supporters of Iran's non-nuclear activities outside the JCPOA.

For additional information, contact [Alison J. Stafford Powell](#), [Kerry B. Contini](#), [Inessa Owens](#), or any member of the US Outbound Trade group with whom you normally work.

US Government announces revocation of certain Sudan Sanctions

On October 6, 2017, the US Government [announced](#) that it will revoke certain sanctions with respect to Sudan and the Government of Sudan, effective October 12, 2017. As a result of the revocation, US Persons will no longer be prohibited from engaging in Sudan-related transactions that were previously prohibited under the Sudanese Sanctions Regulations ("SSR"), including dealings with the Government of Sudan, and the SSR will be removed from the US Code of Federal Regulations.

As detailed in our previous blog posts [here](#) and [here](#), the revocation of the Sudan sanctions is being made pursuant to [Executive Order 13761](#) of January 13, 2017, which called for termination of the sanctions in July 2017 provided that the Gov-

ernment of Sudan continued to sustain certain positive actions, and [Executive Order 13804](#) of July 11, 2017, which kept the sanctions in place and extended the review period for an additional three months. During the review period, US Persons have been authorized to engage in transactions otherwise prohibited under the SSR pursuant to a [general license](#) issued by the US Treasury Department's Office of Foreign Assets Control ("OFAC"), as discussed in our previous posts.

As detailed in [FAQs](#) issued by OFAC, despite the October 12, 2017 revocation of the sanctions, a number of Sudan-related restrictions will remain in place, including the following (among others):

- Due to Sudan's continued designation as a State Sponsor of Terrorism, certain exports/reexports to Sudan of agricultural commodities, medicine, and medical devices continue to require a license pursuant to the Trade Sanctions Reform and Export Enhancement Act of 2000. To that end, OFAC has issued [General License A](#), which authorizes all exports/reexports of agricultural commodities, medicine, or medical devices to the Government of Sudan or to any entity in Sudan or to any person in a third country purchasing for resale to any of the foregoing, provided that shipment is made within 12 months of signing the contract for export/reexport. We note that General License A does not eliminate the requirement to comply with other US Government regulations related to Sudan, including but not limited to the Export Administration Regulations ("EAR"), which impose separate controls on certain exports/reexports to Sudan, as detailed further below.
- The revocation of the sanctions does not affect any export/reexport controls related to Sudan under the EAR, which are maintained by the US Commerce Department's Bureau of Industry and Security ("BIS"). Pursuant to the EAR, both US Persons and non-US Persons are required to obtain a license from BIS in order to export/reexport "controlled" (i.e., non-EAR99) goods, software, or technology (collectively, "items") that are subject to US jurisdiction to Sudan. The export/reexport of EAR99 items to Sudan may also require a BIS license if such transactions implicate certain end-use or end-user concerns under the EAR.
- OFAC sanctions related to the conflict in Darfur remain in place, and US Persons remain prohibited from engaging in any transactions with Specially Designated Nationals ("SDNs") identified under the [DARFUR] tag on OFAC's [Specially Designated Nationals and Blocked Persons List](#) ("SDN List").
- US Persons remain prohibited from engaging in dealings with Sudanese SDNs designated pursuant to any sanctions authorities other than [Executive Order 13067](#) and [Executive Order 13412](#), including, e.g., SDNs designated for activities related to South Sudan (i.e., identified under the [SOUTH SUDAN] tag on the SDN List) or terrorism-related activities (i.e., identified under the [SDGT] tag on the SDN List). To clarify further, only those persons identified under the [SUDAN] tag on the SDN List will no longer be designated.
- While unrelated to the sanctions, we also note that generally clients conducting business in Sudan should also be aware of certain risks related to antiboycott regulations, which prohibit US Persons from complying with the Arab League boycott of Israel and impose certain reporting requirements.

Further details regarding the US Government's decision to revoke the Sudan sanctions as a result of the Government of Sudan's positive actions, including related to maintaining a cessation of hostilities in Sudan, improving humanitarian access throughout Sudan, and cooperating with the US Government on addressing regional conflicts and terrorism, can be found in the State Department's [press statement](#) and [report](#) related to the revocation of the sanctions.

For additional information, please contact [Bart M. McMillan](#), [Kathryn J. Anderson](#), [Meghan Hamilton](#), or any member of the US Outbound team with whom you normally work.

Follow-up

On October 11, 2017, the Department of State published in the *Federal Register* a [document](#) [Public Notice: 10156] announcing that the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the U.S. Agency for International Development, is publishing a notice stating that the Government of Sudan has sustained the positive actions that gave rise to Executive Order 13761 of January 13, 2017 (*"Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions"*), as amended by Executive Order 13804 of July 11, 2017 (*"Allowing Additional Time for Recognizing Positive Actions by the Government of Sudan and Amending Executive Order 13761"*). The Secretary of State has also provided to the President a report required in Executive Order 13761, as amended. As a result, the criteria in section 12(b) of Executive Order 13761, as amended, have been fulfilled, making effective sections of that Executive Order that, among other things, revoke certain economic sanctions related to Sudan. The actions were effective October 12, 2017.

State publishes "Strengthening the Policy of the United States Toward Cuba"

On October 20, 2017, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 10178] setting forth National Security Presidential Memorandum NSPM-5 entitled *"Strengthening the Policy of the United States Toward Cuba"* issued by the President on June 16, 2017.

USTR seeks applications for NAFTA Binational Panels roster

On November 6, 2017, the Office of the United States Trade Representative (USTR) published in the *Federal Register* an [invitation for applications](#) [Docket No. USTR-2017-0022] from eligible individuals to serve on binational panels convened to review final determinations in antidumping or countervailing duty (AD/CVD) proceedings and amendments to AD/ CVD statutes of a NAFTA Party. The United States annually renews its selections for the roster. USTR must receive applications from eligible individuals wishing to be included on the roster for the period April 1, 2018, through March 31, 2019 by November 17, 2017.

USTR seeks comments on Administration's Action following a determination of import injury with regard to certain crystalline silicon photovoltaic cells

On October 25, 2017, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [request for comments and notice of public hearing](#) [Docket No. USTR-2017-0020] with respect to the process to be followed after the US International Trade Commission (ITC) makes recommendations to the President. The ITC has determined that certain crystalline silicon photovoltaic (CSPV) cells (whether or not partially or fully assembled into other products) are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article that is like or directly competitive with the imported articles. The Commissioners who voted in the affirmative are now conducting a process to recommend a safeguard measure for the President to apply. The

USTR, on behalf of the Trade Policy Staff Committee (TPSC), is announcing a process so that, once the ITC makes its recommendation, domestic producers, importers, exporters, and other interested parties may submit their views and evidence on the appropriateness of the recommended safeguard measure and whether it would be in the public interest. USTR also invites interested parties to participate in a public hearing regarding this matter.

Written comments are due November 20, 2017 at midnight (EST). Written responses to the initial round of comments are due November 29, 2017 at midnight (EST). The TPSC will hold a public hearing on December 9, 2017 at 9:30 am (EST). See the *Federal Register* notice for details on how to make submissions.

Other USTR documents

F.R. Date	Subject
10-06-17	Request for Comments Concerning an Environmental Review of the Proposed Renegotiation of the North American Free Trade Agreement; Correction [Docket Number USTR-2017-0018] (N/C) [Correction of docket number]

ITC announces remedy recommendations in global safeguard investigation involving Crystalline Silicon Photovoltaic Cells

On October 31, 2017, the United States International Trade Commission (ITC) announced the remedy recommendations that it will forward to the President in its global safeguard investigation regarding imports of crystalline silicon photovoltaic cells (whether or not partially or fully assembled into other products) [Inv. TA-201-075].

On September 22, 2017, the Commission [determined](#) that crystalline silicon photovoltaic cells (whether or not partially or fully assembled into other products) are being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry producing an article like or directly competitive with the imported article.

The Commissioners released [statements](#) regarding their remedy recommendations. However, full details on their recommendations will be included in the report to the President, which will contain its injury determination, remedy recommendations, certain additional findings, and the basis for them, to the President by November 13, 2017.

The President, not the Commission, will make the final decision whether to provide relief to the U.S. industry and the type and amount of relief.

The Commission's public report to the President *Crystalline Silicon Photovoltaic Cells (Whether or Not Partially or Fully Assembled into Other Products)*, Inv. No. TA-201-075, USITC Publication 4739, November 2017, will be available by December 4, 2017.

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. 332-325 The Economic Effects of Significant U.S. Import Re-straints: Ninth Update - Special Topic: Effects of Tariffs and of Customs and Border Procedures on Global Supply Chains (USITC Pub. 4726) (R)	USTR

Commerce, DHS sign e-commerce MOA

On October 19, 2017, the Commerce Department [announced](#) that the U.S. Department of Commerce (DOC) and the U.S. Department of Homeland Security (DHS) signed a [memorandum of agreement \(MOA\)](#) for the two agencies to work together to facilitate international e-commerce and strengthen enforcement of U.S. customs laws. The announcement said the fast-changing e-commerce trade environment requires collaboration on policies and programs to help U.S. businesses compete in international markets.

The announcement said that the MOA denotes various ways that DOC and DHS will work together including:

- Assisting U.S. businesses in growing their international e-commerce operations and helping SMEs to better understand policies and procedures that impact e-commerce and distribution of goods;
- Working with partners within the U.S. government, the private sector, and the governments of international trading partners to identify and eliminate tariff and non-tariff barriers, and promoting the growth of a more competitive international e-commerce market; and
- Addressing legitimate barriers to e-commerce, especially those that impede micro, small and medium-sized enterprises' ability to comply with customs laws and regulations.

Signing the MOA leverages Commerce and DHS resources to provide better service to the business community and promotes robust compliance with U.S. customs and trade laws. The collaboration between the two agencies will help build a competitive, sustainable e-commerce supply-chain infrastructure.

The points of contact for the MOA will be:

For DOC: Director, Office of Supply Chain, Professional and Business Services

Director, Supply Chain Team

International Trade Specialist, Omnichannel Distribution

For DHS: Deputy Assistant Secretary Trade and Transport Policy, DHS Office of Strategy, Policy and Plans

Director for Trade Policy, DHS Office of Strategy, Policy and Plans

Branch Chief, E-Commerce and Small Business, Office of Trade, U.S. Customs and Border Protection

Deputy Assistant Director, Homeland Security Investigations, U.S. Immigration and Customs Enforcement

DHS grants 10 day waiver of the Jones Act

On September 28, 2017, the Acting Secretary of Homeland Security signed a waiver of compliance ([published](#) in the *Federal Register* on October 4, 2017), pursuant to 46 U.S.C. §501, of the Jones Act's coastwise transportation laws (46 U.S.C. §55102) following a request by the Department of Defense in the interest of national defense due to the widespread damage to Puerto Rico's infrastructure from Hurricane Maria. The waiver is to facilitate movement of all products to be shipped from U.S. coastwise points to Puerto Rico and applies to covered merchandise loaded on board a vessel within the 10-day period of the waiver (which began on September 28) and delivered by October 18, 2017. Carriers or shippers who conduct transportation pursuant to this waiver should provide notice of the vessel, dates of embarkation and disembarkation, type and quantity of cargo, and port of embarkation to JonesActWaiverRequest@cbp.dhs.gov. A similar waiver was provided after Hurricanes Harvey and Irma.

NMFS to test ITDS/ACE for Seafood Monitoring Program

On October 4, 2017, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) published in the *Federal Register* a [notice](#) announcing, in consultation with U.S. Customs and Border Protection (CBP), a test of the International Trade Data System (ITDS) involving the electronic submission of data, related to importation of fish products regulated by NMFS under the Seafood Import Monitoring Program (SIMP), using the import Partner Government Agency (PGA) data set via the Automated Commercial Environment (ACE) Secure Data Portal. CBP and NMFS have developed a plan to test and assess the electronic transmission of harvest and traceability data for fish imports of the *Harmonized Tariff Schedule* (HTS) codes covered by the SIMP.

The test will involve using the above referenced methods to transmit the data required for processing imports of products specified in the SIMP. Under this test, data may be submitted for the covered fish products imported in any operational port. SIMP does not require or allow for submission of forms through the Document Imaging System (DIS). All ports are operational for the test.

The test will commence after October 1, 2017, and will continue until concluded by publication of a notice in the *Federal Register* ending the test. Comments on the submission and processing of import data will be accepted throughout the duration of the test. On January 1, 2018 electronic submission of data under Seafood Import Monitoring Program will be mandatory.

CBP modifies Post-Summary Corrections and Periodic Monthly Statements program tests

On November 1, 2017, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) announces CBP's modification and clarification to the National Customs Automation Program (NCAP) tests pertaining to the processing of post-summary correction (PSC) claims and periodic monthly statements (PMS). Except to the extent expressly announced or modified by the notice, all aspects, rules, terms and conditions announced in previous notices regarding the PSC and PMS tests remain in effect.

The notice announces that CBP is extending the deadline for filing a PSC. The new deadline requires a PSC to be transmitted within 300 days of the date of entry or 15 days prior to the scheduled liquidation date, whichever date is earlier. Prior to this modification, a PSC had to be transmitted within 270 days of the date of entry, but could not be filed within 20 days of the scheduled liquidation date. This change is being made to increase the amount of time a filer has to submit a PSC on entry summaries.

CBP had previously announced (81 Fed. Reg. 89482, and subsequently delayed) that the types of entries that may be corrected by filing a PSC were expanded to additional entry types, one of them being entry type 23 (TIB). The notice clarifies that a PSC concerning a TIB may be filed only to correct data elements of a TIB that do not change a TIB entry to another entry type; in addition, the notice clarifies that a PSC may not change data elements that change another entry type to a TIB entry. For example, a PSC may correct the value declared on a TIB entry, but it may not change the classification of the article to a classification that is not entitled to be filed as a TIB entry, as that classification change would necessarily change a TIB entry to another entry type.

A proposed modification, published on January 9, 2017 (82 Fed. Reg. 2385) and subsequently delayed, considers a PMS as paid, in the event the importer uses the Automated Clearing House (ACH) debit process, when CBP receives notification from the Treasury Department that funds are available and transferred to CBP from the financial institution designated by the importer for payment of the ACH debit authorization. The notice modifies the January 9 proposal and reverses the proposed modification because ACE cannot accommodate the proposed change at this time due to technical constraints. Therefore, CBP will continue to consider a PMS as paid when CBP transmits the debit authorization to the designated financial institution. See 69 Fed. Reg. 5362 (February 4, 2004).

CBP adjusts FY 2018 COBRA Fees

On November 1, 2017, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) [CBP Dec. 17-17] that announces that CBP is adjusting certain customs user fees and limitations established by the *Consolidated Omnibus Budget Reconciliation Act* (COBRA) for Fiscal Year 2018 in accordance with the *Fixing America's Surface Transportation Act* (FAST Act) as implemented by CBP regulations published elsewhere in the same issue of the *Federal Register* and described in the article immediately below. The adjusted amounts of customs COBRA user fees and their corresponding limitations set forth in the notice are required as of January 1, 2018.

TABLE 1 — CUSTOMS COBRA USER FEES AND LIMITATIONS FOUND IN 19 C.F.R. 24.22
ADJUSTED FOR FISCAL YEAR 2018

19 U.S.C. 58c	19 C.F.R. 24.22	CUSTOMS COBRA USER FEE/LIMITATION	NEW FEE/LIMITATION ADJUSTED IN ACCORDANCE WITH THE FAST ACT
(a)(1)	(b)(1)(i)	Fee: Commercial Vessel Arrival Fee	\$448.70
(b)(5)(A)	(b)(1)(ii)	Limitation: Calendar Year Maximum for Commercial Vessel Arrival Fees	\$6,114.46
(a)(8)	(b)(2)(i)	Fee: Barges and Other Bulk Carriers Arri- val Fee	\$112.95
(b)(6)	(b)(2)(ii)	Limitation: Calendar Year Maximum for Barges and Other Bulk Carriers Arrival Fees	\$1,540.17

19 U.S.C. 58c	19 C.F.R. 24.22	CUSTOMS COBRA USER FEE/LIMITATION	NEW FEE/LIMITATION ADJUSTED IN ACCORDANCE WITH THE FAST ACT
(a)(2)	(c)(1)	Fee: Commercial Truck Arrival Fee	\$5.65
(b)(2)	(c)(2) and (3)	Limitation: Commercial Truck Calendar Year Prepayment Fee	\$102.68
(a)(3)	(d)(1)	Fee: Railroad Car Arrival Fee	\$8.47
(b)(3)	(d)(2) and (3)	Limitation: Railroad Car Calendar Year Prepayment Fee	\$102.68
(a)(4)	(e)(1) and (2)	Fee and Limitation: Private Vessel or Private Aircraft First Arrival /Calendar Year Prepayment Fee	\$28.24
(a)(6)	(f)	Fee: Dutiable Mail Fee	\$5.65
(a)(5)(A)	(g)(1)(i)	Fee: Commercial Vessel or Commercial Aircraft Passenger Arrival Fee	\$5.65
(a)(5)(B)	(g)(1)(ii)	Fee: Commercial Vessel Passenger Arrival Fee (from one of the territories and possessions of the U.S.)	\$1.98
(a)(7)	(h)	Fee: Customs Broker Permit User Fee	\$141.70

TABLE 2 — CUSTOMS COBRA USER FEES AND LIMITATIONS FOUND IN 19 CFR 24.23
ADJUSTED FOR FISCAL YEAR 2018

19 U.S.C. 58c	19 C.F.R. 24.23	CUSTOMS COBRA USER FEE/LIMITATION	NEW FEE/LIMITATION ADJUSTED IN ACCORDANCE WITH THE FAST ACT
(b)(9)(A) (ii)	(b)(1)(i)(A)	Fee: Express Consignment Carrier/ Centralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee	\$1.03
(b)(9)(B)(i)	(b)(1)(i)(B)(2)	Limitation: Minimum Express Consign- ment Carrier/Centralized Hub Facility Fee	\$0.36
(b)(9)(B)(i)	(b)(1)(i)(B)(2)	Limitation: Maximum Express Consign- ment Carrier/Centralized Hub Facility Fee	\$1.03
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)(1)	Limitation: Minimum Merchandise Processing Fee	\$25.67
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)(1)	Limitation: Maximum Merchandise Processing Fee	\$497.99
(b)(8)(A)(ii)	(b)(1)(ii)	Fee: Surcharge for Manual Entry or Re- lease	\$3.08
(a)(10)(C)(i)	(b)(2)(i)	Fee: Informal Entry or Release; Automat- ed and Not Prepared by CBP Personnel	\$2.05
(a)(10)(C)(ii)	(b)(2)(ii)	Fee: Informal Entry or Release; Manual and Not Prepared by CBP Personnel	\$6.16
(a)(10)(C)(iii)	(b)(2)(iii)	Fee: Informal Entry or Release; Automat- ed or Manual; Prepared by CBP Person- nel	\$9.24
(b)(9)(A)(ii)	(b)(4)	Fee: Express Consignment Carrier/ Cen- tralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee	\$1.03

CBP adopts procedures to adjust customs COBRA User Fees to reflect inflation

On November 1, 2017, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [final rule](#) [USCBP-2017-0025; CBP Dec. 17- 16] that adopts with changes, the amendments proposed to the CBP regulations to reflect that customs user fees and limitations established by the *Consolidated Omnibus*

Budget Reconciliation Act (COBRA) will be adjusted for inflation in accordance with the *Fixing America's Surface Transportation Act (FAST Act)*.

In addition, CBP proposed technical updates to paragraph (g) of 19 C.F.R. 24.22 to reflect the elimination of the user fee exemption for passengers arriving from Canada, Mexico or one of the adjacent islands pursuant to the United States – Colombia Trade Promotion Agreement Implementation Act. (Colombia TPA, Pub. L. 112-42, October 21, 2011). Section 601 of the Colombia TPA amended 19 U.S.C. 58c(b)(1)(A)(i) to limit the fee exemption exclusively to passengers whose journey originated in a territory or possession of the United States, or originated in the United States and was limited to the territories and possessions of the United States. (19 U.S.C. 58c(b)(1)(A)(i)). Since the law became effective on November 5, 2011, CBP has been collecting only the non-exempt user fees. In accordance with the statute, CBP is removing the exemption for passengers arriving from Canada, Mexico, or one of the adjacent islands, from several subsections and a chart in the regulations. CBP is also removing the definition of “adjacent islands” from paragraph (g)(1)(iii) as references to adjacent islands have been removed from paragraph (g). (19 C.F.R. 24.22(g)).

Additionally, CBP is amending paragraph (g)(2)(iii) to clarify that journeys between ports in the United States are not subject to the fee. (19 CFR 24.22(g)(2)(iii)). Upon further review, CBP determined that certain technical corrections that were proposed needed further clarification.

CBP removes the prohibition on the importation of jadeite or rubies, and articles of jewelry containing jadeite or rubies, mined or extracted from Burma

On October 30, 2017, CBP published in the *Federal Register* a [final rule](#) [CBP De. 17-15] that amends the CBP regulations to remove the provision relating to the prohibition on the importation of jadeite or rubies mined or extracted from Burma, and articles of jewelry containing jadeite or rubies mined or extracted from Burma. This reflects the termination of all Burmese sanctions by Executive Order 13742, of October 7, 2016.

The President found that the situation that gave rise to the declaration of a national emergency with respect to the actions and policies of the Government of Burma has been significantly altered by Burma's substantial advances in promoting democracy, including historic elections that resulted in the formation of a democratically elected, civilian-led government; the release of many political prisoners; and greater enjoyment of human rights and fundamental freedoms, including freedom of expression and freedom of association and peaceful assembly. As a result, President Obama revoked all the Burmese sanctions. This was accomplished by revoking, among others, E.O. 13651, which prohibited the importation of any jadeite or rubies mined or extracted from Burma as well as any articles of jewelry containing jadeite or rubies mined or extracted from Burma. As of October 7, 2016, CBP is no longer enforcing this import prohibition. To reflect this, CBP is removing the relevant provision, 19 C.F.R. 12.151, from the CBP regulations.

CBP announces COAC quarterly meeting for November 14, 2017

On October 26, 2017, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) [Docket No. USCBP-2017-0044] announcing that the Commercial Customs Operations Advisory Committee (COAC) will hold its quarterly meeting on Tuesday, November 14, 2017 in Washington, D.C. The

meeting will be open to the public, but pre-registration for either attendance in person or via webinar is required. See *Federal Register* notice for details.

The COAC will hear from the following subcommittees on the topics listed below and then will review, deliberate, provide observations, and formulate recommendations on how to proceed:

1. The Trade Enforcement & Revenue Collection (TERC) Subcommittee will discuss new TERC recommendations and provide any necessary updates from the Anti-Dumping and Countervailing Duty, Bond, Forced Labor, and Intellectual Property Rights Working Groups.
2. The Global Supply Chain Subcommittee will present the status of a pilot that will test the utilization of existing Automated Commercial Environment (ACE) automation in the pipeline mode of transportation. The committee will also discuss the progress of the Global Supply Chain Subcommittee's new Emerging Technologies Working Group.
3. The One U.S. Government Subcommittee will continue discussions on the progress of the Fish & Wildlife Service Working Group and will present the final white paper on the Harmonized Tariff Schedule (HTS) project. The subcommittee will also discuss the progress of the newly created Technical and Operational Outages Working Group.
4. The Exports Subcommittee will discuss the Post Departure Filing (PDF) Working Group's progress on the implementation plan of the PDF Proposal and will include steps to initiate a proof of concept. The subcommittee will also discuss the progress of the Manifest Working Group and progress on issues with the ongoing manifest pilots. The working group may present recommendations in the area of manifest timelines during the November meeting.
5. The Trusted Trader Subcommittee will continue the discussion for an enhanced Trusted Trader program that includes engagement with CBP to include relevant partner government agencies with a potential for international interoperability. A review of the pilot program status and benefits will also be undertaken in parallel to determine the optimum benefits that would be assigned to Trusted Trader participants.
6. The Trade Modernization Subcommittee will discuss its plans for the topics that will be addressed during the next quarter.

Meeting materials will be available on the [CBP website](#) by November 10, 2017.

CBP publishes quarterly interest rates

On October 18, 2017, CBP published in the *Federal Register* a [general notice](#) advising the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning October 1, 2017, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the interest rate for underpayments will be 4 percent for both corporations and non-corporations.

The rates in the notice are applicable from October 1, 2017, through December 31, 2017.

Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
10-10-17	Agency Information Collection Activities: Cargo Manifest/Declaration, Stow Plan, Container Status Messages and Importer Security Filing [OMB No. 1651-0001] [Form Numbers: CBP Forms 1302, 1302A, 7509, 7533] (N)
	Agency Information Collection Activities: Report of Diversion [OMB No. 1651-0025] [Form Number: CBP Form 26] (N)
10-16-17	Agency Information Collection Activities: Documentation Requirements for Articles Entered Under Various Special Tariff Treatment Provisions [OMB No. 1651-0067] (N)
	Agency Information Collection Activities: Proposals, Submissions, and Approvals: Application for Waiver of Passport and/or Visa [OMB No. 1651-0107] [DHS Form I-193] (N)
	Agency Information Collection Activities: Proposals, Submissions, and Approvals: Generic Clearance for Collection of Qualitative Feedback on Agency Service Delivery [OMB No. 1651-0136] (N)
10-19-17	Accreditation and Approval of AmSpec LLC (Plainfield, IL) as a Commercial Gauger and Laboratory (N)
10-20-17	Agency Information Collection Activities: Application for Identification Card [OMB No. 1651-00008] [CBP Form 3078] (N)
	Agency Information Collection Activities: Declaration for Free Entry of Returned American Products [OMB No. 1651-0011] [CBP Form 3311] (N)
10-24-17	Notice of Revocation of Customs Brokers' Licenses (N)

“Lever-Rule” application(s) filed

CBP has received the following application(s) for “Lever-Rule” protection pursuant to 19 C.F.R. §133.2(f). In the event that CBP determines the goods under consideration are physically and materially different from the goods authorized for sale in the United States, CBP will publish a notice in the *Customs Bulletin* indicating that the referenced trademark is entitled to “Lever-rule” protection with respect to those physically and materially different goods. [Shown as “Approved” below]

Customs Bulletin Date	Applicant	Products Covered by the Application	Trademark
10-11-17	Colgate-Palmolive Company	Certain products not authorized for sale in the United States bearing the registered and recorded trademarks	“Colgate” U.S. TRADEMARK REGISTRATION NO. 227,647; CBP RECORDATION NO. TMK 88-00297
11-01-17	Fujifilm (GRANTED)	Cameras and accessories of Fujifilm’s X-Series	“Fujifilm” U.S. TRADEMARK REGISTRATION NO. 4,107,458 CBP RECORDATION NO. TMK 16-00784

CBP announces 2017 East Coast Trade Symposium details

U.S. Customs and Border Protection has [announced](#) ([published](#)) in the *Federal Register* on Nov. 3, 2017) that the 2017 East Coast Trade Symposium (ECTS) will be held on December 5-6, 2017 at the Atlanta Marriott Marquis in Atlanta, GA.

[Registration](#) opened on Thursday, October 26th at 12:00 pm EST.

This year’s symposium includes discussions on:

- CBP De Minimis (Section 321)
- Facilitation and Enforcement
- Interagency Import Safety
- Western Hemisphere Enforcement Outlook
- Border Interagency Executive Council

CBP publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised publications and fact sheets:

- [CBP Automated Export System Trade Interface Requirements AESDirect Web-Link Submission API \(Sept. 23, 2017\)](#)
- Draft [CATAIR Drawback/TFTEA Drawback Entry Summary Create/Resubmission \(Sept. 2017\)](#)
- [CATAIR Participating Government Agencies Message Set \(Sept. 25, 2017\)](#)
- [CATAIR Appendix: GPA \(Sept. 25, 2017\)](#)
- Draft [ACE ABI Automated Interface Requirements: Statement - Request Reroute \(Aug. 15, 2017\)](#)
- [ACE Monthly Trade Update](#)
- [ACE ABI Implementation Guide for Seafood Import Monitoring Program \(Sept. 28, 2017\)](#)
- [CBP Exports Rail X12 309 Customs Manifest \(Oct. 2017\)](#)
- [CBP Exports Rail Manifest - Summary of Changes \(Oct. 2017\)](#)
- [CBP Trade Enforcement Bulletin \(Quarter 4 FY 2017\)](#)
- [ACE Air Import Appendix A \(Oct. 2017\)](#)
- [ACE Air Import Appendix A Summary of Changes \(Oct. 2017\)](#)

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
10-02-17	17-000629	Update: Draft Drawback CATAIR Published to CBP.gov
	17-000631	Updated AESTIR Posted to CBP.gov
10-03-17	17-000634	Save the Date: 2017 East Coast Trade Symposium
	17-000636	CBP Montana Port Closures due to Inclement Weather
10-04-17	17-000638	Update: CBP Montana Port closed due to Inclement Weather are now open
	17-000639	Updated CATAIR documents posted to CBP.gov
	17-000641	DHS OneNet Network Connectivity Issues, Wednesday, 10/4/2017
10-05-17	17-000642	FDA Unit of Measure change for INGOT, in CERT
	17-000643	Updated NMFS SIM Program Implementation Guide
10-06-17	17-000645	***Area Port of St. Louis New Location***

Date	CSMS#	Title
	17-000646	ACE Reports: New Entry Summary Universe Available
	17-000647	ACE Monthly Trade Update
	17-000648	ACE Truck: New Validation for Driver Date of Birth
10-11-17	17-000650	Draft CATAIR Update to FQ (Extract Reference File) Query published to CBP.gov
	17-000652	ACE PRODUCTION PGA Maintenance, Thur Oct 12, 2017 @0500ET, impact ACE CargoRel & EntrySumm
10-12-17	17-000653	Updates to Statements documentation posted to CBP.gov
	17-000654	Update on ACE FTZ CATAIR Chapter
10-16-17	17-000656	ACE PRODUCTION Deployment, Tues Oct 17, 2017 @0500 ET, impact ACE CargoRel & EntrySummary
	17-000658	FDA New CFSAN Product Codes
10-18-17	17-000659	Updated ACE Export Manifest Implementation Guides posted on CBP.GOV
10-19-17	17-000662	Update on Tranche Two Sugar Opening, 10/18/2017
10-20-17	17-000664	Harmonized System Update (HSU) 1707 created on October 19, 2017
	17-000665	Additional Update on Tranche Two Sugar Opening, 10/18/2017
10-21-17	17-000669	Backlog is cleared for ACE Prior Notice notifications
	17-000670	Initiation of AD Investigations: Polyethylene Terephthalate Resin from BR, ID, KP, PK and TW
10-23-17	17-000673	Initiation of AD/CVD Investigations: Polytetrafluoroethylene Resin from CN and IN
	17-000674	Updated AESTIR Documentation posted on CBP.GOV
10-24-17	17-000676	2017 East Coast Trade Symposium Registration Opens on October 26, 2017
	17-000679	UPDATE TO CSMS #17-000678 - Production Outage for MQ Gateway Migration
10-25-17	17-000680	ACE PRODUCTION ES Deployment, Thur Oct 26, 2017 @0500ET, impact ACE CargoRel & EntrySummary
	17-000681	ACE Reports: Migration of Authorized Data Extracts(ADE)- Scheduled extracts affected
10-26-17	17-000682	Summaries sent 10/25/17 with statement print date 10/26/17
	17-000683	ACE Cargo Release In-bond Issue
10-30-17	17-000685	Truck Manifest: MEDPID Modify Crew message - Birth Date should be Conditional
	17-000686	ACE PRODUCTION CR Deployment, Tues Oct 31, 2017 @0500ET, impact ACE CargoRel & EntrySumm
11-01-17	17-000687	Initiation of AD/CVD Investigations: Forged Steel Fittings from CN, IT and TW
	17-000688	Publication of an FRN Concerning a Modification and Clarification to PSC and PMS in ACE
	17-000689	
11-02-17	17-000692	ACE PRODUCTION Entry Summary EDI updates Deployed, today Nov 1, 2017 @1700ET
	17-000693	Updated Air Import Manifest CAMIR Appendix A Posted to CBP.gov
11-03-17	17-000695	Daily Statement Issue affecting Entry Summaries Oct 25th – Oct 26th, 2017
	17-000696	AX Responses with Blank Lines
11-04-17	17-000697	Reminder: Daily Statement Issue Affecting Entry Summaries Oct 25th – Oct 26th, 2017

Foreign Trade Zones

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

F.R. Date	Document
10-02-17	Foreign-Trade Zone 123—Denver, Colorado; Application for Subzone; Ackerman North America LLC/dba Amann USA, Broomfield, Colorado [B-60-2017]
10-03-17	Foreign-Trade Zone 57 – Charlotte, North Carolina - Authorization of Limited Production Activity; DNP Imagingcomm America Corporation (Coatings and Lamination on Semi-Completed Coated Paper) Concord, North Carolina [B-40-2017]
	Foreign-Trade Zone 214 – Lenoir County, North Carolina - Application for Expansion of Subzone 214A; Consolidated Diesel Company, Enfield, North Carolina [S-152-2017]
10-04-17	Foreign-Trade Zone 127 – West Columbia, South Carolina- Notification of Proposed Production Activity- BGM America, Inc., Subzone 127C (Sailboats, Cabin Cruiser Powerboats, Outboard Motor Boats) Marion, South Carolina [B-62-2017]
	Foreign-Trade Zone 272 – Lehigh Valley, Pennsylvania - Notification of Proposed Production Activity - Fuling Plastic USA, Inc. (Disposable Plastic and Paper Service Ware and Kitchenware Products) Allentown, Pennsylvania [B-61-2017]
10-05-17	Foreign-Trade Zone 283 – West Tennessee Area - Authorization of Production Activity - MTD Consumer Group Inc., Subzone 283A (Landscaping Equipment and Off-Road Utility Vehicles) Martin, Tennessee [B-41-2017]
10-06-17	Foreign-Trade Zone (265 – Conroe, Texas - Authorization of Production Activity; Bauer Manufacturing LLC dba NEORig (Stationary Oil/Gas Drilling Rigs) Conroe, Texas [B-44-2017]
10-13-17	Approval of Expansion of Subzone 124D; LOOP LLC; Lafourche and St. James Parishes, Louisiana [Order No. 2040]
10-18-17	Foreign-Trade Zone 280—Ada and Canyon Counties, Idaho; Application for Subzone Expansion; Orgill, Inc.; Post Falls, Idaho [S-161-2017]
	Foreign-Trade Zone 123— Denver, Colorado; Notification of Proposed Production Activity; Lockheed Martin Corporation Space Systems Company; (Satellites and Other Space Craft); Littleton, Colorado [B-63-2017]
10-24-17	Foreign-Trade Zone 153 – San Diego, California - Notification of Proposed Production Activity Plantronics, Inc. (Electronics/Telecommunications) San Diego, California [B-64-2017]
	Foreign-Trade Zone (FTZ) 92 – Harrison County, Mississippi - Notification of Proposed Production Activity - Vision Technologies Marine, Inc. (Ocean-Going Vessels) Pascagoula, Mississippi [B-65-2017]
	Foreign-Trade Zone (FTZ) 134 – Chattanooga, Tennessee - Notification of Proposed Production Activity - Volkswagen Group of America – Chattanooga Operations, LLC (Passenger Motor Vehicles) Chattanooga, Tennessee [B-66-2017]
10-26-17	Foreign-Trade Zone 295 – Central Pennsylvania - Application for Subzone North American Höganäs Company, Johnstown, Hollsopple and St. Mary's, Pennsylvania [S-164-2017]
11-02-17	Foreign-Trade Zone 68—El Paso, Texas; Authorization of Production Activity; PGTEX USA, Inc.; (Fiber Glass Fabrics); El Paso, Texas [B-38-2017]
11-03-17	Foreign-Trade Zone 52 – Suffolk County, New York; Authorization of Production Activity; Estee Lauder Inc. (Skin Care, Fragrance, and Cosmetic Products); Melville, New York [B-047-2017]

State issues guidance regarding imposition of retaliatory sanctions for dealings with 39 entities associated with the Russian defense and intelligence sectors

On October 27, 2017, the US State Department issued guidance regarding Section 231 of the [Countering America's Adversaries Through Sanctions Act](#) ("CAATSA"; see our previous blog post on the CAATSA [here](#)). This provision requires that the President impose retaliatory sanctions on any individual or entity, regardless of nationality, that knowingly engages in a "significant transaction" with a person that is determined to be part of, or operates for or on behalf of, the

defense or intelligence sectors of the Government of the Russian Federation. The State Department will not begin imposing retaliatory sanctions under Section 231 until January 29, 2018, but this guidance provides important information for US and non-US companies that do business in Russia with the entities targeted by entities.

CAATSA Section 231 and the Section 231 Lists and Guidance

Section 231(d) of CAATSA required that the Trump Administration issue guidance 60 days after the passage of CAATSA (i.e., by October 1, 2017) identifying the Russian entities determined to be part of or operating on behalf of Russia's defense and intelligence sectors. After a delay of over three weeks, the State Department issued the following:

- The [CAATSA Section 231\(d\) Lists Regarding the Defense Sector and Intelligence Sector of the Government of the Russian Federation](#) (collectively, the "Section 231 Lists") identifying 39 Russian entities found by the State Department to be part of or operating in the Russian defense or intelligence sectors; and
- A [Public Guidance/FAQ](#) page ("Section 231 Guidance") providing further information on the State Department's implementation of Section 231.

Section 231 does not impose new sanctions directly on the entities identified on the Section 231 Lists, although many of these entities have already been designated by the US Government on the US Specially Designated Nationals and Blocked Parties ("SDN") or Sectoral Sanctions Identifications ("SSI") Lists. Rather, Section 231 provides that any parties engaging in "significant transactions" with these entities could be subject to retaliatory sanctions. In this sense, Section 231 is similar to the "secondary sanctions" measures used to great effect in the past by the US Government as part of its Iran sanctions program.

Guidance on "Significant Transactions"

One of the biggest questions around Section 231 related to how the State Department would determine whether a transaction is a "significant transaction." According to the Section 231 Guidance, the State Department will consider "the totality of the facts and circumstances surrounding the transaction and weigh various factors on a case-by-case basis." The guidance does not provide a *de minimis* exception. Factors that the State Department says will weigh towards finding a transaction to be "significant" include:

- Having a significant adverse impact on US national security and foreign policy interests;
- The nature and magnitude of the transaction; and
- The relation and significance of the transaction to the defense or intelligence sectors of the Russian government.

The State Department states that, in the initial stage of implementing Section 231, it will focus on transactions of a "defense or intelligence nature." Thus, if a transaction has purely civilian end-uses and/or end-users and does not involve intelligence entities, the State Department advises that those factors will weigh heavily against finding a transaction to be "significant." The Section 231 Guidance also provides that, if a transaction with the Federal Security Service ("FSS" or "FSB") is necessary to comply with rules and regulations administered by that

agency, including regulations involving the importation, distribution, or use of information technology products in Russia, that would weigh heavily against finding the transaction to be “significant.”

Potential Retaliatory Sanctions

If the State Department determines that a person has engaged in a “significant transaction” with an entity on the Section 231 Lists on or after January 29, 2018, it must impose five or more of the following sanctions on that person:

- Denial of assistance by the US Export-Import Bank;
- Denial of specific authorization to receive exports of controlled goods or technology from the United States;
- Restrictions on receiving loans totaling more than USD 10 million over any 12-month period from US financial institutions;
- A requirement that the United States oppose any loan from international financial institutions that would benefit a sanctioned person;
- If the person is a financial institution, it may be prohibited from being designated as a primary dealer in US Government debt instruments or serving as an agent of the US Government or a repository for US Government funds;
- Debarment from US Government contracting;
- A prohibition on engaging in any transactions in foreign exchange that are subject to US jurisdiction;
- Restrictions on banking transactions by the sanctioned person, including on transfers of credit or payments between, by, through, or to any financial institution;
- A prohibition on transactions involving the property of the sanctioned person that is subject to US jurisdiction;
- A ban on investment in the equity or debt of the sanctioned person;
- Denial of entry visas to the United States for foreign officers, principals, and controlling shareholders of the sanctioned person; or
- The application of any of the above sanctions on the principle executive officer(s) of the sanctioned person.

Conclusion

Despite this new guidance, it remains to be seen whether the State Department will be aggressive in its application of the Section 231 sanctions—particularly given the broad discretion that it has retained to determine whether a transaction is “significant.” Although the new sanctions require that a person “knowingly” engage in a significant transaction with an entity on the Section 231 Lists in order to be sanctioned, it is also unclear how the State Department will apply that provision. CAATSA defines “knowingly” by referencing the definition for that term in the Iran Sanctions Act of 1996, which provides that “knowingly,” “with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.”

Finally, it is possible that the Russian Government could retaliate against these steps by the Trump Administration. Baker McKenzie will continue to monitor the situation and provide updates on new developments.

If you have any questions, please contact Janet Kim, Lloyd Grove, Joseph A. Schoorl, or any member of the US Outbound Trade group with whom you normally work.

US Government amends and reissues Directive 4 under US Sectoral Sanctions and issues further guidance on Russian sanctions

On October 31, 2017, the US Treasury Department's Office of Foreign Assets Control ("OFAC") [amended and reissued Directive 4](#) of the Ukraine/Russia-related sectoral sanctions ("Directive 4"), which targets the Russian energy sector, and [updated its guidance](#) regarding the implementation of Ukraine/Russia-related sanctions. OFAC's amendment and reissuance of Directive 4 was expected pursuant to Section 223(d) of Title II of the [Countering America's Adversaries Through Sanctions Act](#) ("CAATSA" see our previous blog post on CAATSA [here](#)). Also under CAATSA, Directive 1 and Directive 2 were amended and reissued on September 29, 2017 (see our previous blog post [here](#)). OFAC originally published Directive 4 in September of 2014, pursuant to [Executive Order 13662](#). In conjunction with OFAC's guidance, the US Department of State ("State Department") also published guidance regarding CAATSA Sections 225 and 232.

1. Amended and Reissued Directive 4

The scope of prohibitions under Directive 4 has been expanded. Previously, Directive 4 prohibited US Persons from providing, exporting, or reexporting, directly or indirectly, goods, non-financial services, or technology in support of exploration or production for deepwater, Arctic offshore, or shale projects that (1) have the potential to produce oil in Russia or in maritime area claimed by Russia and extending from its territory and (2) involve any person determined to be subject to Directive 4. Persons determined to be subject to Directive 4 are included in OFAC's [Sectoral Sanctions Identifications List](#) ("SSIL").

Under the amended and reissued Directive 4, US persons are prohibited from providing, exporting, or reexporting, directly or indirectly, goods, non-financial services, or technology in support of the exploration or production for deep water, Arctic offshore, or shale projects that (1) are initiated on or after January 29, 2018; (2) have the potential to produce oil in any location (changed from just in Russia); (3) in which any person determined to be subject to Directive 4 has (a) a 33 percent or greater ownership interest or (b) owns a majority of the voting interests.

OFAC clarified in its new FAQ 373 that the new Directive 4 does not change the applicability of OFAC's so-called "50 percent rule" for Directive 4 as a general matter. The references to "33 percent or greater ownership" and "ownership of a majority of the voting interests" specifically refer to a Directive 4 SSIL person's ownership interest in a deepwater, Arctic offshore, or shale project; the "50 percent rule" still applies as a general matter. For example, if Company A, which is subject to Directive 4, owns 55 percent of Company B, then Company B is also subject to Directive 4 due to the 50 percent rule. This means if, for example, Company B owns 40 percent of a deepwater oil project covered by Directive 4, US persons may not deal with that deepwater oil project.

OFAC aggregates ownership stakes of all entities subject to Directive 4 (including entities owned 50 percent or more by one or more persons determined to be subject to Directive 4) when determining whether a project is 33 percent or more

owned by a person subject to Directive 4, or whether a person subject to Directive 4 owns a majority of the voting interests in a project. This means if two entities subject to Directive 4 each own 20 percent of an Arctic offshore project covered by Directive 4, US persons may not deal with that project.

Key additional guidance points from OFAC regarding Directive 4 are as follows:

- If an energy project has the potential to produce gas only, and not oil, then the Directive 4 prohibitions do not apply (OFAC FAQ 414).
- The term “shale projects” applies to projects that have the potential to produce oil from resources located in shale formations. The prohibitions in Directive 4 do not apply to exploration or production through shale to locate or extract crude oil or gas in reservoirs (OFAC FAQ 418).
- The term “Arctic offshore projects” applies to projects that have the potential to produce oil in areas that (1) involve drilling operations originating offshore, and (2) are located above the Arctic Circle. The prohibitions do not apply to horizontal drilling operations originating onshore where such drilling operations extend under the seabed to areas above the Arctic Circle (OFAC FAQ 421).
- In the context of the new prohibition on dealing with certain projects “initiated” on or after January 29 2018, a project is “initiated” when a government or any of its political subdivisions, agencies, or instrumentalities (including any entity owned or controlled directly or indirectly by any of the foregoing) formally grants exploration, development, or production rights to any party (OFAC FAQ 536).

2. Additional CAATSA Guidance from OFAC

OFAC also published FAQs related to CAATSA Sections [223\(a\)](#), [226](#), [228](#), and [233](#). These CAATSA provisions relate to potential targets of US sectoral sanctions (Section 223(a)), the imposition of sanctions with respect to foreign financial institutions (Section 226), sanctions with respect to certain transactions with foreign sanctions evaders (Section 228), and sanctions with respect to investment in, or facilitation of, the privatization of state-owned assets by Russia (Section 233).

Key guidance points offered by OFAC in these FAQs are as follows:

- Section 223(a) does not require OFAC to impose sanctions on Russian state-owned entities operating in the railway or metals and mining sector; OFAC may or may not impose such sanctions in the future.
- Under Section 226, which made the sanctions in Section 5 of the Ukraine Freedom Support Act mandatory, foreign financial institutions will face sanctions if OFAC determines that they knowingly engaged in significant transactions involving certain defense- and energy-related activities, or knowingly facilitated significant financial transactions on behalf of any Russian person added to OFAC’s Specially Designated Nationals and Blocked Persons List for reasons related to the conflict in Ukraine. OFAC will interpret the term “financial transaction” broadly to encompass any transfer of value involving a financial institution. In addition, OFAC will prohibit the opening, and prohibit or impose strict conditions on the maintaining in the United States, of correspondent accounts for any foreign financial institution that has engaged in such sanctionable behavior.
- The FAQs for Sections 228 and 233 primarily provide definitions for key terms such as “knowingly” and “facilitation ... for or on behalf of.”

3. CAATSA Sections 225 and 232 Guidance from the State Department

In conjunction with OFAC's guidance, the State Department published guidance regarding two different CAATSA Sections: Sections [225](#) and [232](#).

Section 225

CAATSA Section 225 requires the State Department, in consultation with OFAC, to impose mandatory sanctions on non-US persons who knowingly make a significant investment in a special Russia crude oil project on or after September 1, 2017, absent a determination that the sanctions are not in the national interest of the United States. In its guidance, the State Department clarified:

- A "special Russian crude oil project" is a project intended to extract crude oil from:
 - The exclusive economic zone of Russia in waters more than 500 feet deep;
 - Russian Arctic offshore locations; or
 - Shale formations located in Russia.
- The term "knowingly," with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.
- "Investment" could include arrangements where goods or services are provided in exchange for equity in an enterprise, or rights to a share of the revenue or profits of an enterprise.
- To determine whether an investment is "significant," the State Department will consider the totality of the facts and circumstances surrounding the investment, and weigh various factors on a case-by-case basis.
- An investment is not significant if US persons would not require specific licenses from OFAC to make or participate in it.

Section 232

CAATSA Section 232 authorizes the State Department, in consultation with OFAC (and "in coordination with allies of the United States"), to impose discretionary sanctions on persons who knowingly, on or after August 2, 2017 (1) made an investment that directly and significantly enhances the ability of Russia to construct energy export pipeline projects initiated on or after August 2, 2017; or (2) sold, leased, or provided goods or services that directly and significantly facilitate the expansion, construction, or modernization of such energy export pipelines by Russia, and where the investment or transaction has a fair market value of \$1,000,000 or more, or that, during a 12-month period, has an aggregate fair market value of \$5,000,000 or more. In its guidance, the State Department clarified:

- The focus of such sanctions would be on energy export pipelines that (1) originate in Russia, and (2) transport hydrocarbons across an international land or maritime border for delivery to another country.
- Pipelines that originate outside of Russia and transit through the territory of Russia "would not be the focus" of sanctions implementation.
- A project is considered to have been "initiated" when a contract for the project is signed.
- Investments and loan agreements made prior to August 2, 2017 would not be subject to Section 232 sanctions.

- Implementation of Section 232 sanctions would not target investments or other activities related to the standard repair and maintenance of pipelines in existence on, and capable of transporting commercial quantities of hydrocarbons, as of August 2, 2017.

For additional information, please contact the authors, [Paul Amberg](#) and [Eunkyung Kim Shin](#), or any member of the US Outbound Trade group with whom you normally work.

OFAC amends Global Terrorism Sanctions Regulations

On October 31, 2017, the Office of Foreign Assets Control (OFAC) published in the *Federal Register* a [final rule](#) amending the *Global Terrorism Sanctions Regulations* pursuant to section 105 of the *Countering America's Adversaries Through Sanctions Act of 2017* Pub. L. 115-44, Aug. 2, 2017, 131 Stat. 886 (22 U.S.C. 9401 *et seq.*) (CAATSA). This provision requires the imposition of certain terrorism-related sanctions with respect to foreign persons that are officials, agents, or affiliates of Iran's Islamic Revolutionary Guard Corps. With this rule, OFAC is adding § 594.201(a)(5) to Subpart B of the Regulations to include the following as persons whose property and interests in property are blocked pursuant to the Regulations: foreign persons that are identified on the Specially Designated Nationals and Blocked Persons List (SDN List) maintained by OFAC as officials, agents, or affiliates of the IRGC.

The names of persons whose property and interests in property are blocked pursuant to § 594.201(a) are published in the Federal Register and incorporated into OFAC's SDN List with the identifier "[SDGT]." Persons who have been identified by OFAC as officials, agents, or affiliates of the IRGC are identified by a special reference to the "IRGC" at the end of their entries on the SDN List, in addition to the reference to this part. For example, an affiliate of the IRGC whose property and interests in property are blocked pursuant to this part will have the program tags "[SDGT][IRGC]" at the end of its entry on the SDN List. In addition, OFAC is amending the delegation provision in § 594.802.

OFAC issues Belarus General License 2D

On October 24, 2017, the Office of Foreign Assets Control (OFAC) [announced](#) that, in consultation and coordination with the Department of State, it is [authorizing by general license](#) transactions involving certain Belarusian entities blocked pursuant to Executive Order (E.O.) 13405. This general license does not authorize the release of property blocked pursuant to E.O. 13405. This authorization expires on April 30, 2018, unless extended or revoked.

Census requests comments on routed export transactions

On October 6, 2017, the Bureau of the Census published in the *Federal Register* an [advance notice of proposed rulemaking](#) [Docket No.: 170606545-7857-01] seeking public comments to perform a review of the requirements governing routed export transactions. In particular, the Census Bureau is interested in comments regarding the definition of a routed export transaction as well as the responsibilities of parties in routed export transactions. Routed export transactions are transactions in which the Foreign Principal Party in Interest (FPPI) controls the movement of the goods out of the country. There are a variety of reasons why the FPPI assumes this responsibility such as the use of a preferred carrier and the desire to not disclose the ultimate consignee to the U.S. Principal Party in Interest (USPPI), although the ultimate consignee is properly identified to the U.S. Government. Because the FPPI controls the movement of the goods in

a routed transaction and cannot file Electronic Export Information (EEI), the Census Bureau requires the FPPI to authorize a U.S. authorized agent or the USPPI to file the EEI on its behalf. This ensures that the Census Bureau collects the statistical information. The Census Bureau, through the Automated Export System (AES) collects EEI, the electronic equivalent of the export data formerly collected on the Shipper's Export Declaration (SED), reported pursuant to the *Foreign Trade Regulations* (FTR), Title 15, C.F.R. Part 30. The *Federal Register* notice contains a number of questions to assist in preparing comments.

Written comments must be received on or before December 5, 2017.

BIS clarifies use of license exceptions GOV and STA

On November 1, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 160303181-6181-01] that clarifies the *Export Administration Regulations* (EAR) to provide guidance based on existing agency understanding and practice on the use of two license exceptions. Specifically, this final rule makes three clarifications to License Exception Governments, International Organizations, International Inspections under the Chemical Weapons Convention, and the International Space Station (GOV) and adds five notes, along with making other minor clarifications, to License Exception Strategic Trade Authorization (STA). These revisions respond to questions BIS has received about the use of these two EAR license exceptions and provide the general public answers to frequently asked questions based on existing agency interpretive practice. Therefore, the clarifications in this final rule do not change the EAR requirements for the use of the license exceptions but are intended to assist exporters new to the EAR. The rule was effective upon publication.

BIS updates its legal authority

On October 3, 2017, BIS published in the *Federal Register* a [final rule](#) [Docket No. 170316279-7279-01] that updates the *Code of Federal Regulations* (C.F.R.) legal authority paragraphs in the *Export Administration Regulations* (EAR) to cite the most recent Presidential notice continuing a national emergency declared pursuant to the *International Emergency Economic Powers Act*. This is a procedural, non-substantive 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
10-02-17	OFAC: Notice of OFAC Sanctions Actions (N) [26 individuals, 10 entities]
10-12-17	OFAC: Sanctions Actions Pursuant to Executive Order 13581 (N) [1 individual unblocked as of 05-16-17]
	OFAC: Sanctions Actions Pursuant to Executive Order 13581 (N) [1 individual unblocked as of 06-06-17]
	OFAC: Sanctions Actions Pursuant to Executive Order 13581 (N) [1 individual unblocked as of 06-21-17]
10-13-17	OFAC: Notice of OFAC Sanctions Actions (N) [3 individuals and 5 entities un-

F.R. Date	Applicable orders
	<i>blocked]</i>
	OFAC: Notice of OFAC Sanctions Actions; Sanctions Actions Pursuant to Executive Order 13581 (N) <i>[3 individuals and 1 entity unblocked]</i>
10-18-17	OFAC: Notice of OFAC Sanctions Actions (N) <i>[5 persons]</i>
10-26-17	OFAC: Sanctions Action Pursuant to Executive Order 13067 and Executive Order 13412 (N) <i>[Sudan sanctions: 157 entities unblocked]</i>
10-30-17	OFAC: Notice of OFAC Sanctions Actions (N) <i>[8 individuals, 1 entity]</i>
10-31-17	OFAC: Notice of OFAC Sanctions Actions - Sanctions Actions Pursuant to Executive Order 13581 (N) <i>[24 entities and 1 aircraft unblocked]</i>
	OFAC: Notice of OFAC Sanctions Actions (N) <i>[7 individuals and 3 entities]</i>
10-31-17	State: Additional Designation of North Korean Entities Pursuant to E.O. 13382 [Public Notice: 10180] (N) <i>[Additional identify information for 2 entities]</i>
11-01-17	State: Review of the Designation as a Foreign Terrorist Organization of Haqqani Network (and other aliases) [Public Notice: 10183] (N)
	State: Review of the Designation as a Foreign Terrorist Organization of Islamic Jihad Union (and other aliases) [Public Notice: 10184] (N)
	State: Review of the Designation as a Foreign Terrorist Organization of Jaish-e-Mohammed (and other aliases) [Public Notice: 10185] (N)
11-02-17	State: Review of the Designation as a Foreign Terrorist Organization of Abdallah Azzam Brigade (and Other Aliases) [Public Notice 10186] (N)
	State: In the Matter of the Amendment of the Designation of Abdallah Azzam Brigades (and Other Aliases) as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act, as Amended [Public Notice: 10188] (N)
	State: In the Matter of the Amendment of the Designation of Abdallah Azzam Brigades (and Other Aliases) as a Specially Designated Global Terrorist [Public Notice: 10189] (N)

Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	In the Matter of:
10-05-17	BIS: John Francis Stribling 5 yrs.
	BIS: Mark Henry (aka: Weida Zheng, Scott Russel, Bob Wilso, Joanna Zhong) 10 yrs.
	BIS: Robert J. Shubert, Sr. 10 yrs.
	BIS: Shantia Hassanshahi (aka: Shantia Hassan Shahi, Shahi, Shantia Haas, Sean Haas) 5 yrs.
	BIS: Shehzad John 10 yrs.
	BIS: Tayabi Fazal Hussain 10 yrs.
10-20-17	BIS: Adrian Manuel Hernandez 5 yrs.
	BIS: Jimmy Rojas a/k/a Jim Rojas 10 yrs.
	BIS: Marleen Rochin until 11-19-20
	BIS: Martin Jan Leff 10yrs
	BIS: Rodrigo Chico-Rodriguez 10yrs

Treasury, Commerce, Homeland Security and State meetings and notices related to trade

AGENCIES: BIS = BUREAU OF INDUSTRY AND SECURITY; FINCEN = FINANCIAL CRIMES ENFORCEMENT NETWORK; ITA: INTERNATIONAL TRADE ADMINISTRATION; NIST- NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY; OFAC= OFFICE OF FOREIGN ASSETS CONTROL; DHS= HOMELAND SECURITY; STATE=DEPARTMENT OF STATE.

[Note: As a general rule, only meetings which occur after scheduled distribution of this Update are listed.]

F.R. Date	Subject
10-20-17	ITA: 2017 Fee Schedule for National Travel and Tourism Office for the Advance Passenger Information System (APIS)/I-92 Program, I-94 International Arrivals Program, and Survey of International Air Travelers Program [Docket No.: 70413395-7395-02] (N)
10-23-17	BIS: Amendments to existing Validated End-User Authorization in the PRC: Lam Research Service Co., Ltd. Final Rule [Docket No. 170721693-7693-01] (FR) State: Preparation for several Meetings of the International Maritime Organization (N/H) [Nov. 14, 2017]
10-25-17	BIS: Information Systems Technical Advisory Committee Notice of Partially Closed Meeting – Revised (N/H) [Nov. 1 and 2, 2017, 9 am in Washington, DC]
11-01-17	BIS: Materials Technical Advisory Committee; Notice of Open Meeting (N/H) [Nov. 16, 2017] ITA: Environmental Technologies Trade Advisory Committee (ETTAC) Public Meeting (N/H) [Nov. 14, 2017]
11-03-17	State: Defense Trade Advisory Group - Notice of Open Meeting [Public Notice: 10179] (N/H) [Dec. 7, 2017]

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
10-06-17	CPSC: Petition Requesting Rulemaking on Magnet Sets [Docket No. CPSC-2017-0037]
10-13-17	CPSC: Children's Products, Children's Toys, and Child Care Articles: Determinations Regarding Lead, ASTM F963 Elements, and Phthalates for Engineered Wood Products [Docket No. CPSC-2017-0038] (PR)
10-27-17	CPSC: Prohibition of Children's Toys and Child Care Articles Containing Specified Phthalates [Docket No. CPSC-2014-0033] (FR) CPSC: CPSC Acceptance of Third Party Laboratories: Revision to the Notice of Requirements for Prohibitions of Children's Toys and Child Care Articles Containing Specified Phthalates [Docket No. CPSC-2017-0043] (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
10-11-17	Proposed Revisions to Wine Labeling and Recordkeeping Requirements; Comment Period Reopening [Docket No. TTB-2016-0005; Notice No. 160B; Re: Notice Nos. 160 and 160A] (PR/RO) Wine Treating Materials and Related Regulations; Comment Period Reopening [Docket No. TTB-2016-0010; Notice No. 164A; Re: Notice No. 164] (PR/RO) Proposed Addition of New Grape Variety Names for American Wines; Comment Period Reopening [Docket No. TTB-2016-0011; Notice No. 165A; Re: Notice No. 165] (PR/RO)

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
10-02-17	Classification and Requirements for Laser Illuminated Projectors (Laser Notice No. 57); Draft Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2014-D-2245] (N)
	Food Labeling: Revision of the Nutrition and Supplement Facts Labels and Serving Sizes of Foods That Can Reasonably Be Consumed at One Eating Occasion; Dual-Column Labeling; Updating, Modifying, and Establishing Certain Reference Amounts Customarily Consumed; Serving Size for Breath Mints; and Technical Amendments; Proposed Extension of Compliance Dates [Docket Nos. FDA-2012-N-1210 and FDA-2004-N-0258] (PR)
10-03-17	M4 Organization of the Common Technical Document for the Registration of Pharmaceuticals for Human Use; International Council for Harmonisation; Guidance for Industry; Availability [Docket No. FDA-2017-D-5139] (N)
10-05-17	Clarification of the Food and Drug Administration and Environmental Protection Agency Jurisdiction Over Mosquito-Related Products; Guidance for Industry; Availability [Docket No. FDA-2016-D-4482] (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-2017-N-5017] (N/H/RFC) [Oct. 19, 2017]
10-12-17	The Prohibition of Distributing Free Samples of Tobacco Products; Guidance for Industry; Availability [Docket No. FDA-2017-D-0113] (N)
10-13-17	Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Consumption; Extension of Compliance Dates for Subpart E; Correction [Docket No. FDA-2011-N-0921] (PR/C)
10-20-17	Current Good Manufacturing Practice Requirements for Food for Animals; Guidance for Industry; Availability [Docket No. FDA-2016-D-1229] (N)
10-24-17	Electronic Study Data Submission; Data Standards; Support for Version Update of World Health Organization Drug Global [Docket No. FDA-2017-N-5436] (N)
10-31-17	Food Labeling: Health Claims; Soy Protein and Coronary Heart Disease [Docket No. FDA-2017-N-0763] (PR)
11-06-17	Supply-Chain Program Requirements and Co-Manufacturer Supplier Approval and Verification for Human Food and Animal Food; Guidance for Industry; Availability [Docket No. FDA-2017-D-5996] (N)

US – Canada joint notice on sea container cleanliness

On October 26, 2017, the [Canadian Food Inspection Agency \(CFIA\)](#) and the [Animal and Plant Health Inspection Service \(APHIS\)](#), US Department of Agriculture ([USDA](#)) each posted on their websites a [Canada – US Joint Notice on Sea Container Cleanliness](#) that complements the [International Maritime Organization's Code of Practice for Packing Cargo Transport Units](#) (CTU Code). The CFIA and the USDA have worked with US and Canadian border protection agencies, shippers and global shipping companies to develop the guidance for cleaning and inspecting sea containers. The postings stated:

Invasive pests threaten crops, forests, and livestock. They also have a very real impact on trade. When a contaminated container is found in port, the cargo owner, importer, or shipper can expect:

- delayed cargo release
- demurrage charges due to cargo holds, and
- unexpected costs associated with having the container quarantined, tarped and treated, cleaned, or re-exported back to origin at the cargo owner's expense

By taking reasonable steps to keep containers and their cargo clean, you will help prevent the spread of invasive pests through commerce and facilitate the movement of your containers through North American ports. As a result, you may experience:

- reduced port-of-entry inspections

- faster cargo release, and
- fewer unexpected expenses, such as demurrage charges due to cargo holds or costs associated with having your container quarantined, tarped and treated, cleaned, or re-exported back to origin.

The guidance provides recommended self-inspection practices for industry.

Pilot blanket Lacey Act import declarations to end

On October 20, 2017, the Animal and Plant Health Inspection Service (APHIS) published in the *Federal Register* a [notice](#) [Docket No. APHIS–2008–0119] announcing that the *Lacey Act* (16 U.S.C. 3371 *et seq.*) pilot blanket declaration program that was started on May 1, 2009 for participants in U.S. Customs and Border Protection’s (CBP’s) expedited border release programs, Automated Line Release (ALR) or Border Release Advance Screening and Selectivity (BRASS) in CBP’s Automated Commercial System (ACS) will be ended on April 18, 2018, due to the development of the Automated Commercial Environment (ACE) which replacing ACS, and a diminishing number of participants.

Section 3 of the *Lacey Act*, as amended, makes it unlawful, beginning December 15, 2008, to import plants and plant products without an import declaration. The declaration must contain, among other things, the scientific name of the plant, value of the importation, quantity of the plant, and the name of the country in which the plant was harvested. Currently, enforcement of the declaration requirement is being phased in.

The pilot program tested the feasibility of collecting the required information through the use of a monthly “blanket” declaration, with subsequent reconciliation reports. Blanket declarations could be used to declare routine and/or repeat shipments. The pilot program for the *Lacey Act* blanket declaration was open only to those entities participating in ALR or BRASS. Initially, eighty-two individual companies registered a total of 119 participants with the pilot program. By January 2017, only eight companies were still participating in the program. When the program ends, importers will file the required declaration information along with their CBP entry summary documentation.

APHIS and other USDA notices issued

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

F.R. Date	Subject
10-03-17	APHIS: Importation of Fresh Persimmons From New Zealand Into the United States [Docket No. APHIS-2015-0052] (FR)
10-04-17	FSIS: Codex Alimentarius Commission: Ad Hoc Codex Intergovernmental Task Force on Antimicrobial Resistance [Docket No. FSIS-2017-0041] (N/H/RFC)
10-05-17	AMS: Regulations Issued under Authority of the Export Apple Act and Export Grapes and Plums; Changes to Export Reporting Requirements; Withdrawal [Doc. No. AMS-FV-14-0099; FV15-33/35-1] (PR/W)
10-16-17	APHIS: Notice of Determination of the Highly Pathogenic Avian Influenza and Newcastle Disease Status of Japan [Docket No. APHIS–2016–0053] (N)
10-20-17	AMS: Minimum Quality and Handling Standards for Domestic and Imported

F.R. Date	Subject
	Peanuts Marketed in the United States; Change to the Quality and Handling Requirements [Doc. No. AMS-SC-16-0102; SC16-996-3 FR] (FR)
	APHIS: Implementation of Revised Lacey Act Provisions [Docket No. APHIS-2008-0119] (N)
10-23-17	AMS: United States Standards for Grades of Pork Carcasses [Docket No. AMS-LPS-17-0046] (N/RFC)
10-25-17	AMS: National Organic Program: Notice of Interim Instruction, Maintaining the Integrity of Organic Imports [Doc. No. AMS-NOP-17-0043; NOP-17-07] (N)
10-26-17	AMS: Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; De Minimis Quantity Exemption Threshold [Doc. No. AMS-SC-16-0066] (FR)

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](#).

- EU - [Additional EU Maximum Levels for Ochratoxin A on the Horizon](#)
- EU - [Electronic Certificate of Inspection Required for EU Organics Trade](#)
- EU - [Further Restrictions to Neonicotinoids](#)
- Hong Kong - [Exporter Guide](#)
- India - [Final Standards for Cereal and Cereal Products in the Indian Gazette](#)
- India - [GOI Notifies Vertical Standards for Fish and Fish Products](#)
- India - [Timeline to Display Revised MRP Due to GST Implementation Extended](#)
- Israel - [Israel Plans to Implement a New Computerized Customs System](#)
- Japan - [Japan Proposes Revision of MRLs for 10 Agricultural Chemicals](#)
- Japan - [Japan Sees Little Reason So far to Revise GE Labeling](#)
- Mexico - [Mexico Announces Maximum Sugar Export Quota to the United States](#)
- Netherlands - [Dutch Proposal to Legislate NBTs](#)
- Peru - [Peru Publishes Warning Manual for Processed Product Food Labels](#)
- Philippines - [Exporter Guide Annual](#)
- South Africa - [Exporter Guide](#)
- Thailand - [Thai Excise Department Implements New Sugar Tax on Beverages](#)
- Turkey - [Turkey Again Delays Implementation of New Labeling System](#)

Government Procurement: DoD seeks comments on MOUs with UK and Finland

On October 20, 2017, the Department of Defense (DoD) published in the *Federal Register* a [request for public comments](#) [Docket DARS-2017-0006] regarding negotiating and concluding, on behalf of the U.S. Government, two follow on Reciprocal Defense Procurement (RDP) Memoranda of Understanding (MOU) with the Ministry of Defence of the United Kingdom of Great Britain and Northern Ireland and with the Republic of Finland, respectively. DoD is requesting industry feedback regarding its experience in public defense procurements conducted by or on behalf of the United Kingdom Ministry of Defence and by or on behalf of the Republic of Finland Ministry of Defence. Comments must be received by November 20, 2017.

CITA seeks comments on commercial availability under FTA with Morocco

On November 6, 2017, the Committee for the Implementation of Textile Agreements (CITA) published in the *Federal Register* [two separate requests for public comments](#) concerning a request for modification of the *U.S.-Morocco Free Trade Agreement* (USMFTA) rules of origin for (a) certain knit apparel made from certain knit fabrics, and (b) certain pants, skirts, and jackets made from certain woven fabrics. Response are due to both requests by January 5, 2018.

FCC streamlines requirements and reduces need for FCC Form 740 for imports

On November 2, 2017, the Federal Communications Commission (FCC) published in the *Federal Register* a [final rule](#) [ET Docket No. 15–170; FCC 17–93] that amends its equipment authorization regulations, increasing the FCC's agility to respond to changes in technology and industry standards. The rule consolidates, simplifies, and streamlines certain procedures, and removes the requirement to file the import declaration FCC Form 740 under certain circumstances. The final rule is effective November 2, 2017.

Labor Department seeks information on child labor and forced labor

On October 27, 2017, the US Department of Labor (DOL) published in the *Federal Register* a [notice](#) requesting information and/or comment on three reports issued by the Bureau of International Labor Affairs (ILAB) regarding child labor and forced labor in certain foreign countries. Relevant information submitted by the public will be used by DOL in preparation of its ongoing reporting under Congressional mandates and Presidential directive. The [2016 Findings on the Worst Forms of Child Labor](#) report (TDA report), published on September 20, 2017, assesses efforts by 138 countries to reduce the worst forms of child labor over the course of 2016 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 (DOS) and Homeland Security (DHS), 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 and TVPRA List, to be published in 2018, and for possible updates to the EO List as needed.

DATES: Submitters of information are requested to provide their submission to the Office of Child Labor, Forced Labor, and Human Trafficking (OCFT) at the email or physical address shown in the notice by 5 p.m. January 12, 2018.

FWS announces voluntary electronic licensing system

On October 16, 2017, the U.S. Fish and Wildlife System (FWS) [announced](#) that it has developed and tested a new voluntary electronic licensing system ([eLicense](#)). eLicense allows users to apply for a new import/export license or re-

new or amend a current or expired license from the Service via a secured Internet web site. The system facilitates clearance of wildlife imports and exports, allowing users to store data for future use and communicate by e-mail with Service license issuers.

Effective October 2, 2017, the new eLicense system will be available for use by any individual or company that imports or exports wildlife for commercial purposes. Although the Service will continue to accept and process traditional “paper” applications for those who prefer that method of applying, the FWS encourages importers and exporters to take advantage of the new electronic application system.

Importers and exporters may access eLicense via the Office of Law Enforcement eLicense home page (<https://www.fws.gov/elicense>). No special software is required, and no additional fees are charged for using eLicense. Help files on the eLicense web site provide an on-line user manual, information on reconfiguring your Internet browser, filing instructions, and useful [FAQs](#).

EPA proposes mercury reporting requirements for TSCA Mercury Inventory

On October 26, 2017, the Environmental Protection Agency (EPA) published in the *Federal Register* a [proposed rule](#) as required under section 8(b)(10)(D) of the *Toxic Substances Control Act* (TSCA), regarding reporting requirements for applicable persons to provide information to assist in the preparation of an “inventory of mercury supply, use, and trade in the United States,” where “mercury” is defined as “elemental mercury” and “a mercury compound.” The requirements would be applicable to any person who manufactures (including imports) mercury or mercury-added products, or otherwise intentionally uses mercury in a manufacturing process. Based on the inventory of information collected, the Agency is directed to “identify any manufacturing processes or products that intentionally add mercury; and . . . recommend actions, including proposed revisions of Federal law or regulations, to achieve further reductions in mercury use.” At this time, EPA is not making such identifications or recommendations.

EPA is proposing that supply, use, and trade of mercury include reporting requirements for activities comparable to established TSCA terms: Manufacture, import, distribution in commerce, storage, and export. The reporting requirements also would apply to otherwise intentional use of mercury in a manufacturing process. Persons who manufacture (including import) mercury or mercury-added products, or otherwise intentionally use mercury in a manufacturing process, would report amounts of mercury in pounds (lbs.) used in such activities during a designated reporting year. Reporters also would identify specific mercury compounds, mercury-added products, manufacturing processes, and how mercury is used in manufacturing processes, as applicable, from preselected lists. For certain activities, reporters would provide additional, contextual data (e.g., country(ies) of origin/destination for imports/exports and NAICS codes for mercury or mercury-added products distributed in commerce).

The proposed reporting requirements would not apply to persons engaged in the generation, handling, or management of mercury-containing waste, unless that person manufactures or recovers mercury in the management of that waste with the intent to use the recovered mercury or store it for use. In addition, persons engaged in trade (e.g., brokering, selling wholesale, shipping, warehousing, repackaging, or retail sale), but who do not first manufacture mercury or mercury-

added products, or otherwise intentionally use mercury in a manufacturing process, are not required to report. Finally, in an effort to avoid reporting that is unnecessary or duplicative, the Agency is proposing certain exemptions for persons who already report for mercury and mercury added products to the TSCA section 8(a) Chemical Data Reporting (CDR) rule and the Interstate Mercury Education and Reduction Clearinghouse (IMERC). In addition to topics where EPA notes that we are seeking specific comment, the Agency also encourages comment on all aspects of this proposal.

Comments must be received on or before December 26, 2017.

Additional 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
10-02-17	Environmental Protection Agency (EPA): Fluoxastrobin; Pesticide Tolerances [EPA-HQ-OPP-2015-0727; FRL-9966-09] (FR)
10-03-17	EPA: Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2016-0207; FRL-9966-84] (FR)
	EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2017-0008; FRL-9967-34] (N)
	EPA: Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Uses-180-Day Comment Period [EPA-HQ-OPP-2017-0467; FRL-9966-87] Notice
	EPA: Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations to Terminate Certain Uses-30-Day Comment Period [EPA-HQ-OPP-2017-0466; FRL-9966-85] (N)
10-04-17	Millennium Challenge Corporation: Report on the Criteria and Methodology for Determining the Eligibility of Candidate Countries for Millennium Challenge Account Assistance in Fiscal Year 2018 [MCC FR 17-06] (N)
	EPA: Renewable Fuel Standard Program: Standards for 2018 and Biomass - Based Diesel Volume for 2019; Availability of Supplemental Information and Request for Further Comment [EPA-HQ-OAR-2017-0091; FRL-9968-70-OAR] (N)
10-05-17	EPA: Pesticides; Draft Guidance for Pesticide Registrants on Notifications, Non-Notifications and Minor Formulation Amendments; Extension of Comment Period [EPA-HQ-OPP-2016-0671; FRL-9968-86] (N/E)
10-06-17	EPA: Florpyrauxifen-benzyl; Pesticide Tolerances [EPA-HQ-OPP-2016-0560; FRL-9963-66] (FR)
	Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Endangered Species Status for <i>Dalea carthagenensis</i> var. <i>floridana</i> (Florida Prairie-clover), and Threatened Species Status for <i>Sideroxylon reclinatum</i> ssp. <i>austrofloridense</i> (Everglades Bully), <i>Digitaria pauciflora</i> (Florida Pineland Crabgrass), and <i>Chamaesyce deltoidea</i> ssp. <i>pinetorum</i> (Pineland Sandmat) [Docket No. FWS-R4-ES-2016-0090; 4500030113] (FR)
10-10-17	EPA: Tolfenpyrad; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2017-0309; FRL-9967-72] (FR)
	EPA: Tall oil fatty acids; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0012; FRL-9965-58] (FR)
	EPA: Tetrachlorvinphos; Notice of Receipt of Request to Voluntarily Cancel Certain Pesticide Registrations [EPA-HQ-OPP-2008-0316; FRL-9967-71] (N)
	National Highway Traffic Safety Administration (NHTSA): Decision That Non-conforming Model Year 2010 Lamborghini Murcielago Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2015-0105, Notice 2] (N)
10-12-17	EPA: Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2015-0817; FRL-9967-09] (N)
	EPA: Pesticide Product Registration; Receipt of Applications for New Active

F.R. Date	Subject
	Ingredients [EPA-HQ-OPP-2017-0007; FRL-9967-35] (N)
10-13-17	EPA: Certain New Chemicals or Significant New Uses; Statements of Findings for July 2017 [EPA-HQ-OPPT-2017-0141; FRL-9966-70] (N) EPA: Disapproval of Pesticide Product Registrations for Special Local Needs [EPA-HQ-OPP-2017-0451; FRL-9966-72] (N)
10-16-17	Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Placement of AB-CHMINACA, AB-PINACA and THJ-2201 into Schedule I [Docket No. DEA-402] (FR) EPA: Fenpicoxamid; Pesticide Tolerances [EPA-HQ-OPP-2016-0392; FRL-9966-73] (FR) EPA: Triflumezopyrim; Pesticide Tolerances [EPA-HQ-OPP-2016-0142; FRL-9966-13] (FR) EPA: Receipt of Information Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9968-57] (N)
10-19-17	EPA: Receipt of Information Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9968-58] (N) EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0166; FRL-9964-42] (N)
10-23-17	EPA: Certain New Chemicals; Receipt and Status Information for August 2017 [EPA-HQ-OPPT-2017-0408; FRL-9969-17] (N) EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2017-0006; FRL-9967-37] (N)
10-24-17	NHTSA: List of Nonconforming Vehicles Decided to be Eligible for Importation [Docket No. NHTSA-2017-0061] (FR) NHTSA: Tentative Decision That Certain Canadian-Certified Vehicles Are Eligible for Importation [Docket No. NHTSA-2017-0062] (RFC) Postal Service (USPS): International Mailing Services: Proposed Product and Price Changes – CPI (PR/RFC) <i>[also increases customs fee]</i>
10-25-17	EPA: Voluntary Consensus Standards Update; Formaldehyde Emission Standards for Composite Wood Products [EPA-HQ-OPPT-2017-0245; FRL-9962-84] (FR) EPA: Voluntary Consensus Standards Update; Formaldehyde Emission Standards for Composite Wood Products [EPA-HQ-OPPT-2017-0245; FRL-9962-80] (PR) Dep't of Transportation (DOT): Establishment of Interim National Multimodal Freight Network [Docket No. DOT-OST-2016-0053] (N/RO/E)
10-26-17	Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Temporary Placement of ortho-Fluorofentanyl, Tetrahydrofuranlyl Fentanyl, and Methoxyacetyl Fentanyl into Schedule I [Docket No. DEA-473] Temp. Amend. EPA: Mercury; Reporting Requirements for the TSCA Mercury Inventory [EPA-HQ-OPPT-2017-0421; FRL-9970-07] (PR) Labor: Preparations for the 34th Session of the UN Sub-Committee of Experts on the Globally Harmonized System of Classification and Labelling of Chemicals (UNSCGHS) [Docket No. OSHA-2016-0005] (N/H)
10-27-17	EPA: Bacillus amyloliquefaciens strain F727; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0348; FRL-9968-40] (FR) EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2017-0008; FRL-9968-47] (N) Labor: Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries to Eliminate the Worst Forms of Child Labor (N/RFI)
10-30-17	NHTSA: Motor Vehicle Safety Standards; Electronic Stability Control Systems for Heavy Vehicles [Docket No. NHTSA-2015-0056] (FR) Response to petition EPA: Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2017-0155; FRL-9968-12] (FR)
10-31-17	Energy: Energy Conservation Program: Test Procedure for Distribution Transformers [EERE-2017-BT-TP-0055] (RFI/RO)
11-02-17	Energy: Energy Conservation Program: Test Procedures for Electric Motors

F.R. Date	Subject
	and Small Electric Motors [EERE-2017-BT-TP-0047-0001] (N/RFC) Federal Communications Commission (FCC): Authorization of Radiofrequency Equipment [ET Docket No. 15-170; FCC 17-93] (FR)
11-03-17	DEA: Schedules of Controlled Substances: Temporary Placement of FUB-AMB into Schedule I [Docket No. DEA-472] Temp. Amendment DEA: Final Adjusted Aggregate Production Quotas for Schedule I and II Controlled Substances and Assessment of Annual Needs for the List I Chemicals Ephedrine, Pseudoephedrine, and Phenylpropanolamine for 2017 [Docket No. DEA-470F] Final Order
11-06-17	EPA: Formaldehyde, Polymer With 1,3- Benzenediol, 2-Methyloxirane and Oxirane, Ethers With Polyethylene Glycol Mono-Me Ether; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0362; FRL-9969-99] (FR) EPA: Formaldehyde, Polymer With 1,3- Benzenediol, Ethers With Polyethylene Glycol Mono-Me Ether; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0363; FRL-9970-00] (FR) FWS: Mitigation Policies of the U.S. Fish and Wildlife Service; Request for Comments [Docket Nos. FWS-HQ-ES-2015-0126 and FWS-HQ-ES-2015-0165; FXES11140900000-178-FF09E33000] (Policy review)

Commerce publishes notice of scope rulings

On October 20, 2017, the International Trade Administration, Commerce, published in the *Federal Register* a [list of scope rulings and anticircumvention determinations](#) made between July 1, 2016, and September 30, 2016, inclusive. Scope Rulings were issued in the following investigations:

Inv. No.	Merchandise and Country
A-570-967 C-570-968	Aluminum Extrusions from the People's Republic of China
A-570-814	Carbon Steel Butt-Weld Pipe Fittings from the People's Republic of China
A-570-910 C-570-911	Circular Welded Carbon Quality Steel Pipe from the People's Republic of China
A-570-875	Non-Malleable Cast Iron Pipe Fittings from the People's Republic of China (3 rulings)
A-570-956 C-570-957	Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from the People's Republic of China
A-570-890	Wooden Bedroom Furniture from the People's Republic of China (5 rulings)

Commerce determines China is not a market economy

On October 26, 2017, the Department of Commerce approved an approximately 200 page [Memorandum](#) entitled, "China's Status as a Non-Market Economy." Although it was apparently prepared in connection with a specific antidumping investigation, it appears to set Commerce policy. The Executive summary states in part:

The Department of Commerce ("Department") concludes that China is a non-market economy (NME) country because it does not operate sufficiently on market principles to permit the use of Chinese prices and costs for purposes of the Department's anti-dumping analysis. The basis for the Department's conclusion is that the state's role in the economy and its relationship with markets and the private sector results in fundamental distortions in China's economy.

The Memorandum goes through the various factors Commerce considered which were:

1. The extent to which the currency of the foreign country is convertible into the currency of other countries;
2. The extent to which wage rates in the foreign country are determined by free bargaining between labor and management;
3. The extent to which joint ventures or other investments by firms of other foreign countries are permitted in the foreign country;
4. The extent of government ownership or control of the means of production;
5. The extent of government control over the allocation of resources and over the price and output decisions of enterprises; and
6. Such other factors as the administering authority considers appropriate, which included the legal system and Communist Party, administrative and regulatory transparency, and corruption.

After a detailed analysis the Memorandum concludes with:

Nonetheless, after assessing the six factors, the Department finds that the Chinese government continues to maintain and exercise broad discretion to allocate resources with the goal of achieving specific economic outcomes. China's institutional structure, and the control the Chinese government and the CCP exercise through that structure, result in fundamental economic distortions, such that non-market conditions prevail in the operation of China's economy. These non-market conditions are built upon deeply entrenched institutional and governance features of China's Party-state, and on a legal mandate to "maintain a leading role for the state sector." Accordingly, China is a NME country. It does not operate sufficiently on market principles to permit the use of Chinese prices and costs for purposes of the Department's antidumping analysis.

The Department also finds that China's legal system continues to function as an instrument by which the Chinese government and the CCP can secure discrete economic outcomes, channel broader economic policy, and pursue industrial policy goals. Key legal institutions, such as the courts, respond as necessary to their direction in broad policy or case-specific ways. Individuals and firms are constrained in their ability to have meaningful independent input into administrative rulemaking or to challenge administrative decisions.

China's economy continues to be significantly tied to the institutional structures established by the Chinese government and the CCP for the purpose of achieving a "socialist market economy." In this system, the Chinese government must "maintain a leading role for the state sector" and market forces are to be contained within that framework. Policy signals from the Chinese government on the direction and pace of relevant proposals to modify the relationship between the state, the CCP, and the economy have been unclear, uncertain, and inconsistent. Accordingly, the Department has determined that China remains an NME country under the U.S. antidumping and countervailing duty laws.

The Memorandum was prepared by Leah Wils-Owens in the Office of Policy, Enforcement & Compliance and after various intermediate reviews was approved by Gary Taverman, Deputy Assistant Secretary for Antidumping and Countervailing Duty Operations, performing the non-exclusive functions and duties of the Assistant Secretary for Enforcement and Compliance.

Antidumping and countervailing duty cases

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

The Americas - South America

ARGENTINA

Certificates for the importation of used goods devoted to the oil & gas industry (CIBUIH)

The recently published Joint General Resolution 3/2017 (O.G. 10.19.2017), states the procedure for the issuance of the “Certificates for the Importation of Used Goods devoted to the Oil & Gas Industry” (CIBUIH).

Such certificate shall be obtained when aiming to import used goods (no older than 10 year old) to be applied to the local Oil & Gas Industry. Early this year, Executive Order 629/2017 (O.G. 08.10.2017), established import duties exemptions for the importation of such goods as long as the importer obtains a certificate issued by the local authority, which will be granted following the proceeding stated in today’s resolution. The most important aspects to take into account are the following:

- The certificate (CIBUIH) will be issued by the Directorate of Importations, a branch of the Sub Secretariat of Commerce.
- The application to obtain the certificate can be performed on line (Plataforma de Trámites a Distancia) or by means of a written application before the Secretariat. In any case, the applicant must be previously registered at the “Registro Unico del Ministerio de Producción” (RUMP). The importer must provide thorough information regarding the goods to be imported, their value and the incoterm used in the purchase agreement.
- If the admission meets all the legal requirements, the Directorate of Importation will send it to the Directorate of National Industry (a branch of the Sub Secretary of Industry), which will count with ten days at most to inquire into the existence of local suppliers of the machines to be imported. A special manufacturers register is created for such purposes.
- If there are no local providers, the certificate shall be issued straightaway. Conversely, if there are local suppliers the applicant will have to commit to acquire a certain percentage of locally produced goods according to executive order 629/2017 (providing an insurance policy for such amounts).
- The certificate shall be filed before customs when performing the importation. Such certificate will indicate the goods set to be imported, the tariff code applicable, the customs value assessment and will indicate that the goods are only allowed to be used for the local Oil & Gas Industry.
- The certificate will be valid for 120 days after its issuance.
- A maximum margin of 5 per cent of tolerance will be allowed.

For additional information, please contact [Esteban Pablo Rópolo](#) of our Buenos Aires office.

Law 27,191. Decree 814/2017 - Exemption of custom duties for components used in the generation of renewable energies

On 11 October 2017 the Official Gazette published Decree 814/2017 establishing the import duties exemption for components used in the generation of renewable energies.

The exemption will be for 12 months or 60 months depending on the goods to be imported.

Decree 814/17 is issued in the context of the promotional regime established by Law 27,191, which establishes the following benefits:

- Accelerated amortization in income tax for those assets or infrastructure works included in the investment project.
- Refund of Value Added Tax (VAT) for those assets or infrastructure works included in the investment project.
- The aforementioned benefits regarding income tax and VAT could be used simultaneously.
- It extends from 5 to 10 years the period for the deduction of tax losses for income tax purposes.
- The assets used for the project will not be part of the tax base for minimum presumed income tax purposes from the first day of the start-up of the construction works until the eighth year (inclusive) from the date of the start-up of such project.
- Losses, interest and exchange differences arising from the financing of the project may be deducted for income tax purposes.
- The beneficiaries of this regime that can prove that 60% -or a lower percentage in special situations- of the electromechanical installations -excluding civil works- are manufactured in Argentina will be entitled to receive, as an additional benefit, a tax certificate to be used for the payment of national taxes, of a value equivalent to 20% of the national component of the electromechanical equipment (excluding civil works).
- The importation of capital goods or any other special equipment which is necessary for the project will be exempt of import tax and any other related tax (excluding service fees).

For additional information, please contact [Martin J. Barreiro](#) or [Juan Pablo Men-
na](#).

Boletin Oficial publications

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

BO Date	Subject
02-10-17	Law 27386 Global System of Trade Preferences. Final Act. Protocol. Approval Decree 777/2017 (29-09-17) promulgating Law 27.386
04-10-17	Decree 796/2017 (03-10-17) "World Telecommunication Development Conference". Exempt payment of import duty and other charges.
	National Administration of Medicines, Food and Medical Technology (ANMAT): Disp. 10170-E/2017 (28-09-17) Prohibition on use and commercialization of certain cosmetic products
	ANMAT: Disp. 10176-E/2017 (29-09-17) Prohibition on use, commercialization and distribution of certain medical products
	ANMAT: Disp. 10177-E/2017 (29-09-17) Prohibition on use and commercialization of certain cosmetic products
	ANMAT: Disp. 10178-E/2017 (29-09-17) Prohibition on use and commercialization of certain household products
	ANMAT: Disp. 10181-E/2017 (29-09-17) Prohibition on commercialization and distribution of certain medical products
	ANMAT: Disp. 10182-E/2017 (29-09-17) Prohibition on commercialization certain medical products
	ANMAT: Disp. 10174-E/2017 (29-09-17) import of food to be marketed, food

BO Date	Subject
	destined exclusively for industrial use of the importation establishment (UPEI) and samples without commercial value.
05-10-17	Decree 798 /2017 (04-10-17) "International Fair of Villa Gesell". Exempt payment of import duty and other charges.
	Decree 802 /2017 (04-10-17) "23rd International Fair of the Argentine North - FERINOA 2017". Exempt payment of import duty and other charges
09-10-17	Federal Adm. of Public Revenues (AFIP): Gen. Res. Nº 4141-E (06-10-17) Postal shipping system – payment of customs duties via electronic payment system
11-10-17	Decree 814/2017 (10/10/17) Mercosur Common Nomenclature Right of Import Extrazone. Allocations. investment projects of National Development Regime for the Use of Renewable Sources of Energy for the Production of Electric Energy
17-10-17	Customs: Gen. Res. Nº 4143-E/2017 (12-10-17) Tariff classification of merchandise in the aforementioned nomenclature, in accordance with the procedure provided for in General Resolution No. 1.618.
	Customs – Gen. Res. Nº 4144-E/2017 (12-10-17) Value criterion of preventive character. General Resolution No. 2,730 and its amendment. Complementary rule.
19-10-17	Foreign Trade/Industry: Joint Prov. Nº 3-E/2017 (18-10-17) Implementation of Import Regime for Used Goods for the Hydrocarbons Industry
	Decree 853/2017 (23-10-17) Common Nomenclature of MERCOSUR
24-10-17	ANMAT: Disp. 10911-E/2017 (19-10-17) Prohibition of use and commercialization of certain household products (insecticide)
26-10-17	Decree 856/2017 (25-10-17) Exempt from the payment of import duty, Value Added Tax, internal taxes, fees for port services, statistics and proof of destination, which are levied on the import for consumption of catalogs, printed brochures, material advertising, other forms of advertising and elements of construction and decoration of stands, originating in and coming from the countries participating in the "International Tourism Fair of Latin America - FIT 2017
	Decree 848/2017 (23-10-17) 360 day export suspension for certain articles listed in the MERCOSUR Common Nomenclature (NCM).
	ANMAT: Disp. 10941-E/2017 (23-10-17) Prohibition on the commercialization of certain food products
	ANMAT: Disp. 10942-E/2017 (23-20-27) Prohibition of use and commercialization of certain household products
	ANMAT: Disp. 10943-E/2017 (23-10-17) Prohibition of use, commercialization and distribution of certain medical products
	ANMAT: Disp. 10946-E/2017 (23-10-17) Prohibition of use and distribution of certain medical products
27-10-17	AFIP: Gen. Res. Nº 4150-E/2017 (26-10-17) Authorized Economic Operator (AEO). Its implementation
30-10-17	Production – Commerce: Res. 808-E/2017 (25-10-17) Incorporation into the national legal order of Resolution No. 4 of April 6, 2017 of the Common Market Group, regarding the alert and withdrawal procedure of products and services considered potentially harmful or dangerous, whose Annex as IF-2017-13461805- APNDNDC # MP, is an integral part of this resolution.
	ANMAT: Disp. 10969-E/2017 (23-10-17) Prohibition of use and distribution of certain medical products

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.

Date	Subject
03-10-17	CAMEX Res. № 79 Grants temporary reduction in the rate of import duty under Resolution № 08/08 Group of the MERCOSUR Common Market
17-10-17	CAMEX Res. № 80 Changes to 0% (zero percent) the Import Tax rates on the IT and Telecommunications Goods, in the condition of Ex-Tariffs
	CAMEX Res. № 81 Changes to 0% (zero percent) the Import Tax rates on Capital Goods, as Ex-Tariffs.
	CAMEX Res. № 84 Grants temporary reduction in the rate of import duty under Resolution № 08/08 Group of the MERCOSUR Common Market. Correction

Antidumping and countervailing duty cases

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

CHILE

National Customs postings and Diario Oficial

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

Date	Subject
10-10-17	Foreign Affairs: Decree No. 50 of 2017.- Enacts the Protocol of Amendment to the Marrakesh Agreement Establishing the World Trade Organization Incorporating the Agreement on Trade Facilitation into its Annex 1A
13-10-17	Hacienda: Exempt Decree No. 47, of 2017.- It confers government sponsorship and declares international the LXXXVII Agricultural, Livestock, Industrial and Commercial Exhibition of Temuco, Exposof 2017 - International Agro-alimentary Fair of Araucanía
14-10-17	Hacienda: Exempt Decree No. 353, of 2017.- Applies reductions of customs duties for the importation of wheat and wheat flour or morcajo (tranquillón)
17-10-17	Hacienda: Exempt Resolution number 5,905, of 2017. - Authorizes the Temporary Admission referred to in Article 107 of the Customs Ordinance to the goods indicated
20-10-17	Hacienda: Law number 21.039.- Perfect Tax and Customs Justice
30-10-17	Hacienda: Exempt Decree № 357, of 2017. - Applies reductions of customs duties for the importation of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and sub-standard

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.

PERU

Tariff Classification database

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

SUNAT and *El Peruano* publications

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

Date	Subject
05-10-17	SUNAT: Resolution No. 067-2017-SUNAT / 300000 Replace ratio of frequent importers
	External Trade and Tourism: Supreme Decree No 016-2017-MINCETUR Supreme Decree providing for the implementation of Decision No. 1 of the Joint Commission on Uniform Regulations with respect to Article 402.4 of the Free Trade Agreement between Canada and the Republic of Peru
07-10-17	Agriculture and Irrigation: Directorial Resolution No 0032-2017-MINAGRI-SENASA-DSV phytosanitary requirements of mandatory compliance in the import of husked grain of hemp of origin and origin of all the countries
	Agriculture and Irrigation: Directorial Resolution No 0031-2017-MINAGRI-SENASA-DSV Establishes phytosanitary requirements of mandatory compliance in the import of bulbs of ornitógalo of origin and origin Israel
10-10-17	External Relations: Supreme Decree No 046-2017-RE Ratify the Protocol of Accession of the Trade Agreement between the European Union and its Member States on the one hand and Colombia and Peru on the other, to take into account the accession of Ecuador
	Economy and Finance: Vice Ministerial Resolution No. 010-2017-Ef / 15.01 Reference prices and additional variable duties referred to in DS No. 115-2001-EF applicable to imports of maize sugar rice and whole milk powder
13-10-17	External Relations: Supreme Resolution No. 241-2017-RE Delegate powers to sign the Convention to approve the tax treatment provided for in the Agreements to avoid Double Taxation signed between the States Parties to the Framework Agreement of the Pacific Alliance
14-10-17	SUNAT: Resolution No. 11-2017 / SUNAT / 310000 Approves the specific procedure Use and Control of Customs Seals and Other Security Measures CONTROL-PE.00.08 (version 1)
16-10-17	SUNAT: Resolution No. 09-2017 / SUNAT / 310000 Approved Specific Procedure Extraordinary Control Actions not foreseen in other procedures CONTROL - PE.01.08 (version 1); it also modifies and repeals provisions of other procedures
19-10-17	SUNAT: Resolution No 263-2017 / SUNAT Modify obligations to register operations and report incidents of controlled goods
20-10-17	SUNAT: Resolution No. 266-2017 / SUNAT They designate Director of the Customs Facilitation Program Security and Transparency and commission functions of Project Managers Income Processes Exit Processes Operator Management and Customs Risk Management and Cargo Security
22-10-17	SUNAT: Resolution No 12-2017 / SUNAT / 310000 Modify General Procedure Simplified Reinstatement of Tariff Rights DESPA-PG.07 (version 4)
23-10-17	SUNAT: Resolution No 13-2017 / SUNAT / 310000 Modify general procedure Temporary Export for Reimportation in the Same State and Temporary Export for Passive Improvement DESPA-PG.05 (version 3)
25-10-17	National Institute for Defense of Competition and Protection of Intellectual Property (INDECOP): Resolution No. 209-2017 / CDB-INDECOP . They provide for the maintenance of anti-dumping duties on imports of footwear (not including

Date	Subject
	shawls and sandals) with the upper part of rubber or plastic and natural leather originating in the People's Republic of China for a period of 5 years and abolishing anti-dumping duties in cases where try footwear with the upper part of other materials than rubber or plastic and natural leather (except textile)
26-10-17	INDECOPI: Resolution No. 445-2017 / SDC-INDECOPI They confirm a resolution in the end that ordered to maintain the validity of anti-dumping duties imposed on imports of tissues originating in the Islamic Republic of Pakistan to which the RR refer. No. s. 017-2004 / CDS-INDECOPI and 031-2010 / CFD-INDECOPI
27-10-17	Economy and Finance: Supreme Decree No. 299-2017-EF Incorporate a National Complementary Note and modify the national sub-item of the Customs Tariff approved by Supreme Decree No. 342-2016-EF
31-10-17	SUNAT: Resolution No 277-2017 / SUNAT New retentions of the PDT are approved - Virtual Form № 617
	SUNAT: Resolution No 276-2017 / SUNAT Resolution of the Superintendence that creates the Electronic Emission System Electronic Wallet and the Electronic Payment Voucher Electronic Wallet Ticket
	Foreign Trade and Tourism: Supreme Decree № 017-2017-MINCETUR Supreme Decree that provides for the implementation of the "Protocol of Adherence to the Commercial Agreement between the European Union and its Member States, on the one hand, and Colombia and Peru, on the other, to take into account the accession of Ecuador"

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

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
09-20-17	DIBP № 2017/30	Notice of Intention to Propose Customs Tariff Alterations (No. 1) 2017

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
04-10-17	TC17-42
11-10-17	TC17-43
18-10-17	TC17-44
25-10-17	TC17-45
27-10-17	Notice of Intention to Propose Customs Tariff Alterations - Notice (No. 2) 2017
01-11-17	TC17-46
03-11-17	Charter of the United Nations Act 1945 Listing Declaration (No. 1) 2017
	Charter of the United Nations Act 1945 Listing Declaration (No. 2) 2017

Australian Tariff Precedents

The Department of Immigration and Border Protection (DIBP) has published a [List of Current Precedents](#), updated through 13 June 2017. Tariff Precedents are considered statements from Customs made to provide guidance on various classification issues. New information and tariff classification guides can be found on [Tariff Public Advice Products](#) webpage

Antidumping and countervailing duty cases

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

CHINA (INCLUDING HONG KONG SAR)

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
09-28-17	MOFCOM № 55	Announcement of the State Administration for Industry and Commerce on the Closure of Korean related enterprises for implementation of UN Security Council Resolution 2375
09-30-17	GAC № 46	2017 commodity classification decision (III) and repeal of published commodity classification decisions
10-05-17	MOFCOM № 58	Additional restrictive conditions to approve announcement of Hewlett-Packard Co., Ltd. on the anti-monopoly (concentration) examination of some business units of Samsung Electronics Co., Ltd.
10-09-17	GAC № 47	Notice on Clarifying Relevant Matters of Direct Bonded Business of Bonded Oil Cross-Border Areas
10-11-17	GAC № 48	Notice on Regulating Transit Transport Business
10-19-17	GAC № 49	Announcement on Requirements for Commodity Number Declaration on Anti-dumping Measures of Polyoxymethylene
	GAC № 50	Notice Concerning Requirements for Commodity Number Declaration on Anti-dumping and Countervailing Measures for O-Chloronitroanilide
10-24-17	MOFCOM № 64	2018 Phosphate Ore export quotas reporting and distribution
	MOFCOM № 63	2018 Ferroalloy export license declaration procedures and conditions
	GAC № 51	Notice on Adjusting the Supervision Period of Import Deduction and Exemption of Goods
10-27-17	MOFCOM № 66	State-owned trade enterprises for tungsten, antimony and silver export conditions and application procedures
10-30-17	MOFCOM № 68	Total 2018 export quotas of industrial and agricultural products
	GAC № 52	Announcement on Issuing the Code of Regulations on the Setting of Customs Surveillance Workplaces
11-01-17	MOFCOM № 69	Issuing 2018 Fertilizer Import Tariff Quotas, Distribution Principles and Related Procedures

Hong Kong Trade and Industry Department (TID) notices (dd-mm-yy)

Date	Matter
02-06-17	To facilitate our trade to have a better understanding on the upcoming changes brought by the Import and Export (Strategic Commodities) Regulations (Amendment of Schedule 1) Order 2017 to the control list, the Trade and Industry Department of the Government of the HKSAR organised a seminar on Amendment of Schedule 1 to the Import and Export (Strategic Commodities) Regulations on 29 May 2017. Please click the following link for the powerpoint presentation of the seminar for reference. Powerpoint presentation
16-06-17	Circular 1/2017 (and others) - Mainland and Hong Kong Closer Economic Partnership Arrangement (CEPA) - Request for Developing the CEPA Rules of Origin (ROOs) for Goods that Have No CEPA ROOs (Arrangements for Making Requests in 2017)
29-06-17	Commencement of the Import and Export (Strategic Commodities) Regulations (Amendment of Schedule 1) Order 2017
29-09-17	Circular on United Nations Sanctions (Libya) Regulation 2011 (Amendment) Regulation 2017
15-09-17	Circular on United Nations Sanctions (Democratic Republic of the Congo) Regulation 2017
04-10-17	Officers Authorized to Sign on Strategic Commodities Licences and Delivery Verification Certificates under Import and Export Ordinance, Cap 60 Import and Export (Strategic Commodities) Regulations [STC Cir 13/2017]
06-10-17	Air Transshipment Cargo Exemption Scheme for Specified Strategic Commodities Registration for 2018 [STC Circ. 14/2017]
18-10-17	Officers Authorized to Sign on Strategic Commodities Licences and Delivery Verification Certificates under Import and Export Ordinance, Cap 60 Import and Export (Strategic Commodities) Regulations [STC Cir. 15/2017]

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		
13-10-17	77/2017-Cus (T)	Customs seek to amend notification No. 50/2017-Customs to prescribe BCD and IGST rates on certain goods
	78/2017-Cus (T)	Seeks to exempt goods imported by EOUs from integrated tax and compensation cess
	79/2017-Cus (T)	Seek to amend various Customs exemption notifications to exempt Integrated Tax/Cess on import of goods under AA/EPCG. schemes
	95/2017-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
	Cir. 40/2017	Pilot Implementation of Paperless Processing under SWIFT F. No: 450 / 148 / 2015 – Cus IV

Date	Series and №	Subject
27-10-17	80/2017-Cus (T)	Seeks to increase the tariff rate on textile products in chapters 50 to 63 in the First Schedule to the Customs tariff Act, 1975
	81/2017-Cus (T)	Seeks to amend notification No. 14/2006-customs dated 1st march 2006, to prescribe effective rate of duty on specified fabrics
	82/2017-Cus (T)	Seeks to prescribe effective rate of duty under chapters 50 to 63 on textile products.
30-10-17	Cir. 41/2017	Implementing Electronic Sealing for Containers by exporters under self-sealing procedure prescribed by circular 26/2017-Cus dated 1st July 2017, circular 36/2017 dated 28.8.2017 and 37/2017 dated 20.9.2017 – reg.
31-10-17	83/2017-Cus (T)	Seeks to amend notification No. 16/2017-Customs dated the 20th April, 2017
	101/2017-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver- Reg.
DGFT		
04-10-17	32/2015-2020	Procedure for export of spices to the European Union countries.
13-10-17	33/2015-2020	Amendments in Foreign Trade Policy 2015-20.
18-10-17	34/2015-2020	Amendments in Foreign Trade Policy 2015-20
	35/2015-2020	Amendment in Para 2.17 of the foreign trade policy 2015-2020 on imports and exports to Democratic People's Republic of Korea (DPRK) in terms of UNSC resolutions concerning DPRK
20-10-17	36/2015-2020	Addition of Krishnapatnam port for import of new vehicles
23-10-17	Trade Notice No.18/2018	Non-Compliance of Sanitary and Phyto-Sanitary measures by Indian Exporters/Importers.
25-10-17	37/2015-2020	Export Policy of Animal By-Products - Procedure for export of Lanolin to the European Union.

Antidumping and countervailing duty cases

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

JAPAN

Japan implements amendment of the Foreign Exchange and Foreign Trade Act

On October 1, 2017, an order from the Japanese Cabinet went into effect to implement amendments to Japan's *Foreign Exchange and Foreign Trade Act* ("Act"), which implements Japanese import and export controls. The Cabinet order was decided on July 11, 2017 and it also made relevant adjustments in the relevant regulations. The cabinet order, the ministerial ordinance and the ministry's notice, which are necessary to implement the amended Act, were promulgated on July 14, 2017. These regulations provide definition of terms in the amended Act as well as clerical and procedural measures for the implementation of the amended Act.

The main parts of the amendments to the Act are as follows:

1. Strengthen penalties for violations of import / export control regulations

- The criminal fine will be increased from up to JPY 10 million (approximately USD 90,000) to JPY 30 million (approximately USD 270,000);
- New heavy penalty on corporations up to JPY 1 billion (approximately \$9 million); and
- Violations of conditions attached to export licenses may be subject to criminal penalty instead of an administrative penalty.

2. Strengthen administrative penalties for violations of import / export regulations

- Directors of entities that are prohibited from engaging in imports / exports are restricted from appointments as directors of corporations doing similar business;
- The upper limit of the statute of limitation for import/export prohibitions will be increase from one year to three years; and
- The scope of an on-site investigation for violations of export license etc. will be expanded to include related persons of exporters, e.g. customs brokers.

3. Strengthen regulations regarding inbound direct investments into Japan

- Scope of a prior checking of unlisted stock transfers between foreign investors will be expanded, depending on the level of national security risk; and
- Foreign investors making inbound investments without registration may be subject to executive orders, including orders to sell their holding stocks.

For additional information, please contact [Junko Suetomi](#).

MALAYSIA

Federal Government Gazette

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

Date	Matter
02-10-17	P.U. (A) 295/2017 - Trade Descriptions (Marking of Safety Glass for Motor Vehicles) Order 2017 - Trade Descriptions Act 2011
10-10-17	P.U. (B) 469/2017 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
11-10-17	P.U. (B) 474/2017 - Notice of Affirmative Preliminary Determination of an Anti-Dumping Duty Investigation With Regard to the Imports of Cold Rolled Stainless Steel in Coils Sheets or any Other Form Originating or Exported from China, S.Korea, Chinese Taipei and Thailand - Countervailing and Anti-dumping Duties Act 1993
	P.U. (B) 475/2017 - Notice of Negative Preliminary Determination of an Anti-Dumping Duty Investigation With Regard to the Imports of Cold Rolled Stainless Steel in Coils Sheets or any Other Form Originating or Exported from China, S. Korea, Chinese Taipei and Thailand - Countervailing and Anti-dumping Duties Act 1993
	P.U. (A) 310/2017 - Customs (Provisional Anti-Dumping Duties) Order 2017 - Countervailing and Anti-Dumping Duties Act 1993 and Customs Act 1967
13-10-17	P.U. (B) 477/2017 Notice of Impending Termination of the Imposition of Anti-Dumping Duties on Imports of Biaxially Oriented Polypropylene Films Originating or Exported From Indonesia, China, Chinese Taipei, Thailand and Vietnam – Countervailing and Anti-Dumping Duties Act 1993 and Customs Act 1967
16-10-17	P.U. (B) 482/2017 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
20-10-17	P.U. (A) 321/2017 - Customs (Prohibition of Exports) (Amendment) Order 2017 - Customs Act 1967

The *International Trade Compliance Update* is a publication of the Global International Commercial and Trade 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.

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A note on spelling, grammar and dates--

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

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

Credits:

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

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

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Date	Matter
24-10-17	P.U. (A) 326/2017 - Trade Descriptions (Marking of Safety Glass for Motor Vehicles) (Amendment) Order 2017 - Trade Descriptions Act 2011
25-10-17	P.U. (B) 513/2017 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
	P.U. (B) 514/2017 - Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
03-11-17	P.U. (B) 522/2017 - Notification of Values of Crude Petroleum Oil Under Section 12 - 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

1 October changes for import and export prohibition orders

The [Customs Import Prohibition Order 2017](#) (CIPO 2017) and the [Customs Prohibition Export Order 2017](#) (CEPO 2017) came into effect 1 October 2017. These Orders have replaced their 2014 equivalents, which lapsed 30 September 2017.

Apart from a clarification, to make it clear that triple edged knives are covered as offensive weapons, the wording of the Orders is unchanged from 2014.

CIPO 2017 prohibits the importation of

- motor vehicles with inaccurate or no odometers, and
- specified offensive weapons, such as knuckledusters, bayonets and certain knives suitable for stabbing or throwing. The complete Schedule of offensive weapons is [here](#).

CEPO 2017 prohibits the exportation of

- Unworked pounamu ("greenstone") over five kilograms
- Live green-lipped mussel spat
- Goods listed on the [Strategic Goods List](#) and dual-use goods

SINGAPORE

Notices, circulars, etc.

Date	Reference	Matter
23-10-17	Notice 14/2017	Revised Security Application Form and Security Extension Form

VIETNAM

Law on Start-Ups

The operation of small and medium-sized enterprises ("SMEs"), including start-ups, has been codified in a specific law. On 12 June 2017, the National Assembly adopted the *Law on Supporting Small and Medium-Sized Enterprises*, which

takes effect on 1 January 2018 (“SME Law”). This law also facilitates investment in SMEs by venture capital funds, and other investors.

Small and medium-sized enterprises

SMEs means micro enterprises, small enterprises and medium-sized enterprises with an annual average number of employees participating in social insurance not exceeding 200 and which satisfies one of the following criteria:

- (a) Total capital does not exceed VND100 billion (approx.. USD 4,400,000) ; or
- (b) Total turnover of the immediately preceding year does not exceed VND300 billion (approx.. USD 13,000,000).

The term “innovative start-up SMEs” refers to SMEs established to realize concepts based on the exploitation of intellectual property, technology, and new business models, and which have the ability to grow rapidly (“Start-ups”).

It is unclear, however, as to whether the “total capital” (that is used to determine whether an enterprise qualifies as an SME) refers to the registered charter capital or the total investment capital. Local companies which operate according to the Enterprise Registration Certificate will only have registered charter capital. Foreign owned companies which operate according to the Investment Registration Certificate and Enterprise Registration Certificate will have both registered charter capital and total investment capital. It is expected that the Government will provide a more detailed definition of SMEs.

Support for innovative Start-up SMEs

Start-ups which have operated for five years or less from the date of the first Enterprise Registration Certificate, and have not made any public offer in the case of joint stock companies, shall be eligible for receiving support from the Government in terms of:

- (a) Technology application and transfer, use of equipment at a technical facility, participation in an incubator and common working area, and guidance on testing and completing new products, new services and business models;
- (b) Training, including in-depth practical training on product construction and development, on attracting investment, advice on intellectual property rights, conducting procedures regarding standards and technical specifications, measurement and quality;
- (c) Information and communications, trade promotion, connection to innovative start-up networks, and attracting investment from innovative start-up investment funds;
- (d) Commercialization of the results of scientific research and technological development, and of exploitation and development of intellectual property; and
- (e) Interest rate subsidies shall be provided by credit institutions for loans borrowed by Start-ups.

Investment by Venture Capital Funds

The SME Law recognizes different capital sources supporting SMEs, which include, without limitation, legitimate capital sources from both domestic and foreign organizations and individuals.

In particular, investors in Start-ups include innovative start-up investment funds (i.e., venture capital funds), domestic and foreign organizations and individuals

that will conduct business activities by way of capital contribution for the establishment or purchase of shareholding or capital contribution in such Start-ups.

The SME Law contemplates that the source of capital investment in a venture capital fund is contributed by private investors subject to the following conditions:

- (a) The venture capital fund accounts for 50% or less of the charter capital of the Start-up; and
- (b) The private investors must have adequate financial standing and shall be liable for their capital contributions.

In the absence of further clarification, it appears that this law imposes an ownership cap on investments made by venture capital funds into Start-ups. With regards to the requirement for private investors to have financial capacity, it is anticipated that private investors may have to provide evidence of their financial capacity to the authorities as part of the licensing procedures.

Additionally, investors in Start-ups, including venture capital funds, are entitled to tax incentives for income arising from investments in Start-ups.

The drafters included a roadmap for state-owned funds to divest their capital in Start-ups. Within five years from the capital contribution in the Start-up, the State shall transfer its shareholding or capital contribution to private investors in accordance with the regulations on management and use of state-owned investment capital. We understand that the Government encourages private sector investment in Start-ups and will provide further guidance regarding the divestment of state-owned capital in Start-ups.

If you have any questions, or seek additional information, please contact [Seck Yee Chung](#), [Nguyen Lan Phuong](#) or [Dang Thanh Son](#).

Law to Watch: Draft Law on Special Administrative-Economic Zones

A draft of the new *Law on Special Administrative - Economic Zones* was recently posted on the Government Portal for public review and commentary. This draft law lays the foundation for specialized regimes applicable to special administrative - economic zones (hereinafter “SAEZ”) located in Van Don (Quang Ninh Province), North Van Phong (Khanh Hoa Province) and Phu Quoc Island (Kien Giang Province).

Each SAEZ specializes in developing certain industries, specifically as below (Art.4.2):

- **Van Don SAEZ:** Advanced technology; industries supporting advanced technology; eco-tourism, cultural tourism, and culture industry; air transportation and services auxiliary to air transportation; international commerce and consumption.
- **North Van Phong SAEZ:** Precise information, electronics, and mechanics technology; international goods and passengers seaport; tourism; services auxiliary to seaport; commerce and finance.
- **Phu Quoc SAEZ:** Wellness tourism; eco-tourism; international convention and exhibition center; international commerce and consumption; assets management services; and healthcare.

The investment projects that are in line with the above specialized industries for each SAEZ will receive preferential treatment.

Notably, SAEZs investments are entitled to preferential treatment including:

- **Investment – Business registration**

For the companies/projects located in the SAEZ, the investment and business registration will be conducted at the Public Administrative Center of SAEZ, instead of the provincial-level department of planning and investment. (Art. 15.1)

- **Special treatment for strategic investors**

An investor that qualifies as a strategic investor in accordance with the Draft Law will be able to receive special treatment (e.g. priority treatment in the processing of investment/business procedures and site clearance and compensation procedures; being allowed to select the investment project which more than 2 investors are interested in, etc).(Art 16.1)

- **Preferential treatment in land-use rights**

Besides leasing and sub-leasing land, the foreign-invested enterprise may receive land allocation from the State to conduct the projects in SAEZ.

The term of land use rights may be as long as 70 years. For the investment projects that are in line with the above specialized industries for each SAEZ; and for the investment projects of strategic investors, the term of land use rights may be as long as 99 years, subject to the Prime Minister's decision.(Art. 18.2)

Investors may be exempted from land and water surface rent for up to 15 years. For the investment projects that are in line with the above specialized industries for each SAEZ and the projects of strategic investors, investors may be exempted from land and water surface lease fee during the project implementation period.(Art. 29.1)

Non-agricultural land use tax is exempted.(Art. 29.2)

- **Waiver of construction permit**

Construction permits may be waived for certain houses and constructions that have been approved in the 1/500 detail zoning plan and small-sized advertisement billboards.(Art.19)

- **Tax preferential treatment**

Vietnamese tourists residing in the SAEZ for more than 24 hours at select accommodation may purchase tax-exempt goods in a tax free zone in accordance with this law.(Art 25.1.b)

Certain products imported for the purpose of creating fixed assets and imported products that cannot be manufactured in Vietnam may be exempt from import tax.(Arts. 25.3 and 25.4)

The standard enterprise income tax preferential treatment applicable would include special tax rate of 10% for 15 years, tax exemption for 4 years and a 50% reduction for tax payment for 9 years starting from the year taxable income is generated. Depending on the nature of the investment projects, the enterprise income tax preferential treatment will vary.

For casino business, the preferential excise tax rate of 10% may be applied for 10 years, from the date the investment project starts generating revenue.(Art. 28.2)

- **National treatment in goods trading - No Economic Needs Test**

Foreign-invested enterprises headquartered in SAEZ may exercise their import, export and distribution rights within the SAEZ similarly to domestic investors, even in service sectors that have not been included in any applicable treaties. (Art. 32.2) This means that foreign invested trading companies would not be required to obtain a trading license and pass the economic needs test, for each retail store.

- **Immigration preferential treatment**

Foreigners coming into SAEZ by air and sea transport may be exempted from visa requirements if their term of residence does not exceed 60 days.(Art. 36)

- **Vietnamese's access to casino**

Vietnamese are permitted to play casino games in the casinos located in SAEZ.(Art. 38)

If you have any questions, or seek additional information, please contact [Seck Yee Chung](#) or [Nguyen Lan Phuong](#).

Europe, Middle East and North Africa

European Union and EFTA

Commission publishes the 2018 Combined Nomenclature

On 31 October 2017, the European Commission published in the *Official Journal* the latest version of the [Combined Nomenclature](#) (CN) applicable as from 1 January 2018. The CN was published as [Commission Implementing Regulation \(EU\) 2017/1925 of 12 October 2017 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#).

The Combined Nomenclature forms the basis for the declaration of goods (a) at importation or exportation or (b) when subject to intra-Union trade statistics. This determines which rate of customs duty applies and how the goods are treated for statistical purposes. The CN is thus a vital working tool for business and the Member States' customs administrations.

The Combined Nomenclature was established by Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff. It is updated every year and is published as a Commission Implementing Regulation in the *Official Journal of the European Union*, L Series. It is available in HTML and PDF formats in most of the EU's official languages.

EU renews sanctions against the Republic of Guinea until 27 October 2018

On 23 October 2017, the Council rolled over the EU restrictive measures against the Republic of Guinea until 27 October 2018. The measures were first adopted on 25 October 2010 in response to the violent crackdown on protests by the country's military regime and consist of a ban on the provision of certain services, restrictions on admission and the freezing of funds and economic resources.

The names of the individuals concerned and the reasons for listing them are included in the Annex to the decision of 25 October 2010 which is available [here](#).

For additional information, contact [Ross Denton](#), or any member of the European International Commercial and Trade group with whom you normally work.

EU seeks comments on requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products

On 25 October 2017, the *Official Journal* published a [notice to economic operators](#) [2017/C 361/05] informing them that the Commission has received requests in accordance with the administrative arrangements foreseen in the

[Commission Communication](#) concerning autonomous tariff suspensions and quotas (2011/C 363/02) for the July round of 2018.

The list of the products for which a duty suspension is requested is now available on the Commission's thematic (Europa) [website on the customs union](#).

Economic operators are also informed that the deadline for objections against new requests to reach the Commission, via the national administrations, is 12 December 2017 which is the date of the second scheduled meeting of the Economic Tariff Questions Group.

Interested operators are advised to consult the list regularly in order to be informed on the status as the requests.

More information on the autonomous tariff suspension procedure can be found on the [Europa website here](#).

EU renews sanctions against Burundi until 31 October 2018

On 23 September 2017, the Council rolled over the EU restrictive measures against Burundi until 31 October 2018. The measures were first adopted on 1 October 2015 and consist of a travel ban and asset freeze against four persons whose activities were deemed to be undermining democracy and obstructing efforts to achieve 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 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*.

Since June 2015, the EU has called on parties in Burundi to refrain from any acts of violence and to end the cycle of impunity of perpetrators. The Council considered that the absence of progress in the situation in relation to the four persons justified the prolongation of the sanctions.

The Council's press release and further details are available [here](#).

For additional information, contact [Ross Denton](#), or any member of the European International Commercial and Trade group with whom you normally work.

North Korea Sanctions Update

On 16 October 2017, the EU adopted new measures against the DPRK (North Korea) under [Council Regulation \(EU\) 2017/1858](#) in response to its continued development of ballistic missiles and nuclear weapons in contravention of UN Security Council resolutions. The regulation implements the following measures:

- a total ban on EU investment in the DPRK in all sectors;
- a total ban on the sale of refined petroleum products and crude oil to the DPRK; and
- lowering the amount of personal remittances that can be transferred to the DPRK from EUR 15,000 to EUR 5,000.

In addition, EU Member States have also agreed not to renew work authorisations for DPRK nationals present in their respective jurisdictions, subject to refugees and those persons benefiting from international protection.

The European Council has also adopted [Council Implementing Regulation \(EU\) 2017/1859](#) which adds three people and six entities to the list of persons subject to an asset freeze and travel restrictions.

The European Council's press release is available [here](#).

For additional information, contact [Ross Denton](#), or any member of the European International Commercial and Trade group with whom you normally work.

UK, EU send joint letter to WTO Members on BREXIT

On 11 October 2017, the UK Department for International Trade (DIT) [released](#) a UK-EU joint letter to the WTO membership that shows progress and coordination to prepare for future trading arrangements. The DIT release stated:

In preparation for the UK's withdrawal from the European Union, UK government and the European Commission have set out a number of proposals for future global trading arrangements in a [joint letter to World Trade Organization \(WTO\) members](#) (PDF, 156KB, 2 pages)

Since the EU referendum a year ago, the Department for International Trade has been forging ahead to establish the UK's future independent trade policy as we leave the EU. This includes separating out the UK's trading commitments to other WTO members from the EU's overall commitments; as the UK's current commitments to other WTO members, such as the tariffs it sets, are applied through the EU.

To kick-start this process, the UK and the European Commission have written to the WTO membership in a commitment to provide clarity and to work constructively and openly with international partners. The proposals include apportioning the EU's existing commitments on the amount of imported goods on which a lower duty is charged. These tariff-rate quotas (TRQs) apply to a range of everyday items such as dairy products and meat.

The UK and the EU have worked cooperatively as we seek to maintain the existing levels of market access for countries, namely:

- apportioning tariff rate quotas (TRQs)
- apportioning the allowable amount of certain agricultural subsidies
- working on the UK's continued membership of the [WTO Government Procurement Agreement](#) – the approach to ensuring open and fair competition to government contracts

International Trade Secretary Dr Liam Fox said:

As an international economic department, we've been working closely with the European Commission to prepare for our withdrawal from the EU in order to minimise any disruption to global trade.

Our agreed collaborative approach shows real progress on how UK government intends to take forward our future trading arrangements with the world. This is the start of our open and constructive engagement with the WTO membership and sets out our intentions regarding EU quotas to forge ahead and establish the UK as an independent WTO member.

To ensure a smooth transition which minimises disruption to our trading relationships with other WTO members the UK intends to replicate as far as possible its obligations under the current commitments of the EU.

This agreed approach between the UK and EU will now form the first part of our co-operative, inclusive and open engagement we will have with WTO members, in accordance with WTO rules and procedures.

Commission launches new “Customs Decisions System” for traders

On 2 October 2017, the European Commission [announced](#) that it had launched a new pan-EU electronic system, the [Customs Decision System](#) (CDS), to make it easier for businesses to get permission to import goods. The announcement said that:

The new [Customs Decision System](#) (CDS) will allow traders to handle up to 22 different types of customs applications online through the [EU Trader Portal](#).

Access to the CDS is more secure than current procedures and importers in all Member States can use the same portal with applications being exchanged between all relevant customs authorities.

The new system is one of the first outcomes of the new [Union Customs Code](#) (UCC), a major overhaul of existing EU customs legislation which came into force on 1 May 2016.

An e-learning module has also been released to help the future users of the Customs Decision System to confidently use the system in accordance with their role.

Online addresses to the systems:

1. [EU Trader Portal system](#) for customs purposes – where the Economic Operators in Member States will register their applications; the authentication being provided by UUM&DS
2. [Central Uniform User Management and Digital Signature System – UUM&DS](#) – where Member States traders may manage authorisation assignments (delegations)
3. [Central Data Dissemination System for Economic Operators data \(DDS2-EQ\)](#) – where Member States traders may check the validity of their Customs Decisions authorisation

Documentation about the systems:

1. [Customs Decisions Business User Guide](#)[Search for available translations of the preceding link](#)***
2. [UUM&DS Economic Operators Manual](#)
3. [Trader Portal User Manual](#)
4. [Customs Decisions System – eLearning module](#)
5. [CDS Leaflet](#)[Search for available translations of the preceding link](#)***
6. [CDS Course Takeaways](#)[Search for available translations of the preceding link](#)***
7. [National Service Desks Contact Points](#)

Additional details are available on the [Customs Decisions webpage](#).

HSC Decisions, Opinions and amendments to the ENs

On 1 November 2017, the *Official Journal* published a [Communication in accordance with Article 34\(7\)\(a\)\(iii\) of Regulation \(EU\) No 952/2013 of the European Parliament and of the Council, on decisions relating to binding information issued by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature](#) (2017/C 372/01).

The communication requires customs authorities to revoke decisions relating to binding information from this day if they become incompatible with the interpretation of the customs nomenclature as a result of the following international tariff measures: Classification Decisions, Classification Opinions or amendments to

the Explanatory Notes of the Nomenclature of the Harmonised Commodity Description and Coding System, adopted by the Customs Cooperation Council (working title World Customs Organization or WCO).

AMENDMENTS TO THE EXPLANATORY NOTES OF THE NOMENCLATURE OF THE HARMONISED COMMODITY DESCRIPTION AND CODING SYSTEM, ADOPTED BY THE CUSTOMS COOPERATION COUNCIL

(CCC DOCUMENT No NC2373 — REPORT OF THE 59TH SESSION OF THE HS COMMITTEE — MARCH 2017)

AMENDMENTS OF THE EXPLANATORY NOTES OF THE NOMENCLATURE ANNEXED TO THE HS CONVENTION

03.07	O/2
29.03	O/2
29.09	O/10
29.22	O/2
29.37	O/9
29.39	O/2, O/11
Chapter 29 — List I-11	O/2
Chapter 29 — List II-5	O/2
Chapter 29 — Annex — 13	O/2
Chapter 29 — Annex — 18	O/2
Chapter 29 — Annex — 34	O/2
Chapter 29 — Annex — 51	O/2
Chapter 39 — General	O/2
44.18	O/2
49.11	O/2
Chapter 69 — General	O/2
69.04	O/2
69.07	O/2
84.32	O/2
84.33	O/2
84.72	O/2
85.42	O/2
87.01	O/2
87.02	O/2
87.03	O/2
94.01	O/30

CLASSIFICATION OPINIONS APPROVED BY THE HS COMMITTEE

1209.91/1	O/13
1602.50/2	O/14
1704.90/10	O/15
1806.90/3-4	O/16
2106.90/35-36	O/17
3207.10/1	O/18
5407.20/1	O/19
6109.10/1	O/20
6110.30/4	O/20
8418.69/2	O/21
8479.89/8-9	O/22
8482.40/1-2	O/23

CLASSIFICATION OPINIONS APPROVED BY THE HS COMMITTEE

8543.70/6	O/24
8609.00/1	O/25
8701.94/1	O/1
8701.94/2	O/1
8703.40	O/1
8711.60/2	O/26
8907.90/1-2	O/27
9021.10/3	O/28
9401.90/1	O/29
9403.60/2	O/31
9503.00/10	O/16
9504.50/3	O/32
9620.00	O/1

CLASSIFICATION DECISIONS APPROVED BY THE HS COMMITTEE

2903.39 (INN)	O/12
2903.78 (INN)	O/12
2918.99 (INN)	O/12
2931.39 (INN)	O/12
2931.90 (INN)	O/12
2933.99 (INN)	O/12
2939.79 (INN)	O/12
3002.12 (INN)	O/8
3002.13 (INN)	O/8
3002.20 (INN: List 113)	O/5
3707.90	D/7
5903.20	IJ/12
6116.10	IJ/13
6116.9	IJ/13
INN: List 114	O/6
INN: List 115	O/7

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
03-10-17	Commission Implementing Regulation (EU) 2017/1781 of 28 September 2017 on the derogations from the product-specific rules of origin laid down in the Comprehensive Economic and Trade Agreement between Canada of the one part, and the European Union and its Member States, of the other part, that apply within the limits of annual quotas for certain products from Canada Recommendation No 1/2017 of the EU-Egypt Association Council of 25 July 2017 agreeing on the EU-Egypt Partnership Priorities [2017/1786]
04-10-17	Council Decision (EU) 2017/1790 of 25 September 2017 on the position to be taken, on behalf of the European Union, within the Cooperation Council established by the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Armenia, of the other part, with regard to the adoption of the EU-Armenia Partnership Priorities Corrigendum to Commission Regulation (EU) 2017/1154 of 7 June 2017 amending Regulation (EU) 2017/1151 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Regulation (EC) No 692/2008 and Directive 2007/46/EC of the European Parliament and of the Council as regards real-driving emissions from light passenger and commercial vehicles (Euro 6) (OJ L 175, 7.7.2017)
05-10-17	Commission Implementing Decision (EU) 2017/1791 of 4 October 2017 determining that a temporary suspension of the preferential customs duty pursuant to Article 15 of Regulation (EU) No 20/2013 of the European Parliament and of the Council is not appropriate for imports of bananas originating in Guatemala
06-10-17	Council Decision (EU) 2017/1792 of 29 May 2017 on the signing, on behalf of the Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance Council Decision (EU) 2017/1793 of 15 September 2017 amending Decision (EU) 2017/1792 on the signing, on behalf of the Union, and provisional application of the Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance <ul style="list-style-type: none"> • Bilateral Agreement between the European Union and the United States of America on prudential measures regarding insurance and reinsurance
07-10-17	Notice concerning the provisional application of the Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part Commission Delegated Regulation (EU) 2017/1798 of 2 June 2017 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for total diet replacement for weight control Commission Recommendation (EU) 2017/1804 of 3 October 2017 on the implementation of the provisions of the Schengen Borders Code on temporary

OJ Date	Subject
	reintroduction of border control at internal borders in the Schengen area
11-10-17	Commission Implementing Decision (EU) 2017/1839 of 9 October 2017 amending Implementing Decision 2013/426/EU on measures to prevent the introduction into the Union of the African swine fever virus from certain third countries or parts of the territory of third countries in which the presence of that disease is confirmed and repealing Decision 2011/78/EU (notified under document C(2017) 6672)
	Commission Implementing Decision (EU) 2017/1840 of 9 October 2017 amending Decision 2008/866/EC, on emergency measures suspending imports from Peru of certain bivalve molluscs intended for human consumption, as regards its period of application (notified under document C(2017) 6719)
	Commission Implementing Decision (EU) 2017/1841 of 10 October 2017 amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (notified under document C(2017) 6886)
12-10-17	Commission Implementing Decision (EU) 2017/1845 of 11 October 2017 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (notified under document C(2017) 6910)
	Decisions of the EEA Joint Committee № 295/2015 through № 321/2015
13-10-17	Commission Implementing Decision (EU) 2017/1850 of 11 October 2017 amending Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2017) 6774) (Text with EEA relevance.)
	Commission Implementing Decision (EU) 2017/1851 of 11 October 2017 amending Annex II(E) to Decision 92/260/EEC as regards the requirements for African horse sickness of registered horses temporarily admitted from Algeria, Kuwait, Morocco, Oman, Qatar, Tunisia and Turkey, and amending Annex I to Decision 2004/211/EC as regards the entry for the United Arab Emirates in the list of third countries and parts thereof from which imports into the Union of live equidae and semen, ova and embryos of the equine species are authorised (notified under document C(2017) 6775) (Text with EEA relevance.)
	Commission communication in the framework of the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Publication of references of European Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011) [2017/C 343/06]
	Update of the list of residence permits referred to in Article 2(16) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2017/C 343/07]
	Commission communication in the framework of the implementation of Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity and 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) [2017/C 344/02]
	Commission communication in the framework of the implementation of 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) [2017/C 344/01]
17-10-17	Commission Implementing Regulation (EU) 2017/1862 of 16 October 2017 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries
	Commission Implementing Decision (EU) 2017/1870 of 16 October 2017 on the publication of the reference of the European standard on electronic invoicing and the list of its syntaxes pursuant to Directive 2014/55/EU of the European

OJ Date	Subject
	Parliament and of the Council Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for 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) [2017/C 348/08]
18-10-17	Commission Implementing Regulation (EU) 2017/1896 of 17 October 2017 concerning the authorisation of a preparation of endo-1,3(4)-beta-glucanase (EC 3.2.1.6) and endo-1,4-beta-xylanase (EC 3.2.1.8) produced by <i>Aspergillus niger</i> (NRRL 25541) as a feed additive for chickens for fattening, laying hens, pigs for fattening, minor poultry species and minor porcine species for fattening and amending Regulation (EC) No 255/2005 and repealing Regulation (EC) No 668/2003 (holder of the authorisation Andrés Pinaluba S.A.)
19-10-17	Commission Implementing Regulation (EU) 2017/1903 of 18 October 2017 concerning the authorisation of the preparations of <i>Pediococcus parvulus</i> DSM 28875, <i>Lactobacillus casei</i> DSM 28872 and <i>Lactobacillus rhamnosus</i> DSM 29226 as feed additives for all animal species Commission Implementing Regulation (EU) 2017/1904 of 18 October 2017 concerning the authorisation of a preparation of <i>Bacillus licheniformis</i> DSM 28710 as a feed additive for chickens for fattening and chickens reared for laying (holder of authorisation Huvepharma NV) Commission Implementing Regulation (EU) 2017/1905 of 18 October 2017 concerning an authorisation of the preparation of <i>Saccharomyces cerevisiae</i> CNCM I-1079 as a feed additive for chickens for fattening and for minor poultry species for fattening (holder of authorisation Danstar Ferment AG represented by Lallemand SAS) Commission Implementing Regulation (EU) 2017/1906 of 18 October 2017 concerning the authorisation of a preparation of endo-1,4-b-xylanase (EC 3.2.1.8) produced by <i>Trichoderma citrinoviride</i> Bisset (IMI SD135) as a feed additive for chickens reared for laying and minor poultry species reared for laying (holder of authorisation Huvepharma NV) Commission Implementing Regulation (EU) 2017/1907 of 18 October 2017 concerning the authorisation of a preparation of <i>Lactobacillus plantarum</i> (KKP/593/p and KKP/788/p) and <i>Lactobacillus buchneri</i> (KKP/907/p) as a feed additive for cattle and sheep Commission Implementing Decision (EU) 2017/1910 of 17 October 2017 amending Decision 93/52/EEC as regards the brucellosis (<i>B. melitensis</i>)-free status of certain regions of Spain, Decision 2003/467/EC as regards the official bovine brucellosis-free status of Cyprus and of certain regions of Spain, and as regards the official enzootic-bovine-leucosis-free status of Italy, and Decision 2005/779/EC as regards the swine vesicular disease-free status of the region of Campania of Italy (notified under document C(2017) 6891) (Decisions of the EEA Joint Committee No. 41/2016 through 65/2016 of 18 March 2016
20-10-17	Commission Implementing Regulation (EU) 2017/1914 of 19 October 2017 concerning the authorisation of salinomycin sodium (Sacox 120 microGranulate and Sacox 200 microGranulate) as a feed additive for chickens for fattening and chickens reared for laying and repealing Regulations (EC) No 1852/2003 and (EC) No 1463/2004 (holder of authorisation Huvepharma NV) Commission Implementing Regulation (EU) 2017/1915 of 19 October 2017 prohibiting the introduction into the Union of specimens of certain species of wild fauna and flora Commission Implementing Directive (EU) 2017/1920 of 19 October 2017 amending Annex IV to Council Directive 2000/29/EC as regards the movement of seeds of <i>Solanum tuberosum</i> L. originating in the Union Council Decision (EU) 2017/1921 of 16 October 2017 on the position to be adopted on behalf of the European Union within the Joint CARIFORUM-EU Council of the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the establishment of a list of arbitrators

OJ Date	Subject
	Council Decision (EU) 2017/1922 of 16 October 2017 on the position to be adopted on behalf of the European Union within the Joint CARIFORUM-EU Council of the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the amendment of Annex IX to Protocol I Decision No 1/2017 of the ESA-EU Customs Cooperation Committee of 2 October 2017 on a derogation from the rules of origin laid down in Protocol 1 to the Interim Agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, of the one part, and the European Community and its Member States, of the other part, to take account of the special situation of the Eastern and Southern Africa States with regard to preserved tuna and tuna loins [2017/1923] Decision No 2/2017 of the ESA-EU Customs Cooperation Committee of 2 October 2017 on a derogation from the rules of origin laid down in Protocol 1 to the Interim Agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, of the one part, and the European Community and its Member States, of the other part, to take account of the special situation of Mauritius with regard to salted snoek [2017/1924] Information notice — Public consultation — Names from Mexico to be protected as geographical indications in the European Union [2017/C 353/08] Information notice — Public consultation — Names from Mercosur to be protected as geographical indications in the European Union [2017/C 353/09]
21-10-17	Commission Implementing Decision (EU) 2017/1930 of 20 October 2017 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (notified under document C(2017) 7173) List of the national competent authorities according to Article 21 of Regulation (EU) No 258/2012 of the European Parliament and of the Council [2017/C 356/07] [Certain export controls]
24-10-17	Notice concerning the provisional application of the Cooperation Agreement on Partnership and Development between the European Union and its Member States, of the one part, and the Islamic Republic of Afghanistan, of the other part Commission Recommendation (EU) 2017/1936 of 18 October 2017 on immediate steps to prevent misuse of explosives precursors Council Decision (EU) 2017/1912 of 9 October 2017 on the conclusion of the Agreement between the European Union and Iceland on the protection of geographical indications for agricultural products and foodstuffs <ul style="list-style-type: none"> Agreement between the European Union and Iceland on the protection of geographical indications for agricultural products and foodstuffs Council Decision (EU) 2017/1913 of 9 October 2017 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products <ul style="list-style-type: none"> Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products Position (EU) No 5/2017 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drug' and repealing Council Decision 2005/387/JHA Adopted by the Council on 25 September 2017 [2017/C 359/01] Statement of the Council's reasons: Position (EU) No 5/2017 of the Council at first reading with a view to the adoption of a Directive of the European Parliament and of the Council amending Council Framework Decision 2004/757/JHA in order to include new psychoactive substances in the definition of 'drug' and repealing Council Decision 2005/387/JHA [2017/C 359/02]
25-10-17	Commission Delegated Regulation (EU) 2017/1940 of 13 July 2017 supplementing Regulation (EU) 2016/1012 of the European Parliament and of the Council as regards the content and format of zootechnical certificates issued for purebred breeding animals of the equine species contained in a single lifetime

OJ Date	Subject
	identification document for equidae Commission Regulation (EU) 2017/1941 of 24 October 2017 amending Annex II to Regulation (EC) No 66/2010 of the European Parliament and of the Council on the EU Ecolabel Commission notice — EU guidelines on food donation [2017/C 361/01] Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products [2017/C 361/05]
27-10-17	Council Decision (EU) 2017/1937 of 11 July 2017 on the signing, on behalf of the European Union, and provisional application of the Treaty establishing the Transport Community <ul style="list-style-type: none"> • Treaty establishing the Transport Community Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 September 2017 to 30 September 2017 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2017/C 367/01] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 September 2017 to 30 September 2017 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2017/C 367/02]
28-10-17	Commission Delegated Regulation (EU) 2017/1962 of 9 August 2017 amending Delegated Regulation (EU) No 611/2014 supplementing Regulation (EU) No 1308/2013 of the European Parliament and of the Council as regards the support programmes for the olive-oil and table-olives sector Commission Implementing Regulation (EU) 2017/1963 of 9 August 2017 amending Implementing Regulation (EU) No 615/2014 laying down detailed rules for the application of Regulation (EU) No 1306/2013 of the European Parliament and of the Council and Regulation (EU) No 1308/2013 of the European Parliament and of the Council in respect of work programmes to support the olive oil and table olives sectors Commission Implementing Decision (EU) 2017/1969 of 27 October 2017 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (notified under document C(2017) 7317) Corrigendum to Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012) Commission Implementing Regulation (EU) 2017/1964 of 17 August 2017 amending Implementing Regulation (EU) 2016/1239 as regards certain rules on time limits and notifications of the quantities covered by licences in the rice sector Commission Delegated Regulation (EU) 2017/1965 of 17 August 2017 amending Delegated Regulation (EU) 2016/1237 as regards the nature and type of information to be notified for licences in the rice sector
31-10-17	Commission Delegated Directive (EU) 2017/1975 of 7 August 2017 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium in colour converting light-emitting diodes (LEDs) for use in display systems Corrigendum to Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016) Commission Implementing Regulation (EU) 2017/1925 of 12 October 2017 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff [See article above on 2018 CN]
01-11-17	Commission Regulation (EU) 2017/1978 of 31 October 2017 amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the

OJ Date	Subject
	Council laying down specific hygiene rules for food of animal origin as regard echinoderms harvested outside classified production areas
	Commission Regulation (EU) 2017/1979 of 31 October 2017 amending Annex II to Regulation (EC) No 854/2004 of the European Parliament and of the Council laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption as regard echinoderms harvested outside classified production areas
	Commission Regulation (EU) 2017/1980 of 31 October 2017 amending Annex III to Regulation (EC) No 2074/2005 as regards paralytic shellfish poison (PSP) detection method
	Commission Regulation (EU) 2017/1981 of 31 October 2017 amending Annex III to Regulation (EC) No 853/2004 of the European Parliament and of the Council as regards temperature conditions during transport of meat
	Corrigendum to Commission Delegated Directive (EU) 2017/1975 of 7 August 2017 amending, for the purposes of adapting to scientific and technical progress, Annex III to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for cadmium in colour converting light-emitting diodes (LEDs) for use in display systems (OJ L 281, 31.10.2017)
04-11-17	Commission Implementing Decision (EU) 2017/1984 of 24 October 2017 determining, pursuant to Regulation (EU) No 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases, reference values for the period 1 January 2018 to 31 December 2020 for each producer or importer which has lawfully placed on the market hydrofluorocarbons from 1 January 2015 as reported under that Regulation (notified under document C(2017) 7080)

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
10-10-17	Commission Implementing Regulation (EU) 2017/1834 of 9 October 2017 amending for the 279th 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
11-10-17	Council Regulation (EU) 2017/1836 of 10 October 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2017/1838 of 10 October 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
16-10-17	Council Regulation (EU) 2017/1858 of 16 October 2017 amending Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Regulation (EU) 2017/1859 of 16 October 2017 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2017/1860 of 16 October 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
19-10-17	Council Implementing Regulation (EU) 2017/1897 of 18 October 2017 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Decision (CFSP) 2017/1909 of 18 October 2017 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
24-10-17	Council Decision (CFSP) 2017/1933 of 23 October 2017 amending Decision (CFSP) 2015/1763 concerning restrictive measures in view of the situation in Burundi

OJ Date	Restrictive Measure
	Council Decision (CFSP) 2017/1934 of 23 October 2017 amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea
	Council Decision (CFSP) 2017/1935 of 23 October 2017 amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova
26-10-17	Council Implementing Regulation (EU) 2017/1942 of 25 October 2017 implementing Article 15(3) of Regulation (EU) No 747/2014 concerning restrictive measures in view of the situation in Sudan
	Council Implementing Decision (CFSP) 2017/1948 of 25 October 2017 implementing Decision 2014/450/CFSP concerning restrictive measures in view of the situation in Sudan
31-10-17	Commission Implementing Regulation (EU) 2017/1974 of 30 October 2017 amending Council Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya
	Council Implementing Decision (CFSP) 2017/1976 of 30 October 2017 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya

Antidumping and countervailing duty cases

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

Individual Countries

FRANCE

Official Gazette (*Journal officiel*)

Date	Measure
08-10-17	Solidarity and Health : 21. Order of 3 October 2017 amending the Order of 22 February 1990 establishing the list of substances classified as narcotic drugs
10-10-17	Solidarity and Health: 8. Order of 3 October 2017 amending the Order of 22 February 1990 establishing the list of substances classified as narcotic drugs
11-10-17	Europe and Foreign Affairs: 17 Decree No 2017-1459 of 9 October 2017 on the publication of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the one part, (together 44 annexes and three protocols), signed in Brussels on 21 March and 27 June 2014 (1)
25-10-17	Ecological and Solidarity Transition - Transports: 29 Order of 24 October 2017 relating to the crossing of borders by persons and goods via aerodromes
27-10-17	Action and Public Accounts: 28 Decree of 17 October 2017 amending the Decree of 17 December 2015 laying down the detailed rules for the application of Article 265a of the Customs Code concerning exemption from the internal consumption tax on energy products used as fuel or fuel on board an aircraft
28-10-17	Eco. And Solidarity Transition: 8 Decree No. 2017-1497 of 26 October 2017 on the transposition of Article 1 of Council Directive 2013/64 / EU of 17 December 2013 amending Council Directive 91/271 / EEC following the modification of the status of Mayotte with regard to the European Union
31-10-17	1 Law № 2017-1510 of 30 October 2017 reinforcing the internal security and the fight against terrorism
01-11-17	Agriculture and Food: 40 Order of 6 October 2017 amending the Decree of 18 May 2009 establishing the list of frontier posts for veterinary and phytosanitary control

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
04-10-17	2017/54 - Notice to Importers of Certain Processed and Non-processed Agricultural Products and Certain Fishery Products Originating in Canada
	2017/55 - Notice to importers of products originating in Ukraine
05-10-17	2017/56 - Notice to importers of certain stainless steel wire originating in India
11-10-17	2017/57 - Notice to importers of certain flat iron hot-rolled flat products originating in Russia, Brazil, Iran and Ukraine
12-10-17	2017/58 - Notice to importers of goods from North Korea
	2017/59 - Notice to Importers of Certain Products Originating in Canada
17-10-17	2017/60 - Notice to Importers of Photovoltaic Modules and Their Essential Components Originating in or Coming from the People's Republic of China
19-10-17	DA № 17-038 Regulatory Requirements for the Importation of Organically Produced Products - Circular NOR CPAD1729542C
24-10-17	2017/61 - Notice to importers of escoliers ((thyrsite) salés, originating in the Republic of Mauritius
	2017/62 - Notice to importers of certain high tenacity yarn of polyesters originating in the People's Republic of China
26-10-17	2017/63 - Notice to Importers of Ceramic Tableware and Kitchenware from the People's Republic of China
27-10-17	2017/64 - Notice to importers of certain fish and fishery products originating in Kosovo

GERMANY

10th Amendment of AWW

The tenth ordinance amending the *Foreign Trade and Payments Ordinance* (AWV) of 22 September 2017 amended section 82 AWW in order to adjust the existing regulations on administrative fines to the current legal basis with regard to fines in case of violations of the provisions, imposed by Council Regulation (EU) 2017/1509 of 30 August 2017 concerning restrictive measures against the Democratic People's Republic of Korea and repealing Regulation (EC) No. 329/2007 (OJ L 224 of 31.8.2017, page 1).

Legislation (*Bundesgesetzblatt*)

Date	Measure
02-10-17	Regulation amending the rules on the import of foodstuffs (27-09-17) from No. 65 of 02-10-2017, page 3459
06-10-17	Regulation on the Implementation of Non-Proprietary Regulations on Novel Food (Novel Food Regulation) (27-09-17) from No. 66 of 06-10-17, page 3520
23-10-17	Regulation on the application of the principle of mutual recognition of fines and fines (Framework Decision - Money Laundering E-Legal Transit) -and-file-keeping regulation ?? RbGeldERAV) (18-10-17) from No. 69, of 23-10-17, page 3582
24-10-17	Notice concerning the scope of the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade (28-09-17) from No. 26 from 24.10.2017, page 1317
	Notice on the scope of the amendment to Article 1 of the United Nations Convention on Arms (29-09-17) from No. 26 of 24-10-17, page 1319

SWEDEN

Swedish government proposes stricter rules on weapon export

On 24 October 2017, the Swedish government proposed stricter rules on weapon export. The proposal suggests that the destination country's democratic status shall be of central consideration in a licence application. The less democratic standing, the harder to get approval for the export of the military equipment. No licence will be approved if there are serious violations on human rights or demerits on the country's democratic standing. Also, whether the export countervails a sustainable development in the country will be considered during a licence application.

The government has also appointed the advisory authority, Inspectorate of Strategic Products, to research and propose a control system for the exported military equipment. This is aimed to obtain additional tools to ensure that military equipment brought out of Sweden goes to intended recipients, thus preventing diversion to unauthorized recipients.

Moreover, a researcher will analyse how to consolidate the national guidelines for the export control related to military equipment with the international requirements.

The rules are proposed to enter into force on 15 April 2018.

For additional information, please contact [Mattias Hedwall](#).

SWITZERLAND

Federal Council further tightens sanctions against the Democratic People's Republic of Korea (North Korea)

On 18 October 2017, taking effect at 6pm CET, the Swiss Federal Council [further tightened sanctions against the Democratic People's Republic of Korea](#) (North Korea), implementing [UN Security Council Resolutions 2371](#) (2017) and [2375](#) (2017). As a consequence of the North Korean rocket tests on 3 and 28 July and the nuclear test on 2 September this year, in contravention of all previous UN Security Council Resolutions, on 5 August 2017 the UN Security Council issued Resolution 2371 (2017), closely followed by Resolution 2375 on 11 September 2017, tightening considerably the sanctions already imposed on North Korea. The resolutions include additional sanctions on the trade in goods, on the financial sector and on work permits. The Swiss Federal Council's [decree of 18 October 2017](#), implements these measures, which are binding under international law, by amending the Swiss [Ordinance on Measures against the Democratic People's Republic of Korea](#) of 18 May 2016. *Work permits may no longer be issued* to citizens of North Korea, with the exception of permits issued under employment contracts concluded before 11 September 2017. In the *financial sector*, joint ventures and cooperatives, both ongoing and new, with North Korean individuals or companies are *no longer permitted*. Existing joint ventures and cooperatives must be discontinued by 9 January 2018 at the latest.

In clarifying previous sanctions, it is now specified that financial transactions with *Korea's Foreign Trade Bank* and the *Korea National Insurance Corporation* are *permitted* as long as they are *solely* for the operation of diplomatic or consular missions or for humanitarian activities. The *bans* already imposed on the *trade in goods* have been *extended*. Condensates, natural gas liquids and refined petro-

leum products may no longer be sold or exported to North Korea, although up to two million barrels of refined petroleum products may be imported by North Korea annually. Annually permitted crude oil import volumes have been frozen at the level of the previous twelve months. North Korea is banned from supplying, selling, importing or transiting through its territory lead and lead ore, textiles, fish and seafood. The exemption that previously applied to coal imports from North Korea has been removed. There will continue to be *strict monitoring* of bans on the transport of certain goods, with customs authorities physically checking all shipments to and from North Korea. In *shipping*, the handling of goods bound for or coming from North Korea, or from ship to ship with a North Korean vessel, and affording any form of assistance to such a vessel, are now *prohibited*.

For additional information, please contact [Philippe M. Reich](#) of our Zurich office.

Legislation (Recueil officiel)

Date	Measure
03-10-17	Protocol of amendment of 26 June 1999 to the International Convention of 18 May 1973 on the simplification and harmonization of customs procedures (RS 0.631.21)
	Decision № 3/2015 of the Council amending Appendix P of the agreement on land transport of the Convention of 4 January 1960 establishing the European Free Trade Association (EFTA) (RS 0.632.31)
	Agreement concerning the Adoption of UN Harmonized Technical Regulations for Wheeled Vehicles and Equipment and Parts Mountable or Used on Wheeled Vehicles and Conditions for Reciprocal Recognition of Approvals Granted in Accordance with these Regulations (RS 0.741.411)
	Ordinance on the Limitation and Disposal of Waste (Ordinance on Waste, OLED) [Correction] (RS 814.600)
17-10-17	Ordinance of the Swiss Agency for Therapeutic Products concerning the enactment of the Pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11)
18-10-17	FSIV Ordinance instituting measures to prevent the introduction of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
	Ordinance of the DFI regulating the import, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
20-10-17	FSVO Order instituting measures to prevent the introduction into Switzerland of African swine fever present in certain Member States of the European Union (RS 916.443.107)
24-10-17	Ordinance of the DFI regulating the import, transit and export of animals and animal products with the EU Member States, Iceland and Norway (OITE-EU-DFI) (RS 916.443.111)
26-10-17	FSVO Ordinance instituting measures to prevent the introduction in Switzerland of avian influenza in some Member States of the European Union (RS 916.443.102.1)
31-10-17	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	Decision No 1/2012 of the Joint EFTA-Korea Committee amending Annex I concerning rules of origin and customs procedures (RS 0.632.312.811)
	Federal decree approving the Paris Agreement on the climate <ul style="list-style-type: none"> Paris Climate Agreement (RS 0.814.012)
Date	Restrictive Measure
02-10-17	Ordinance imposing measures against Syria (RS 946.231.172.7) [Entry into force – 03-10-17]
05-10-17	Amendment of Ordinance of 2 October 2000 imposing measures against persons and entities associated with Usama bin Laden, the "Al-Qaeda" group or the

Date	Measure
	Taliban (RS 946.203) [Entry into force – 04-10-17]
18-10-17	Amendment to the Ordinance of 25 May 2005 instituting measures against Sudan (RS 946.231.18) [Entry into force - 17-10-17]
18-10-17	Ordinance instituting measures against the Democratic People's Republic of Korea – Amendment of 18 October 2017 (RS 946.231.127.6) [Entry into force - 18-10-17]

UNITED KINGDOM

New guidance to help charities comply with financial sanctions

New [guidance](#) was published on 19 October 2017 by the Office of Financial Sanctions Implementation (OFSI) to help charities and NGOs understand their responsibilities and comply with financial sanctions.

In producing the guidance, OFSI has worked closely with charities, regulators and banks to understand common challenges faced by those operating in hostile environments.

The guidance helps clarify what activities may be permitted under an OFSI licence and how to apply. It also identifies sources of information and advice available, including the Charity Commission's toolkit for charities and NGOs.

A link to the press release is available [here](#).

For additional information, contact [Ross Denton](#).

The Sanctions and Anti-Money Laundering Bill

On 18 October 2017, the “*Sanctions and Anti-Money Laundering Bill*” (the “**Bill**”) was introduced into the House of Lords. According to the Government's press release on the Bill “ensures that when the UK leaves the EU, we can continue to impose, update, and lift sanctions and AML regimes”.

- A link to the Bill is available [here](#).
- A link to the Explanatory Notes on the Bill is available [here](#).
- A link to the Government's press release regarding the Bill is available [here](#).
- If you would like to track to the progress of the Bill, see [here](#).

For additional information, contact [Ross Denton](#).

UK implements EU sanctions on Mali

On 17th October 2017, the UK published the Republic of Mali (European Union Financial Sanctions) Regulations 2017 ([SI 2017/972](#)) following [Council Regulation \(EU\) 2017/1770](#). The Council Regulation sets out the EU sanctions on Mali, which are currently limited to restrictions against designated persons, and the UK regulations bring into UK law the enforcement, licensing and penalty provisions for these sanctions.

For additional information, contact [Ross Denton](#), or any member of the European International Commercial and Trade group with whom you normally work.

Government sets out vision for post EU trade and customs policy

On 9 October 2017, the Department for International Trade (DIT), HM Treasury, HM Revenue & Customs (HMRC) [announced](#) the publication of separate trade and customs white papers that will pave the way for legislation that will ensure the UK is ready for the first day after EU exit. The announcement stated:

The government has taken a significant step in preparing to leave the EU by setting out arrangements for post-Brexit trade and customs policy.

Trade and Customs White Papers published today pave the way for legislation that will ensure the UK is ready for the first day after exit.

The [Trade White Paper](#) published by the Department for International Trade establishes the principles that will guide future UK trade policy as well as laying out the practical steps that will support those aims.

These include:

- taking steps to enable the UK to maintain the benefits of the [World Trade Organisation's Government Procurement Agreement](#)
- ensuring the UK can support developing economies by continuing to give them preferential access to UK markets
- preparing to bring across into UK law existing trade agreements between EU and non-EU countries
- creating a new, UK trade remedies investigating authority

International Trade Secretary Dr Liam Fox said:

We want to build a future trade policy that delivers benefits for the UK's economy and for businesses, workers and consumers alike.

This paper is the first exciting step and sets out the principles behind an approach which will help British businesses to make the most of trade opportunities, contribute to a growing economy and create prosperity for communities up and down the UK.

Also published today is the Treasury's [Customs Bill White Paper](#), which sets out plans to legislate for the standalone customs, VAT and excise regimes the UK will need once it leaves the EU.

In August the government set out its proposals for an ambitious new customs relationship with the EU and confirmed that, regardless of the outcome of negotiations, the UK would need new customs laws in place by March 2019. Responding to calls from businesses for continuity, today's White Paper confirms that the UK's new legislation will, as far as possible, replicate the effect of existing EU customs laws.

In addition, while the government has repeatedly said that we are confident that a positive deal can be reached with the EU, it is only prudent that we prepare for every possible outcome. Therefore, the paper covers provisions for the implementation of customs, VAT and excise regimes in the event that no deal is reached, and sets out the steps the government would take to minimise disruption for businesses and travellers. It also enables the UK to prepare for a range of negotiated outcomes including an implementation period.

The Customs Bill will give the UK the power to:

- charge customs duty on goods; define how goods will be classified, set and vary the rates of customs duty and any quotas
- amend the VAT and excise regimes so that they can function effectively post-exit
- set out the rules governing how HMRC will collect and enforce the taxes and duties owed
- implement tax-related elements of the UK's future trade policy

Chancellor of the Exchequer, Philip Hammond said:

Investment and trade are crucial to the economic future of this country. This White Paper sets out our plan to keep trade with the EU as frictionless as possible, and re-affirms the government's commitment to deliver a smooth transition.

Legislation (legislation.gov.uk)

Date	Measure
03-10-17	SR 2017/202 - The Waste Management Licensing (Amendment) Regulations (Northern Ireland) 2017
13-10-17	SI 2017/989 - The Offshore Asset Moves Penalty (Specified Territories) (Amendment) Regulations 2017
30-10-17	SI 2017/1028 - The Criminal Finances Act 2017 (Commencement No. 3) Regulations 2017
Date	Restrictive Measure
11-10-17	SI 2017/972 - The Republic of Mali (European Union Financial Sanctions) Regulations 2017
12-10-17	SI 2017/986 - The Democratic People's Republic of Korea (European Union Financial Sanctions) (Amendment) (No. 4) Regulations 2017
	SI 2017/984 - The Policing and Crime Act (Financial Sanctions) (Overseas Territories) Order 2017
	SI 2017/982 - The Counter-Terrorism and Security (Jersey) Order 2017
18-10-17	SI 2017/999 - The Democratic People's Republic of Korea (European Union Financial Sanctions) (Amendment) (No. 5) Regulations 2017

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	
12-10-17	Customs Information Paper 23 (2017): questionnaire CCG1a
19-10-17	Customs Information Paper 10 (2017): trading between the EU and Canada
25-10-17	Customs Information Paper 22 (2017): travellers returning to the UK
26-10-17	Customs Information Paper 24 (2017): gift allowance for 2018
06-11-17	Customs Information Paper 25 (2017): statistical threshold - sterling figure to apply for 2018
Tariff and Anti-Dumping Notices	
03-10-17	Anti-Dumping Duty measure AD2225
05-10-17	Anti-Dumping Duty measure AD2224
06-10-17	Anti-Dumping Duty measure AD2222
	Anti-Dumping Duty measure AD2223
	Anti-Dumping Duty measure AD2226
	Anti-Dumping Duty measure AD2227
09-10-17	Anti-Dumping Duty measure AD2228
	Tariff Quota Notice 130 (2017): tariff quotas for wines originating in Kosovo
10-10-17	Tariff Stop Press Notice 32 (2017): amendments to commodity codes for crystal-line products
	Tariff Stop Press Notice 33 (2017): amendments to commodity codes in chapters 2, 13, 18 and 21
11-10-17	Tariff Notice 44 (2017): sweet oranges
12-10-17	Tariff Stop Press Notice 34 (2017): amendments to commodity codes in chapter 3
	Tariff Stop Press Notice 35 (2017): changes to the monthly trade euro rate
	UK Trade Tariff: customs procedure codes

Release Date	Ref. No. and Subject
	UK Trade Tariff: exports
	Barium carbonate imported from China (Anti-Dumping Duty 2232)
	Stainless steel wire originating in India (Anti-Dumping Duty 2234)
13-10-17	Imports of crystalline silicon photovoltaic modules and cells (Anti-Dumping Duty 2233)
	Tariff Stop Press Notice 31 (2017): amendments to commodity codes in chapters 3 and 87
16-10-17	Tariff Stop Press Notice 36 (2017): amendments to commodity codes in chapters 3 and 11
	Stainless steel wires imported by Viraj Profiles Ltd (Anti-Dumping Duty 2236)
18-10-17	Tariff Quota Notice 149 (2017): new tariff quotas for certain products from Ukraine
	Tariff Notice 43 (2017): combs, hair-slides, hairpins, curling pins, curling grips and hair-curlers
19-10-17	Biodiesel imported from Argentina and Indonesia (Anti-Dumping Duty 2229)
	Biodiesel imported from the USA (Anti-Dumping Duty 2231)
	UK Trade Tariff: imports and community transport inwards
20-10-17	Solar modules and cells imported from China (Anti-Dumping Duty 2230)
	New and retreaded tyres imported from China (Anti-Dumping Duty 2237)
25-10-17	Tariff Quota Notice 150 (2017): new tariff quotas for certain products from Canada
	Electronically power-assisted cycles imported from China (Anti-Dumping Duty 2238)
27-10-17	Tariff Stop Press Notice 38 (2017): amendments to commodity codes in chapter 23
30-10-17	Hot-rolled flat products of metals (Anti-Dumping Duty 2235)
Other Documents and Notices	
06-10-17	Excise Notice 69a: aircraft and ship stores
09-10-17	Notice 216: customs procedures at cargo community system-UK locations
	VAT Notice 703: export of goods from the UK
13-10-17	New Computerised Transit System (NCTS): Electronic Data Interchange (EDI) completion rules
16-10-17	VAT Notice 707: Personal Export Scheme
17-10-17	HM Revenue & Customs officials' meetings with tobacco stakeholders
24-10-17	Notice 5: Transfer of Residence - moving to or returning to the UK from outside the EU
	Notice 3: bringing your personal belongings, pets and private means of transport from outside the EU whilst visiting the UK
25-10-17	Baggage checks - Code of Practice
	VAT Notice 707: Personal Export Scheme
27-10-17	VAT Notice 747: VAT notices having the force of law
	VAT Notice 714: zero rating young children's clothing and footwear
30-10-17	Rates and allowances: monthly euro conversion rates for calculating customs duty
06-11-17	Tobacco Illicit Trade Protocol – licensing of equipment and the supply chain

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
03-10-17	Notice to exporters 2017/20: latest export control training bulletin published
17-10-17	Notice to exporters 2017/21: consultation launched on national security and infrastructure investment review
23-10-17	Notice to exporters 2017/22: government publishes bill covering crown exemption for MOD owned goods, sanctions and money laundering

Date	Notice No. and Subject
24-10-17	Notice to exporters 2017/23: reminder of email address for OGEL or Crown Exemption letters
01-11-17	Notice to exporters 2017/24: maritime anti-piracy open general trade control licence amended

OTHER EU-EFTA COUNTRIES

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
IRELAND (EIRE)	
03-10-17	S.I. No. 422 of 2017 Public Health (Standardised Packaging of Tobacco) Regulations 2017
27-10-17	S.I. No. 464 of 2017 European Union (Drinking Water) (Amendment) Regulations 2017
LIECHTENSTEIN	
02-10-17	LGBI № 2017.271 Exchange of notes between the Principality of Liechtenstein and the European Union concerning the adoption of the Implementing Decision of 30 August 2017 concerning the compilation of the list of visa applicants for visa applicants in Australia, Bangladesh, Ethiopia, South Africa, Thailand and Zambia Further development of the Schengen acquis (LR № 0.362.380.079)
	LGBI № 2017.272 Exchange of notes between the Principality of Liechtenstein and the European Union concerning the adoption of the Implementing Decision of 31 August 2017 replacing the Annex to the Implementing Decision 2013/115 / EU on the SIRENE Manual and other implementing provisions for the second generation Schengen Information System (SIS II) (Further development of the Schengen acquis (LR № 0.362.380.080)
06-10-17	LGBI № 2017.274 Regulation of 3 October 2017 on the amendment of the Ordinance on Narcotics (LR № 812.120.1)
19-10-17	LGBI № 2017.286 Climate agreement from Paris (LR № 0.814.012)
02-11-17	LGBI № 2017.297 Exchange of Letters between the Principality of Liechtenstein and the European Union concerning the adoption of Regulation (EU) 2016/1624 of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 and repealing the Regulation (EC) No 863/2007, Regulation (EC) No 2007/2004 and Council Decision 2005/267 / EC (further development of the Schengen acquis (LR № 0.362.380.081)
LUXEMBOURG	
03-10-17	Mem A No. 874: Minamata Convention on Mercury, adopted at Geneva on 19 January 2013 - Ratification and entry into force for Luxembourg - List of States Parties.
19-10-17	Mem A No. 931 Grand-Ducal Regulation of 12 October 2017 amending 1. the annex to the amended Grand-Ducal Regulation of 20 March 1974 concerning certain psychotropic substances; 2. the annex to the amended Grand-Ducal Regulation of 26 March 1974 establishing the list of narcotics.
MALTA	
20-10-17	№ 296 of 2017 – Simplifying Terms and Conditions of Transfers of Defence-Related Products (Amendment) Regulations, 2017 Government Gazette of Malta No. 19,888 – 20.10.2017
24-10-17	№ 297 of 2017 – European Investigation Order Regulations, 2017 Government Gazette of Malta No. 19,889 – 24.10.2017
	№ 299 of 2017 – Water Intended for Human Consumption (Amendment) Regu-

Date*	Measure
	lations, 2017 Government Gazette of Malta No. 19,889 – 24.10.2017
27-10-17	№ 301 of 2017 – Arms Act (Amendment of Schedule I) Regulations, 2017 Government Gazette of Malta No. 19,891 – 27.10.2017
NORWAY	
02-10-17	FOR-2017-09-26-1532 Ministry of Health and Care Services Regulations amending the Regulation on Food Additives
03-10-17	FOR-2017-09-26-1570 Ministry of Agriculture and Food Regulations amending the regulation on alcoholic strength and aromatized beverages, etc.
	FOR-2017-09-29-1571 Ministry of Climate and Environmental Affairs, Ministry of Labor and Social Affairs, Ministry of Justice and Emergency Affairs Regulations amending the Regulation on Registration, Evaluation, Authorization and Restriction of Chemicals (REACH Regulation)
04-10-17	FOR-2017-09-29-1574 Ministry of Climate and Environment, Ministry of Labor and Social Affairs Regulations on amendments to biocidal regulations (biocidal regulation)
	FOR-2017-09-26-1573 Ministry of Agriculture and Food, Ministry of Food and Fisheries Regulation on change in the ecological regulation (Regulation (EU) 2016/1842, Regulation (EU) 2016/2259, Regulation (EU) 2017/838)
06-10-17	FOR-2017-08-28-1584 Ministry of Defense Decree on change in procurement regulations for the defense sector (ARF)
10-10-17	FOR-2017-09-25-1594 Ministry of Health and Care Services Regulations amending the regulation on nutrition and health claims concerning foodstuffs
12-10-17	FOR-2017-10-10-1597 Ministry of Labor and Social Affairs, Ministry of Justice and Emergency Affairs Electromagnetic Compatibility Regulations
	FOR-2017-10-10-1598 Ministry of Justice and Emergency Affairs Regulations on electrical equipment
13-10-17	FOR-2017-10-10-1611 Ministry of Climate and Environment, Ministry of Labor and Social Affairs, Ministry of Justice and Emergency Affairs, Ministry of Agriculture and Food Regulations amending the Regulation on Classification, Labeling and Packaging of Substances and Mixtures (CLP)
	FOR-2017-10-11-1612 Ministry of Health and Care Services Regulations amending the Regulation on Nutritional Supplements and Regulations on the addition of vitamins, minerals and certain other substances for food
16-10-17	FOR-2017-10-15-1617 Ministry of Health and Care Regulations amending the regulation on animal health conditions for the import and export of equidae and regulations on animal health conditions for the import and export of semen, eggs and embryos.
17-10-17	FOR-2017-10-17-1625 Ministry of Justice and Emergency Affairs Regulations concerning change in regulations on land transport of dangerous goods
20-10-17	FOR-2017-10-19-1638 Ministry of Health and Care Services Regulations regarding change in regulation on drug classification
23-10-17	FOR-2017-10-19-1640 Ministry of Climate and Environment Regulations amending the Regulation on Restriction in the Use of Hygiene and Environmental Hazardous Chemicals and Other Products (Amendment of Chapter 6 Regulation of Ozone Reduction Substances)
24-10-17	FOR-2017-10-23-1653 Ministry of Agriculture and Food Regulations concerning change in pesticide regulation
27-10-17	FOR-2017-10-25-1665 Ministry of Agriculture and Food Regulations for the protection of Norway's Beef Norway as a geographical indication
31-10-17	FOR-2017-10-30-1684 Ministry of Health and Care Regulations amending the regulation on cosmetics and body care products
	FOR-2017-10-30-1685 Ministry of Agriculture and Food Regulations concerning change in pesticide regulation
POLAND	
03-10-17	№ 1827 Ordinance of the Minister of Development and Finance of 22 September 2017 on how to keep records of the service of the Customs and Tax Service
19-10-17	№ 1939 Agreement on seat between the Republic of Poland and the European Agency for Frontier and Coast Guard (Frontex), signed in Warsaw on 9 March 2017.

Date*	Measure
	№ 1940 Government Declaration of 5 September 2017 on the binding force of the Headquarters Agreement between the Republic of Poland and the European Agency for Frontier and Coast Guard (Frontex), signed in Warsaw on 9 March 2017.
23-10-17	№ 1963 Announcement of the Minister of Development and Finance of 4 October 2017 on the publication of the consolidated text of the Regulation of the Minister of Finance on the authorization of other government administration to perform certain tasks of the customs authorities
26-10-17	№ 1993 Announcement of the Marshal of the Sejm of the Republic of Poland of 29 September 2017 on the publication of the uniform text of the Central Anticorruption Bureau Act
30-10-17	№ 2012 Ordinance of the Minister of Health of 5 October 2017 on fees for activities carried out by the bodies of the State Sanitary Inspection under the official control of food
31-10-17	№ 2023 Ordinance of the Council of Ministers of 17 October 2017 on cooperation on restitution of cultural property, including the return of cultural property brought in violation of the law from the territory of the Member States of the European Union
02-11-17	№ 2033 Announcement of the Minister of Development and Finance of 11 October 2017 on the publication of the consolidated text of the Regulation of the Minister of Economy on the development plan of the Legnica Special Economic Zone
SPAIN	
02-10-17	Foreign Affairs: Amendments to Annexes 2, 6 and 7 to the Customs Convention on the International Carriage of Goods under the TIR Carnets, adopted in Geneva on 10 and 11 February 2016. (BOE-A-2017-11118)
06-10-17	Economy, Industry, etc.: Resolution of October 2, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of European standards that have been ratified during the month of September 2017 as Spanish standards. (BOE-A-2017-11492)
	Economy, etc.: Resolution of October 2, 2017, issued by the General Directorate of Industry and Small and Medium-sized Enterprises, which publishes the list of UNE regulations canceled during the month of September 2017. (BOE-A-2017-11493)
	Economy, etc.: Resolution of October 2, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of UNE standards approved by the Spanish Association for Standardization during the month of September 2017. (BOE-A-2017-11494)
	Economy, etc.: Resolution of October 2, 2017, of the General Directorate of Industry and Small and Medium-sized Enterprises, which submits to public information the draft standards UNE that the Spanish Association of Standardization is in process, corresponding to the month of September 2017. (BOE-A-2017-11495)
	Economy, etc.: Resolution of October 2, 2017, of the General Directorate of Industry and Small and Medium-sized Enterprises, by which public projects are submitted to European and international standards that have been processed as draft UNE by the Spanish Association of Normalization, corresponding to the month of September, 2017. (BOE-A-2017-11496)
07-10-17	Foreign Affairs: Additional Protocol to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 30 June 2015. (BOE-A-2017-11503)
09-10-17	Agriculture: Resolution of September 11, 2017, of the General Directorate of the Food Industry, which publishes the Agreement of collaboration with the Spanish Federation of Associations of Producers Exporters of Fruits and Vegetables, for the promotion of food and beverage products in international markets, through fairs and competitions in 2017 and 2018. (BOE-A-2017-11588)
10-10-17	Foreign Affairs: Agreement between the Kingdom of Spain and the Principality of Andorra on international road transport, done ad referendum in Ordino on 8 January 2015. (BOE-A-2017-11594)

Date*	Measure
	Hacienda: Order HFP / 965/2017 of 5 October, authorizing the conversion of the free zone located in the Port of Santa Cruz de Tenerife into a free zone of type II control in a free zone of those provided for in Article 243 of Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 on the Customs Code of the Union. (BOE-A-2017-11619)

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)	
31-10-17	S.I. No. 466 of 2017 European Union (Restrictive Measures concerning Ukraine)(No. 4) Regulations 2017
	S.I. No. 467 of 2017 Criminal Justice (Terrorist Offences) Act 2005 (Section 42)(Restrictive Measures concerning Certain Persons and Entities Associated with the I S I L (Da'esh) and AlQaida Organisations)(No. 5) Regulations 2017
	S.I. No. 468 of 2017 Criminal Justice (Terrorist Offences) Act 2005 (Section 42)(Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism)(No. 3) Regulations 2017
	S.I. 469 of 2017 European Union (Restrictive Measures concerning Libya)(No. 3) Regulations 2017.
LIECHTE NSTEIN	
06-10-17	LGBI № 2017.273 Regulation of 3 October 2017 on the amendment of the Regulation on measures against Syria (LR № 946.223.8)
11-10-17	LGBI № 2017.277 Regulation of 10 October 2017 on the amendment of the regulation on measures against Libya (LR № 946.221.4)
	LGBI № 2017.278 Regulation of 10 October 2017 on measures against Mali (LR № 946.224.6)
25-10-17	LGBI № 2017.295 Regulation of 24 October 2017 on the amendment of the Regulation on measures against the Democratic People's Republic of Korea (LR № 946.223.1)
NORWAY	
20-10-17	FOR-2017-10-16-1636 Ministry of Foreign Affairs Regulations amending the Regulations on sanctions and restrictive measures against Libya

Non EU-EFTA European Countries

TURKEY

Turkey updates guidelines on package information, manuals and tracking of medicinal products for human use

The Turkish Medicines and Medical Devices Agency (the "TİTCK") recently announced updates to the *Guidelines on the Regulation on Package Information, Manuals and Tracking of Medicinal Products for Human Use* (the "Guidelines"). The updates concern the requirement to include animal sources in product manuals.

Background

In April of 2017, the TİTCK published the *Regulation on Package Information, Manuals and Tracking of Medicinal Products for Human Use* (the "Regulation")

based on the corresponding EU directives. The Regulation tightens the obligations regarding the packaging and labeling of medicinal products for human use and requires that all medicinal products for human use include manuals with certain mandatory information.

In July of 2017, the TİTCK published the Guidelines setting out the main principles regarding certain mandatory information on the packages and manuals, as well as the explanations about the content and use of the relevant product. The TİTCK regularly updates the Guidelines to ensure harmonization with the applicable Turkish and EU legislations, as well as the current standards. For more information on the Regulation and the Guidelines, please see our previous alerts dated [July 27, 2017](#) and [October 4, 2017](#).

Conclusion

The TİTCK continues to demonstrate its commitment to providing comprehensive guidelines for companies engaged in medicinal products for human use. Companies should take note of the new updates and take the necessary steps to ensure compliance.

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

Legislation (laws, resolutions, orders, etc.)

The following documents were published in the on-line [T.C. Resmî Gazete](#).

Date	Subject
05-10-17	Communiqué on the Amendment of the "Turkish Food Codex Coffee and Coffee Extracts Communiqué (Communiqué No: 2016/7)" (No: 2017/31)
06-10-17	Communiqué on Additional Decisions on Import Decision of the Year 2018 (Import: 2017/2)
07-10-17	Communiqué on the Determination of Health and Technical Conditions in the Importation of Beef (No: 2017/43) Turkey - General Communiqué on Customs on the Framework Agreement of the IPA (IPA II) (Series No: 1)
13-10-17	Regulation on the Amendment of the Regulation on Facilitation of Customs Procedures
17-10-17	Communiqué on the Amendment of the Communiqué on the Implementation of Imports Surveillance (Communiqué No: 2017/12) Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/25)
20-10-17	Communiqué on the Amendment of the "Import Control of Certain Products that Must Carry the" CE "Mark (Product Safety and Control: 2017/9) (Product Safety and Control: 2017/30) Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/21) Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/22) Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/23) Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/24) Regulation on the Detection of the Preferential Origin of Trade in the Scope of the Regional Convention on the Pan European Mediterranean Preferential Rules of Origin
21-10-17	Amendment to the Communiqué Pertaining to the Procedures and Principles on the Application of Motor Vehicles to Type Approval in Terms of Emissions from Light Passenger and Commercial Vehicles (Euro 5 and Euro 6) and Access to Vehicle Repair and Maintenance Information (Communiqué No: SGM-2009/22) Notification (No. SGM-2017/31)
27-10-17	Communiqué on the Amendment of the Communiqué on the Branding of Turkish Products Abroad, the Placement of the Image of Turkish Products and the Support of TURQUALITY® (Communiqué No: 2006/4) (No: 2017/5)

Date	Subject
28-10-17	Communiqué Pertaining to Safeguard Measures in Import (No: 2017/11)
	Communiqué Pertaining to the Amendment of the Communiqué Pertaining to the Determination of the Provincial Food, Agriculture and Animal Husbandry Authorities Authorized to Perform Official Controls with Authorized Customs Administrations for the Entry of Certain Products Subject to the Control of Food, Agriculture and Livestock Ministry
02-11-17	General Customs Declaration (Tariff-Classification Decisions) (Series No: 26)

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
29-09-17	On the appointment of representatives of Ukraine to arbitration groups under the dispute settlement procedure defined by Articles 306 and 307 of the Association Agreement between Ukraine, on the one hand, and the European Union, the European Atomic Energy Community and their Member States, on the other hand Decree of the President of Ukraine dated September 29, 2017 No. 298/2017
02-10-17	On Approval of the Protocol approving the Procedure for the Establishment and Activities of the Working Party Coordinating the Action of the Contracting Parties to the Agreement Establishing a Free Trade Area between the Participating States of the GUUAM (Georgia, Ukraine, Azerbaijan, Moldova) of July 20, 2002 Decree of the President of Ukraine dated 02.10.2017 № 302/2017
04-10-17	About the signing of the Agreement between the Cabinet of Ministers of Ukraine and the Government of the Republic of Moldova on joint control of persons, vehicles, goods and objects at common border crossing points on the Ukrainian-Moldavian border Order of the Cabinet of Ministers of Ukraine dated October 4, 2017 No. 695-p

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](#). In general, only *Решения*, *Распоряжение* and Recommendations having a direct effect on international traders are listed.

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission Решения	
02-10-17	№ 130 (26-09-17) On the establishment of the fact of violation of Article 76 of the Treaty on the Eurasian Economic Union of May 29, 2014 in the case of violation of competition rules in the cross-border market No. 22-AC-01
04-10-17	№ 131 (03-10-17) On approval of the Requirements for structures, premises (parts of premises) and (or) open areas (parts of open areas) in the territory of which temporary storage of goods will be carried out, the termination of the customs procedure of customs transit and (or) customs control, to vehicles and

Publication Date	Title
	employees of a legal entity claiming to be included in the register of authorized economic operators
	№ 132 (03-10-17) On the classification of components for disposable syringes, used for subcutaneous administration of insulin, in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union
	№ 133 (03-10-17) On the application of the anti-dumping measure through the introduction of an anti-dumping duty for corners of steel hot-rolled, originating from Ukraine and imported into the customs territory of the Eurasian Economic Union
Board Распоряжение	
05-10-17	№ 139 (03-10-17) On the monitoring of prices during the period of the anti-dumping measure against corners of steel hot-rolled, originating from Ukraine and imported into the customs territory of the Eurasian Economic Union

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

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 3 November 2017. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

BELARUS

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through September 2017. It may be searched by tariff code or description (in Russian).

RUSSIAN FEDERATION

Preliminary decisions on tariff classification

The Federal Customs Service (FCS) has a [searchable on-line database of preliminary decisions on tariff classification](#). The database has been updated through December 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*:

Date of Publication	Subject
29-09-17	Decree of the Government of the Russian Federation of 27.09.2017 No. 1169 "On Amendments to the List of Tobacco Products Subject to Mandatory Con-

Date of Publication	Subject
	firmation of Conformity when Moving Under Customs Procedures Providing the Possibility of Alienation or Use of This Product in Accordance with Its Appointment in the Territory of the Russian Federation" of August 20, 2009 No. 687 "
02-10-17	Order of the Federal Customs Service of September 11, 2017 No. 1453 "On approval of the list of posts in the customs bodies of the Russian Federation and institutions under the jurisdiction of the FCS of Russia, for which federal public servants and employees are prohibited from opening and maintaining accounts (deposits), keep cash and values in foreign banks located outside the territory of the Russian Federation, to own and (or) use foreign financial instruments " (Registered September 29, 2017 No. 48373)
04-10-17	Order of the Federal Customs Service of September 13, 2017 No. 1470 "On Amendments to the Order of the Federal Customs Service of Russia of December 26, 2007 No. 1616" (Registration 03.10.2017 No. 48404)
05-10-17	Decree of the Government of the Russian Federation No. 1203 of October 2, 2017 "On Amendments to the Regulations on obtaining a permit for the right to sail vessels flying the flag of a foreign state on inland waterways of the Russian Federation
10-10-17	Order of the Government of the Russian Federation of 07.10.2017 No. 2199-r "On the signing of the Agreement between the Government of the Russian Federation and the Government of the Kingdom of Morocco on Cooperation and Mutual Administrative Assistance in Customs Affairs"
16-10-17	Resolution No. 1222 of the Government of the Russian Federation of 07.10.2017 "On Submission of Medical Products to the President of the Russian Federation for Ratification of the Council of Europe Convention on Countering the Falsification of Medical Products and Similar Crimes that Threaten Public Health"
18-10-17	Decree of the Government of the Russian Federation No. 1254 of October 16, 2017 "On Amendments to the List of Technological Equipment (Including Components and Spare Parts to It), analogues of which are not produced in the Russian Federation, whose import to the territory of the Russian Federation is not subject to the tax on the added cost "
	Decree of the Government of the Russian Federation of October 5, 2017 No. 1212 Moscow "On some issues related to the introduction in the Russian Federation of the electronic passport of the vehicle and the electronic passport of the vehicle chassis"
20-10-17	Order of the Federal Service for Technical and Export Control No. 161 of September 25, 2017 "On Approval of the Regulations for the Federal Service for Technical and Export Control of Departmental Control in the Sphere of Procurement for Federal Needs"
25-10-17	Order of the Federal Service for Technical and Export Control dated 01.06.2017 No. 102 "On approval of the Administrative Regulations of the Federal Service for Technical and Export Control for the provision of a state service for the issue of licenses and permits for the export and / or import of goods (works , services), information, results of intellectual activity (rights to them) in cases provided for by the legislation of the Russian Federation "

Middle East

GULF COOPERATION COUNCIL (GCC)

GCC Countries launch Safeguard investigation on prepared additives for cements, mortars or concretes (chemical plasticizers)

On 3 October 2017, Bahrain [notified](#) the WTO's Committee on Safeguards that the GCC's competent authority initiated on 20 September 2017 a safeguard investigation on prepared additives for cements, mortars or concretes (chemical plasticizers).

Interested parties willing to receive a questionnaire should request it no later than 10 days from the initiation of the investigation.

All interested parties have a period of 21 days, from the initiation of the investigation, to make themselves known. Any information which the interested parties may wish to submit before the Competent Authority should be submitted in writing.

According to Article (14) of the Rules of Implementation of the GCC Common Law, the Competent Authority may hold a public hearing for all known interested parties.

The address of the competent authority for correspondence is:

The Cooperation Council for the Arab States of the Gulf
GCC-Bureau of Technical Secretariat for Anti Injurious Practices in International Trade
P.O. Box 7153 Riyadh 11462
TEL: (+966) 11 2551388 TEL: (+966) 11 2551399
FAX: (+966) 11 2810093, Kingdom of Saudi Arabia
Email: TSAD@gccsg.org

Further information is available in [G/SG/N/6/BHR/3](#).

ISRAEL

Israel plans to implement a new computerized Customs system

According to the U.S. Foreign Agricultural Service [GAIN Report 102017](#), the head of the Israeli Customs Directorate has announced that its services will be offline January 10- 14, 2018. The down-time is needed for the installation of a new computerized system: Shaar Olami (Global Gate). The new system aims to improve the level of service in customs and provide rapid transit of goods to and from the State of Israel. This will enter into force on Sunday January 14, 2018. The GAIN report states:

According to the plan, the switch over to the new system will take place along 4 calendar days during which time the current system will be offline as follows:

1. Wednesday January 10, 2018 (current system will be switched off).
2. Thursday thru Saturday, January 11-13, 2018, the system will be offline.
3. Sunday January 14, 2018 (mid-day – the new system will be switched on).

No customs service will be available during the transition period to the new system. Authorities note that urgent cargoes that arrive during transition period will be cleared under special customs' emergency procedures.

Details about the emergency procedures will be published at a later date. According to authorities, the new Global Gate System will deploy state-of-the-art technologies, concepts and interfaces between members of the trade community as well as new internal procedures and policies aimed at improving and accelerating customs procedures while facilitating trade and law enforcement efforts. The project will allow the rapid integration of Israel Customs into the international trend of simplifying foreign trade procedures according to standards set forth in international conventions and agreements such as the Kyoto Convention and the World Trade Organization.

Following the entry of the new system, a number of changes will take place in customs procedures including the following:

- Importers will have the ability to grant power of attorney to others (custom and clearance agents e.g.) to carry out customs procedures.
- Affidavit and other documents transferred in digital form and can be digitally signed by the importer.
- Importers will be required to use “smart card” for customs operations, including completing and submitting online forms and files.

Further details will be provided to the global freight forwarding community as these are published by the Customs Directorate.

U.S exporters should work closely with importers to schedule their shipments accordingly.

Africa (except North Africa)

SOUTH AFRICA

SARS prepares public for new Customs Control Act and Customs Duty Act

In 2003, SARS Customs began to re-write the South African Customs legislation in order to:

- Give effect to the Revised Kyoto Convention (RKC) and other binding international instruments, and
- Establish a sound, clear and logical legislative framework that would enhance and “speak to” the many other legislative instruments that rely for their implementation on customs control.

The rewrite of the current Customs and Excise Act, 1964, was a huge task that took several years to complete. For that reason it was decided to split the customs and the excise aspects of the task and to complete the project in various phases.

It was decided to start the process by drafting two Customs Bills, namely a Customs Control Bill and a Customs Duty Bill). Drafting of the Excise Duty Bill must still commence.

The [Customs Control Act, 2014](#), [Customs Duty Act, 2014](#), and the [Customs and Excise Amendment Act, 2014](#), were published in the Government Gazettes in July 2014. These Acts will only come into effect on a date yet to be determined by the President.

Since the Acts were published in the Government Gazettes, extensive work has been taking place around drafting the Rules under the new Acts.

Several Rules workshops have been held by the SARS legal team with key stakeholders. All comments from stakeholders on the Rules were considered and many of the suggested changes were accepted. [Click here for more on the draft Rules and Rules workshops.](#)

For more information, see <http://www.sars.gov.za/ClientSegments/Customs-Excise/AboutCustoms/Pages/New-Customs-Legislation-update.aspx>

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

Date	Publication Details	Subject	Implementation Date
06-10-17	GG.41165 R.1082	Amendment to Part 1 of Schedule No. 1, by the substitution of tariff subheading 9612.10 and the insertion of tariff subheading 9612.10.10 and	06-10-17

Date	Publication Details	Subject	Implementation Date
		9612.10.90 to reduce the rate of customs duty on thermal transfer ribbons and cartridges from 15% to free of duty – ITAC Report No. 556 <ul style="list-style-type: none"> Notice R.1082 	
	GG.41165 R.1083	Amendment to Part 1 of Schedule No. 2 by the deletion of items 213.03/7005.29.05/02.08; 213.03/7005.29.05/05.08; 213.03/7005.29.05/07.08 and 213.03/7005.29.05/10.08 to give effect to the termination of anti-dumping duties on solar glass originating in or imported from Indonesia – ITAC Report No. 557 <ul style="list-style-type: none"> Notice R.1083 	With retrospective effect from 26-07-17
	GG.41165 R.1084	Amendment to Part 1B of Schedule No. 6 by the substitution of item 619.07/104.10.20/01.01 and the insertion of item 619.09/104.10.20/01.01 in order to provide for a rebate on the excise duties of beer, wine and other fermented beverages used in the manufacture of low alcohol and non-alcoholic beverages by a process of extracting ethanol as well as the movement of the extracted ethanol by-product <ul style="list-style-type: none"> Notice R.1084 	06-10-17
	GG.41165 R.1085	Amendment to Part 1C of Schedule No. 6 by the amendment of various rebate items and Notes under item 620.00 in order to provide for a rebate on the excise duties of beer, wine and other fermented beverages used in the manufacture of low alcohol and non-alcoholic beverages by a process of extracting ethanol as well as the movement of the extracted ethanol by-product <ul style="list-style-type: none"> Notice R.1085 	
	GG.41165 R.1080	Amendment to Part 1D of Schedule No. 6 by the insertion of various rebate items under item 621.00 in order to provide for a rebate on the excise duties of beer, wine and other fermented beverages used in the manufacture of low alcohol and non-alcoholic beverages by a process of extracting ethanol as well as the movement of the extracted ethanol by-product <ul style="list-style-type: none"> Notice R.1080 	
	GG. R.1081	Amendment to rule 19A3 to facilitate the removal of extracted ethyl alcohol <ul style="list-style-type: none"> Notice R.1081 	
02-11-17	GG.41229 R.1226	Part 1 of Schedule No. 1, by the substitution of tariff subheadings 1001.91 and 1001.99 as well as 1101.00.10 and 1101.00.90 to increase the rate of customs duty on wheat and wheaten flour from 75,24c/kg and 112,85c/kg to 91c/kg and 136,50c/kg respectively, in terms of the existing variable tariff formula – Minute 12/2017 <ul style="list-style-type: none"> Notice R.1226 	03-11-17
	GG.41225 R.1223	Amendment to Part 2 of Schedule No. 4, by the insertion of rebate item 460.17/87.03/04.04 to create a rebate provision for vintage and/or internationally collectable motor vehicles classifiable in tariff heading 87.03 subject to both an import control and rebate permit issued by ITAC - ITAC Report No. 558	

Date	Publication Details	Subject	Implementation Date
		• Notice R.1223	

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 US 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; DDTCC= 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; FRB= Federal Reserve Board of Governors; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; TTB= Alcohol and Tobacco Tax and Trade Bureau; USCG= US Coast Guard; USPI=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; HKCE= Hong Kong Customs & Excise; SFO = UK Serious Fraud Office.]

Date of Release	Subject
10-02-17	CBP Finds Live Larvae in Cargo
10-03-17	Three Miami Residents Plead Guilty to Conspiracy to Illegally Export Prohibited Articles to Syria in Violation of U.S. Export Control Laws (DOJ, BIS, FBI, CBP, ICE, DoD)
	Notations Inc. settles \$1 million civil suit for falsifying invoices (DOJ, CBP, ICE)
	(F) Ontario Corporation 1780010, Operating as Eastern Meat Solutions Inc., Fined \$200,000 for Offences under the Food and Drugs Act [false labelling] (Canadian Food Insp. Agency)
	Massachusetts restaurateur sentenced for multiple fraud schemes (ICE, DOJ, FBI, Boston PD)
10-04-17	Korean national pleads guilty to conspiring to defraud the US by diverting millions of untaxed cigarettes (ICE, DOJ, TTB, ATF, IRS)
	Spectrum Brands Ordered to Pay Civil Penalty for Failure to Report and Post-Recall Sales of Defective SpaceMaker Coffee Carafes (DOJ, CPSC)
10-11-17	Florida businessman pleads guilty in Houston to foreign bribery charges in connection with Venezuelan contract scheme (ICE, DOJ)
10-13-17	CBP Disrupts Bird's Nest Travel (CBP)
	Former Global Head of HSBC's Foreign Exchange Cash-Trading Found Guilty of Orchestrating Multimillion-Dollar Front-Running Scheme (FBI, DOJ, FDIC)
10-16-17	Isle of Jersey shares nearly \$3.6 million in confiscated funds with US (ICE, Isle of Jersey, DOJ)
10-17-17	CBP Finds 13 Live Khapra Beetles in JuJubes (CBP, USDA)
	Justice Department Announces First Ever Indictments Against Designated Chinese Manufacturers of Deadly Fentanyl and Other Opiate Substances (DOJ, ICE, DEA, IRS, RCMP, CBP, China Public Security, Canadian authorities)
10-20-17	Ancient Roman artifacts repatriated to Italy following ICE probe (ICE, NYDA, Italy)

Date of Release	Subject
10-24-17	Head of Wildlife Smuggling Ring Pleads Guilty to Smuggling Carvings Made From Ivory, Rhino Horn and Coral (DOJ, FWS, US Marshals)
10-25-17	Five Chinese Citizens and Four Chinese Companies Indicted in Scheme to Sell Mislabeled Dietary Supplements (FDA, DOJ)
10-30-17	CBP seizes counterfeit salt lamps, duck decoys at Portal Port of Entry (CBP)
11-03-17	Maine Fisherman Sentenced for Illegally Trafficking American Eels (FWS, DOJ and numerous state and local law enforcement agencies)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [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 – October 2017 {older issues}
Mexico International Commercial Client Alert 54: IMMEX Programs cancelled (Eng.); Programas IMMEX cancelados (Span.)
Mexico International Commercial Client Alert 56: The Ministry of Economy publishes an extension to the list of goods which importation from or exportation to the Democratic People's Republic of Korea is restricted (Eng.); La Secretaría de Economía amplía la lista de mercancías cuya importación de o exportación a la República Popular Democrática de Corea se encuentra restringida. (Span.)
Mexico: International Commercial Client Alert № 59 - Developments of the NAFTA negotiations for automobile and auto parts community (Eng.); Avances de las negociaciones del TLCAN para la industria automotriz y de autopartes (Span.)
White House Orders New Program to Expand Drone Operations and Package Delivery
Other areas
Global Technology, Media and Telecommunications Group: Legal Bytes October 2017
Asia Pacific Competition Quarterly Newsletter – October 2017
Client Alert: Resubmit DMCA Designated Agent Information by December 31st
EMA Healthcare Industry Group Newsletter – October 2017
Singapore Intellectual Property Newsletter October 2017
Thailand: The Payment System Act: New Age of Payment Regulatory Landscape
Turkey Capital Markets Legal Alert: Capital Markets Board to Regulate Crowdfunding (Eng.); Sermaye Piyasaları- Mevzuat Değişikliği: Kitle Fonlaması SPK Gözetiminde Düzenlenecek (Turk.)
Vietnam Mergers & Acquisitions Client Alert: Law to Watch: Draft Law on Special Administrative-Economic Zones
Vietnam Mergers & Acquisitions Client Alert: Law on Start-Ups
Vietnam Mergers & Acquisitions Client Alert: New Draft Decree on Investment in Start-Ups

Webinars, Meetings, Seminars, Etc.

2017 Global Trade and Supply Chain Webinar Series

“2017: Beginning of a New Era in Global Trade and Business?”

Our 14th annual, **Global Trade and Supply Chain Webinar Series** entitled, “2017: Beginning of a New Era in Global Trade and Business?” includes the latest international trade developments including the impact of the Trump presidency on trade policy and of Brexit. In addition to our usual topics of Customs, export controls/sanctions and FCPA/anti-bribery, the 2017 series also covers data privacy and intellectual property in the supply chain.

In 2017, we expanded our usual program to launch our **Customs Academy**, featuring 6 “Customs 101” webinars (indicated in green). The Customs 101 program is primarily aimed at participants who are new to Customs and/or those who would like a refresher and will include introductory sessions on key Customs topics such as tariff classification, valuation and origin; and an overview of Customs in some key jurisdictions.

Terrie Gleason, a partner in our San Francisco office and Head of the Firm’s Global Customs Focus Group, and Jenny Revis, Of Counsel in the London office, will moderate these webinars and be joined by experts from across our global network.

All webinars begin at 11:00 AM Eastern (US) and are scheduled to run approximately 90 minutes. If you reside in a different time zone and wish to verify your time - please click on the following link: www.timeanddate.com.

If you missed a webinar that has already been given, 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.

Webinar Dates and Topics:

January 31 [Major Customs Developments in North America and Asia](#)

Speakers: Stu Seidel (Washington, DC), Brian Cacic (Toronto), Eugene Lim (Singapore), and Adriana Ibarra-Fernandez (Mexico City)

February 28 [Customs Basic: How to Classify Your Products](#)

Speakers: Daniel Lund (London), Jose Hoyos-Robles (Mexico City), and Eunkyung Shin (Chicago)

March 28 [New Era of Protectionism? – Trump Presidency and Brexit Developments](#)

Speakers: Terrie Gleason and Stu Seidel (Washington DC), Ross Denton and Jessica Mutton (London)

April 25 [Customs Basic: How to Value Your](#)

Webinar Start Time:

08:00 AM (Pacific)

10:00 AM (Central)

11:00 AM (Eastern)

*see timeanddate.com for time in your location.

Duration:

90 Minutes

Login Details:

Log-in details will be sent via email one week before the event.

Focus Group Head:

Teresa A. Gleason

Head, Global Customs Focus Group
(San Francisco, CA)

Tel: +1 415 576 3021

teresa.gleason@bakermckenzie.com

These webinars area all complimentary.

REGISTER NOW

Questions:

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

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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 credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.

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

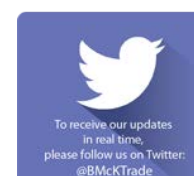


Pending - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.

To register for this **complimentary webinar series**, click on the **Register Now** button above and provide your information. You can register for one or all webinars.

We hope you will participate in and enjoy this exciting webinar series!

Interested in learning more?



<u>Products</u>	
Speakers: Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)	
May 23	<u>Impact on Sanctions: Trump Administration's Effects on US, EU, and Russian Sanctions</u>
Speakers: Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)	
June 27	<u>Customs Basic: Determining the Origin of Your Products</u>
Speakers: Olivia Colville (Chicago), Jessica Mutton (London), and Adriana Ibarra-Fernandez (Mexico City)	
July 25	<u>Major Developments in Data Privacy Laws – US, Canada and EU</u>
Speakers: Brian Hengesbaugh (Chicago), Dean Dolan (Toronto), Dyann Heward-Mills (London), Michael Egan (Washington, DC)	
August 22	<u>Customs Basic: Reducing your Duty Liability Through the Use of Customs Procedures</u>
Speakers: Roger van de Berg (Amsterdam), Eunkyung Kim Shin (Chicago), Manuel Padron-Castillo (Juarez), and Panya Sittisakonsin (Bangkok)	
September 19	<u>Intellectual Property Considerations and Issues in Your Supply Chain</u>
Speakers: Gary Shapiro (San Francisco), Lothar Determann (Palo Alto), Jochen Herr (Munich), Isabella Liu, Kei Matsumoto, Flavia, Rabello	
October 24	Customs Basic: What You Need to Know about Customs in the EU, Russia and China
Speakers: Mariacristina Scarpa and Giulia Bettarini (Milan), Alexander Brychov and Vladimir Efremov (Moscow), and Frank Pan (Shanghai)	
November 28	Major Developments in FCPA/Anti-Bribery Regulation
Speakers: John McKenzie (San Francisco), Mini vandePol (Hong Kong), and Peter Tomczak (Chicago)	
December 19	Customs Basic: What You Need to Know about Customs in the US, Mexico and Brazil
Speakers: Alejandro Martinez-Galindo (Guadalajara), Alessandra S. Machado (Sao Paulo), Meredith DeMent (Washington, DC), and Meghan Hamilton (Chicago)	

2016 International Trade Compliance Webinar Series

Our 13th annual, International Trade Compliance Webinar Series entitled, ["TPP and New Developments in Global Trade"](#) had several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA. 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
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Presented January 26	<u>Overview of the Trans-Pacific Partnership (TPP)</u> Speakers: Frederick Burke (Ho Chi Minh City), Miguel Noyola (Chicago), Eugene Lim (Singapore), and Elizabeth Nightingale (Kuala Lumpur).
Presented February 16	<u>The Trans-Pacific Partnership (TPP) and Labor and Environment</u> Speakers: Frederick Burke (Ho Chi Minh City) and Thuy Hang Nguyen (Ho Chi Minh City).
Presented March 29	<u>Customs Considerations in Free Trade Agreements, Including TPP and NAFTA</u> Speakers: Adriana Ibarra (Mexico City), Stuart Seidel (Washington, DC), and Meredith DeMent (Washington, DC).
Presented April 19	<u>The Latest on Trade Sanctions: Iran, Russia, and Other Developments</u> Speakers: Steven Hill (Washington, DC), Philippe Reich (Zurich), Alexander Bychkov (Moscow), and Ben Smith (London).
Presented May 24	<u>Cuba Sanctions Developments and Updates</u> Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt).
Presented June 21	<u>FCPA Considerations Arising in Import/Export Operations</u> Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).
Presented July 26	<u>Update on Customs Valuation Issues Around the World – Transfer Pricing, First Sale, Royalties</u> 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 (San Francisco, CA), Tel: +1 415 576 3021, 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.



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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
 Argentina	ARG/252/Add.4	10/16/2017	Not given	Packaged food products
 Argentina	ARG/296/Add.2	10/16/2017	Not given	Irradiated foods
 Bahrain, Kingdom of	BHR/492	10/03/2017	12/02/2017	Tire pressure monitoring systems
 Bahrain, Kingdom of	BHR/493	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Bahrain, Kingdom of	BHR/494	10/31/2017	12/30/2017	Frozen Fish
 Bahrain, Kingdom of	BHR/495	10/31/2017	12/30/2017	Ice for Human Consumption
 Bahrain, Kingdom of	BHR/496	10/31/2017	12/30/2017	Milkfat Products
 Bahrain, Kingdom of	BHR/497	10/31/2017	12/30/2017	Food Packages
 Bahrain, Kingdom of	BHR/498	11/01/2017	12/31/2017	Food Supplements
 Bahrain, Kingdom of	BHR/499	11/01/2017	12/31/2017	Food Packages
 Bahrain, Kingdom of	BHR/500	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Bahrain, Kingdom of	BHR/501	11/01/2017	12/31/2017	Frozen Fishes Fillets
 Botswana	BWA/61	10/12/2017	12/11/2017	High penetration-resistant laminated safety glass for vehicles
 Botswana	BWA/62	10/12/2017	11/20/2017	Electric tumble dryers intended for household and similar purposes
 Botswana	BWA/63	10/12/2017	11/20/2017	Electric massage appliances for household and similar purposes
 Botswana	BWA/64	10/12/2017	11/27/2017	Toys
 Botswana	BWA/65	10/12/2017	11/27/2017	Toys
 Botswana	BWA/66	10/12/2017	11/27/2017	Toys
 Botswana	BWA/67	10/12/2017	11/27/2017	Pumps
 Botswana	BWA/68	10/12/2017	11/20/2017	Electric toys
 Botswana	BWA/69	10/12/2017	12/11/2017	Cables
 Botswana	BWA/70	10/12/2017	11/20/2017	Dishwashers
 Botswana	BWA/71	10/12/2017	11/20/2017	Electric warming plates, warming trays and similar appliances
 Botswana	BWA/72	10/12/2017	11/20/2017	Water meters
 Botswana	BWA/73	10/12/2017	11/20/2017	Water meters
 Botswana	BWA/74	10/12/2017	11/27/2017	Surface-cleaning appliances for household use employing liquids or steam
 Brazil	BRA/712/Add.1	10/04/2017	Not given	Dental products
 Brazil	BRA/747	10/04/2017	Not given	Animal products HS Code(s): 02, 03, 04, 05
 Brazil	BRA/748	10/04/2017	10/22/2017	Household Products
 Brazil	BRA/749	10/10/2017	Not given	Certification of Good Manufacturing Practices and Certification of Good Distribution Practices and/or Storage.
 Brazil	BRA/750	10/19/2017	11/27/2017	Air conditioner (HS 8415)




























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/751	10/19/2017	11/27/2017	Electric converters (HS 8502)
 Brazil	BRA/752	10/19/2017	11/27/2017	Refrigerators and freezers (HS 8418)
 Brazil	BRA/753	10/25/2017	Not given	Citrus fruit, fresh: like oranges, mandarins, lemons, grapefruit (HS - 0805)
 Brazil	BRA/754	10/25/2017	12/11/2017	Medical devices and surgical implants (HS 90)
 Brazil	BRA/606/Add.1	11/01/2017	Not given	Disposable personal hygiene products
 Canada	CAN/507/Add.1	10/23/2017	Not given	Ozone-depleting substances (ODSs) and hydro-fluorocarbons (HFCs)
 Chile	CHL/290/Add.1	09/27/2017	Not given	Video games
 China	CHN/1218	10/13/2017	12/12/2017	New energy vehicles (Pure electric vehicle, Plug in hybrid electric vehicle, Fuel cell electric vehicle); Traction battery (HS 87.02; 87.03; 85076000.10; 85076000.20; 85078090.10)
 China	CHN/1219	10/13/2017	12/12/2017	Refrigerators, air conditioners, washing machines, electric water heaters, printers, copiers, fax machines, TVs, monitors, micro-computers, handheld phones for mobile communication, telephone sets (HS 84; 85)
 China	CHN/1220	10/13/2017	12/12/2017	Refrigerators, air conditioners, washing machines, electric water heaters, printers, copiers, fax machines, TVs, monitors, micro-computers, handheld phones for mobile communication, telephone sets (HS 84; 85)
 Colombia	COL/212/Add.3	09/25/2017	Not given	Air conditioners; refrigerators and/or freezers; electromagnetic ballasts; electronic ballasts; single-phase squirrel-cage induction electric motors (60Hz); three-phase squirrel-cage induction electric motors (60Hz); electric washing machines; electric storage water heaters; gas-fired storage water heaters; gas-fired continuous flow water heaters; freestanding or built-in work tables; table-top and built-in cookers; work tables with grill; and table-top cookers and ovens.
 Dominican Republic	DOM/224	10/03/2017	12/02/2017	Food
 Dominican Republic	DOM/225	10/09/2017	12/08/2017	Rice
 Ecuador	ECU/3/Rev.1	09/27/2017	Not given	Household refrigerating appliances (HS 8418)
 Ecuador	ECU/34/Rev.1	09/27/2017	Not given	Domestic refrigeration appliances (HS 8418)
 Ecuador	ECU/108/Add.2	09/27/2017	Not given	Toys (HS 9503.00.10.00, 9503.00.22.00, 9503.00.22.10, 9503.00.22.90, 9503.00.28.00, 9503.00.29.00, 9503.00.30.00, 9503.00.40.00, 9503.00.91.00, 9503.00.92.00, 9503.00.93.00, 9503.00.94.00, 9503.00.95.00, 9503.00.96.00 and 9503.00.99.00)
 Ecuador	ECU/5/Add.6	10/24/2017	Not given	Welded steel tanks and cylinders for liquefied petroleum gas (LPG) and accessories thereof
 Ecuador	ECU/330/Add.1	10/26/2017	Not given	Decoders (HS 8528710010 and 8528710090)
 European Union	EU/519	10/04/2017	12/03/2017	Chemical substance benzene-1,2,4-tricarboxylic acid 1,2 anhydride (trimellitic anhydride, TMA) (EC No. 209-008-0, CAS No. 552-30-7, HS code

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				2917.39)
 European Union	EU/520	10/04/2017	12/03/2017	Chemical substance dicyclohexyl phthalate (DCHP) (EC No. 201-545-9, CAS No. 84-61-7, HS code 2917.34)
 European Union	EU/521	10/12/2017	12/11/2017	Hazardous substances
 European Union	EU/522	10/13/2017	12/12/2017	Chemical substances in nanoform/nanomaterials
 European Union	EU/523	10/26/2017	12/25/2017	Biocidal products
 France	FRA/174	09/27/2017	11/26/2017	Civilian unmanned aerial vehicles (drones)
 France	FRA/175	09/27/2017	11/26/2017	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/176	09/27/2017	11/26/2017	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/177	09/27/2017	11/26/2017	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/178	09/27/2017	11/26/2017	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/175/Corr.1	10/11/2017	Not given	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/179	10/11/2017	12/10/2017	Civilian unmanned aerial vehicles (drones) of a weight exceeding 800g
 France	FRA/182	10/17/2017	12/16/2017	Domestic gas installations
 India	IND/63	10/19/2017	11/03/2017	Food Products
 Israel	ISR/970	10/02/2017	12/01/2017	Textile carpets (HS 57)
 Israel	ISR/862/Add.1	11/02/2017	Not given	Drinking water treatment systems (HS 841981, 841989, 842121)
 Israel	ISR/971	11/02/2017	1/1/2018	Minced meat and minced meat products (HS 1601, 1602, 02)
 Japan	JPN/551/Add.2	10/04/2017	Not given	Processed foods
 Japan	JPN/569	10/12/2017	11/11/2017	Fertilizer (HS 3102, 3105)
 Japan	JPN/570	10/31/2017	11/24/2017	Pharmaceutical Products (HS 30)
 Korea, Republic of	KOR/729	10/10/2017	12/09/2017	Railroad constituents notified by MOLIT (Korean government)
 Korea, Republic of	KOR/730	10/16/2017	12/15/2017	Hygiene Products (ex. dish detergent, dishwasher rinse aid, disposable up-spoon·chopsticks·fork·knife·straw, toilet paper, kitchen paper, paper towel, paper napkin, toothpick, cotton swab, disposable diaper etc)
 Korea, Republic of	KOR/731	10/16/2017	12/15/2017	Hygiene Products (ex. dish detergent, dishwasher rinse aid, disposable cup·spoon·chopsticks·fork·knife·straw, toilet paper, kitchen paper, paper towel, paper napkin, toothpick, cotton swab, disposable diaper etc)
 Korea, Republic of	KOR/732	10/17/2017	12/16/2017	Food
 Korea, Republic of	KOR/733	10/17/2017	12/16/2017	Noodles [19021910] including sauces [2103], Naeng-myun [19021930] including sauces [2103], Instant noodles [19023010] including sauces
















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				[2103], ready-to-eat hamburger and ready-to-eat sandwich
 Korea, Republic of	KOR/734	10/24/2017	12/23/2017	Livestock Products
 Kuwait	KWT/374	10/03/2017	12/02/2017	Tire pressure monitoring systems
 Kuwait	KWT/375	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Kuwait	KWT/376	10/31/2017	12/30/2017	Frozen Fish
 Kuwait	KWT/377	10/31/2017	12/30/2017	Ice for Human Consumption
 Kuwait	KWT/378	10/31/2017	12/30/2017	Milkfat Products
 Kuwait	KWT/379	10/31/2017	12/30/2017	Food Packages
 Kuwait	KWT/380	11/01/2017	12/31/2017	Food Supplements
 Kuwait	KWT/381	11/01/2017	12/31/2017	Food Packages
 Kuwait	KWT/382	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Kuwait	KWT/383	11/01/2017	12/31/2017	Frozen Fishes Fillets
 Malawi	MWI/8	10/02/2017	12/01/2017	Thobwa powder
 Malawi	MWI/9	10/02/2017	12/01/2017	Beer
 Malawi	MWI/10	10/02/2017	12/01/2017	Country wines
 Malawi	MWI/11	10/02/2017	12/01/2017	Fortified wines
 Malawi	MWI/12	10/02/2017	12/01/2017	Sparkling wine (HS 220410)
 Malawi	MWI/13	10/02/2017	12/01/2017	Soya beans, whether or not broken (HS 1201)
 Malawi	MWI/14	10/02/2017	12/01/2017	Pig feed
 Malawi	MWI/15	10/02/2017	12/01/2017	Rice (HS 1006)
 Mexico	MEX/374	09/28/2017	Not given	Metrological instruments used in electrical power measurement systems
 Mexico	MEX/322/Add.1	10/12/2017	Not given	Propolis (heading 1702)
 Mexico	MEX/335/Add.1	09/28/2017	Not given	External power supplies
 Mexico	MEX/302/Add.2	10/16/2017	Not given	Alcoholic beverages (Heading 22)
 Mexico	MEX/375	10/16/2017	12/08/2017	Condensing and evaporator units for refrigeration purposes National tariff heading 84158299
 Mexico	MEX/100/Add.2	10/30/2017	Not given	New motor vehicles
 Mexico	MEX/335/Add.2	10/31/2017	Not given	External power supplies
 Mexico	MEX/376	10/24/2017	12/19/2017	Bovine meat (national tariff heading 02021001)
 Moldova	MDA/32	10/26/2017	12/25/2017	Elevator and spare parts for elevators.
 Moldova	MDA/33	10/26/2017	11/28/2017	Transportable pressure equipment
 New Zealand	NZL/77/Add.1	10/09/2017	Not given	Personal care products containing microbeads that are rinsed off, for example body scrubs, facial cleaners, and toothpastes
 Nicaragua	NIC/156	10/02/2017	11/01/2017	Steel bars and wire for concrete reinforcement
 Nicaragua	NIC/155	09/25/2017	10/25/2017	Meat and meat products
 Oman	OMN/318	10/03/2017	12/02/2017	Tire pressure monitoring systems

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Oman	OMN/319	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Oman	OMN/320	10/31/2017	12/30/2017	Frozen Fish
 Oman	OMN/321	10/31/2017	12/30/2017	Ice for Human Consumption
 Oman	OMN/322	10/31/2017	12/30/2017	Milkfat Products
 Oman	OMN/323	10/31/2017	12/30/2017	Food Packages
 Oman	OMN/324	11/01/2017	12/31/2017	Food Supplements
 Oman	OMN/325	11/01/2017	12/31/2017	Food Packages
 Oman	OMN/326	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Oman	OMN/327	11/01/2017	12/31/2017	Frozen Fishes Fillets
 Paraguay	PRY/102	10/26/2017	11/25/2017	Outdated phytosanitary products, fertilizers, soil conditioners and related substances, Control of documents
 Qatar	QAT/491	10/03/2017	12/02/2017	Tire pressure monitoring systems
 Qatar	QAT/492	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Qatar	QAT/493	10/31/2017	12/30/2017	Frozen Fish
 Qatar	QAT/494	10/31/2017	12/30/2017	Ice for Human Consumption
 Qatar	QAT/495	10/31/2017	12/30/2017	Milkfat Products
 Qatar	QAT/496	10/31/2017	12/30/2017	Food Packages
 Qatar	QAT/497	11/01/2017	12/31/2017	Food Supplements
 Qatar	QAT/498	11/01/2017	12/31/2017	Food Packages
 Qatar	QAT/499	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Qatar	QAT/500	11/01/2017	12/31/2017	Frozen Fishes Fillets
 Saudi Arabia	SAU/1011	10/03/2017	12/02/2017	Tire pressure monitoring systems
 Saudi Arabia	SAU/1012	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Saudi Arabia	SAU/1013	10/31/2017	12/30/2017	Frozen Fish
 Saudi Arabia	SAU/1014	10/31/2017	12/30/2017	Ice for Human Consumption
 Saudi Arabia	SAU/1015	10/31/2017	12/30/2017	Milkfat Products
 Saudi Arabia	SAU/1016	10/31/2017	12/30/2017	Food Packages
 Saudi Arabia	SAU/1017	11/01/2017	12/31/2017	Food Supplements
 Saudi Arabia	SAU/1018	11/01/2017	12/31/2017	Food Packages
 Saudi Arabia	SAU/1019	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Saudi Arabia	SAU/1020	11/01/2017	12/31/2017	Frozen Fishes Fillets
 South Africa	ZAF/221	10/11/2017	12/10/2017	Molluscs, whether in shell or not, live, fresh, chilled, frozen, dried, salted or in brine; aquatic invertebrates other than crustaceans and molluscs, live, fresh, chilled, frozen, dried, salted or in brine; flours, meals and pellets of aquatic invertebrates other than crustaceans, fit for human consumption (HS 0307)
 South Africa	ZAF/191/Rev.1	10/25/2017	Not given	Disinfectants (HS 380840)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 South Africa	ZAF/222	10/26/2017	12/25/2017	Frozen fish, frozen marine molluscs and frozen products derived therefrom - VC 8017 Frozen Shrimps (Prawns), Langoustines and Crabs, and Products Derived Therefrom - VC 8031 Canned fish, canned marine molluscs and canned crustaceans - VC 8014 Canned meat products - VC 8019 Live Lobster - VC 9104 Smoked snoek, smoked finfish and smoke-flavoured finfish - VC 8021 Frozen rock lobster and frozen lobster products derived therefrom - VC 8020 Live aquacultured abalone - VC 9001 Live and raw chilled bivalves Other fishery products regulated under the NRCS Act.
 Switzerland	CHE/226	10/2/2017	11/30/2017	Telecommunication equipment, radio equipment and telecommunication terminal equipment
 Switzerland	CHE/225	09/29/2017	11/28/2017	Chemicals (substances and preparations); Biocidal Products
 Taiwan Economy	TPKM/279/Add. 1	10/05/2017	Not given	Exhaust Pipes for Gas Water Heaters
 Taiwan Economy	TPKM/292	10/02/2017	12/01/2017	Cosmetics
 Taiwan Economy	TPKM/293	10/05/2017	12/04/2017	Hair dyes
 Taiwan Economy	TPKM/294	10/05/2017	12/04/2017	Hair dyes
 Taiwan Economy	TPKM/273/Add. 1	10/11/2017	Not given	Toilets and washing machines
 Taiwan Economy	TPKM/275/Add. 1	10/11/2017	Not given	Strollers and carriages
 Taiwan Economy	TPKM/281/Add. 1	10/11/2017	Not given	Toxic chemical substances
 Tanzania	TZA/114	10/19/2017	12/18/2017	Steel wool
 Tanzania	TZA/115	10/19/2017	12/18/2017	Wires
 Tanzania	TZA/116	10/19/2017	12/18/2017	Tyres
 Tanzania	TZA/117	10/19/2017	12/18/2017	Internal combustion engines for road vehicles
 Tanzania	TZA/118	10/19/2017	12/18/2017	Bases
 Tanzania	TZA/119	10/19/2017	12/18/2017	Bases
 Thailand	THA/501	10/19/2017	12/18/2017	Hot rolled steel sheet piles
 Thailand	THA/502	10/20/2017	12/19/2017	Portable Power Bank
 Turkey	TUR/105	10/06/2017	10/20/2017	Food flavourings and food ingredients with flavouring properties.
 Turkey	TUR/106	10/11/2017	12/04/2017	Infant formula and follow-on formula, processed cereal-based food and baby food, total diet replacement for weight control
 Turkey	TUR/107	10/12/2017	12/09/2017	Aromatised wine products
 Uganda	UGA/757	10/03/2017	12/02/2017	Dried fish maws
 Uganda	UGA/758	10/03/2017	12/02/2017	Playground Surfacing
 Uganda	UGA/759	10/03/2017	12/02/2017	Occupational safety

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/760	10/03/2017	12/02/2017	Occupational safety
 Uganda	UGA/761	10/03/2017	12/02/2017	Generalities, Terminology
 Uganda	UGA/762	10/03/2017	12/02/2017	Personal climbing equipment
 Uganda	UGA/763	10/03/2017	12/02/2017	Laboratory chemicals, laboratory samples
 Uganda	UGA/764	10/03/2017	12/02/2017	Air quality, Occupational safety
 Uganda	UGA/765	10/03/2017	12/02/2017	Occupational safety
 Uganda	UGA/766	10/03/2017	12/02/2017	Personal Protective Equipment
 Uganda	UGA/767	10/03/2017	12/02/2017	Amusement Devices
 Uganda	UGA/768	10/04/2017	12/03/2017	Trampoline courts
 Uganda	UGA/769	10/04/2017	12/03/2017	Adventure tourism
 Uganda	UGA/770	10/04/2017	12/03/2017	Amusement rides, amusement devices. Roundabouts, swings, shooting galleries and other fair-ground amusements; travelling circuses and travelling menageries; travelling theatres (HS 9508)
 Uganda	UGA/771	10/04/2017	12/03/2017	Amusement railway rides, amusement devices, amusement facilities.
 Uganda	UGA/772	10/04/2017	12/03/2017	Pressure water-jet cleaning equipment, pressure water-jet cutting equipment
 Uganda	UGA/773	10/04/2017	12/03/2017	Occupational safety
 Uganda	UGA/774	10/04/2017	12/03/2017	Occupational safety
 Uganda	UGA/775	10/23/2017	12/22/2017	Industrial methylated spirit. Ethyl alcohol and other spirits, denatured, of any strength (HS 220720)
 Uganda	UGA/776	10/23/2017	12/22/2017	Methylated spirit. Ethyl alcohol and other spirits, denatured, of any strength (HS 220720)
 Uganda	UGA/777	10/23/2017	12/22/2017	Residual fuels. Crude oil (HS 150810), Crude oil (HS 151110), Crude oil (HS 151211), Crude oil (HS 151311), Crude oil (HS 151321), Crude oil (HS 151411), Crude oil (HS 151491), Crude oil (HS 151521)
 Uganda	UGA/778	10/23/2017	12/22/2017	Residual fuels. Crude oil (HS 150810), Crude oil (HS 151110), Crude oil (HS 151211), Crude oil (HS 151311), Crude oil (HS 151321), Crude oil (HS 151521)
 Ukraine	UKR/119/Add.1	10/05/2017	Not given	Appliances burning gaseous fuels
 Ukraine	UKR/129	10/06/2017	12/05/2017	Food, feed, feed additives, veterinary drugs produced from genetically modified organisms
 United Arab Emirates	ARE/378	10/03/2017	12/02/2017	Tire pressure monitoring systems
 United Arab Emirates	ARE/379	10/04/2017	12/03/2017	Liquid fuels
 United Arab Emirates	ARE/380	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 United Arab Emirates	ARE/381	10/31/2017	12/30/2017	Frozen Fish
 United Arab Emirates	ARE/382	10/31/2017	12/30/2017	Ice for Human Consumption
 United Arab Emirates	ARE/383	10/31/2017	12/30/2017	Milkfat Products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United Arab Emirates	ARE/384	10/31/2017	12/30/2017	Food Packages
 United Arab Emirates	ARE/385	11/01/2017	12/31/2017	Food Supplements
 United Arab Emirates	ARE/386	11/01/2017	12/31/2017	Food Packages
 United Arab Emirates	ARE/387	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 United Arab Emirates	ARE/388	11/01/2017	12/31/2017	Frozen Fishes Fillets
 United States	USA/1063/Add.1	10/05/2017	Not given	Airplane noise
 United States	USA/1066/Add.2	10/26/2017	Not given	Peanuts
 United States	USA/1097/Add.2	10/05/2017	Not given	Fire prevention code
 United States	USA/1097/Add.3	11/1/2017	Not given	Fire prevention code
 United States	USA/1157/Add.2	10/19/2017	Not given	Wine (HS 2204)
 United States	USA/1193/Add.1	11/1/2017	Not given	Exhaust emissions
 United States	USA/1225/Add.1	10/19/2017	Not given	Wine labelling (HS 2204)
 United States	USA/1230/Add.1	10/19/2017	Not given	Wine (HS 2204)
 United States	USA/1233/Add.3	10/23/2017	Not given	Volatile organic compounds
 United States	USA/1250/Add.1	10/23/2017	Not given	Underground natural gas storage facilities
 United States	USA/1294/Add.1	10/05/2017	Not given	Volatile organic compounds emissions
 United States	USA/1295/Add.1	10/05/2017	Not given	Chemical substances
 United States	USA/1302/Add.1	10/05/2017	Not given	Renewable fuel standard program
 United States	USA/1306	09/29/2017	10/23/2017	Chemical substances
 United States	USA/1307	09/29/2017	10/30/2017	Refrigerant
 United States	USA/1307/Add.1	10/05/2017	Not given	Refrigerant
 United States	USA/1308	10/19/2017	12/27/2017	Children's products
 United States	USA/1309	10/23/2017	11/20/2017	Chemical substances
 United States	USA/1310	10/26/2017	12/22/2017	Pork carcasses
 United States	USA/1311	11/1/2017	Not given	Gastroenterology-Urology devices
 United States	USA/1312	11/1/2017	Not given	Organophosphate test system
 United States	USA/1313	11/1/2017	Not given	Medical device to detect and identify microbial pathogen nucleic acids in cerebrospinal fluid
 United States	USA/424/Add.4	10/23/2017	Not given	Plants, plant products (HS 6-1, 0602, 4403)
 United States	USA/705/Add.3	11/1/2017	Not given	Heavy vehicles
 United States	USA/740/Add.2	10/05/2017	Not given	Bedding and upholstered furniture (HS 9404, Chapter 94)
 United States	USA/827/Rev.2	10/26/2017	Not given	Formaldehyde emissions, composite wood products
 United States	USA/827/Rev.2/Add.1	10/26/2017	Not given	Formaldehyde emissions, composite wood products
 United States	USA/894/Add.4	10/05/2017	Not given	Food products, labeling, serving sizes
 United States	USA/947/Add.2	11/1/2017	Not given	Children's articles containing specified phthalates
 Uruguay	URY/21	10/23/2017	Not given	Imported meat, meat products and by-products, and egg products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Viet Nam	VNM/107	10/11/2017	12/10/2017	Products of the chemical industry
 Viet Nam	VNM/108	11/02/2017	01/01/2018	Protective equipment
 Viet Nam	VNM/109	11/02/2017	01/01/2018	Glass mirrors, whether or not framed, including rear-view mirrors (HS 7009)
 Viet Nam	VNM/110	11/02/2017	01/01/2018	Road vehicles in general
 Viet Nam	VNM/111	11/02/2017	01/01/2018	Road vehicles in general
 Yemen	YEM/94	10/03/2017	12/02/2017	Tire pressure monitoring systems
 Yemen	YEM/95	10/30/2017	12/29/2017	Vegetable fat spreads and blended spreads
 Yemen	YEM/96	10/31/2017	12/30/2017	Frozen Fish
 Yemen	YEM/97	10/31/2017	12/30/2017	Ice for Human Consumption
 Yemen	YEM/99	10/31/2017	12/30/2017	Food Packages
 Yemen	YEM/100	11/01/2017	12/31/2017	Food Supplements
 Yemen	YEM/101	11/01/2017	12/31/2017	Food Packages
 Yemen	YEM/102	11/01/2017	12/31/2017	Non Alcoholic Malt Beverage
 Yemen	YEM/103	11/01/2017	12/31/2017	Frozen Fishes Fillets
 Yemen	YEM/98	10/31/2017	12/30/2017	Milkfat Products

CBSA Advance Rulings

No [advance rulings](#) were posted by the Canada Border Services Agency (CBSA) this past month. In September of 2014, the CBSA enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the CBSA Web site.

It is important to note that rulings are binding only between the CBSA and the applicant. While posted rulings are for reference purposes only, they provide meaningful guidance and help other importers in complying with Canada's trade legislation.

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 Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
Proposed Revocations/modifications						
(P) 11-01-17	Tariff classification of a handbag and tote bag with a coin purse, spectacle case, and identification card case	NY N024929 (R)	Individually as: 4202.22 (handbag) 4202.92 (tote) 4202.32 (ID, coin, spectacle case)	HQ H263986	Classified as a set in 4202.22.8100 (handbag) or 4202.92.3131 (tote) [GRI 3(b)]	(C) 12-01-18
	Preferential tariff treatment eligibility and country of origin for “Acufex disposable knife”	NY N284181 (M)	NAFTA eligible [GN12(b)(i)] CO: US	HQ H288252	NAFTA eligible [GN 12(b)(iii)]; CO: Mexico (for duty) [19 C.F.R. §102.19(b)]; CO: US (for marking purposes)	
	Tariff classification of Aliskiren Hemifumarate.	NY N180809 (R) NY N043304 (M)	2924.29.62	HQ H202562	2924.29.62 (duty free under GN 13)	
	Tariff classification of free-wheel bicycle cogs and cassettes	HQ H174522 (M) HQ H161003 (R) NY N116976 (R)	8714.99.80	HQ H288022	8714.93.70 [GRI 1,6]	
	Tariff classification of piston pin bushings from India	NY 864550 (R)	8409.99.91	HQ H287802	8483.30.80 [GRI 1]	
	Tariff classification of wooden furniture	NY N104737 (M)	9403.50.90	HQ H245888	9403.60.80 [GRI 1, 6]	
	Tariff classification of Fork Lift Load Roller	HQ 088457 (R)	8431.20.00	HQ H289349	8482.10.50 [GRI 1]	
Revocations/Modifications						
(A) 11-01-17	Eligibility of boys' shirt and tie sets for duty-free treatment under the Caribbean Basin Trade Partnership Act (“CBTPA”)	HQ H022665 (M)	Eligible under CPTPA 9820.11.24; not eligible under CAFTA-DR	HQ H263569	Eligible for CBTPA if entered prior to 03-01-06 but not later; not eligible under CAFTA-DR	(E) 01-01-18
	Tariff classification of imitation wicker chairs with metal frames	HQ 952032 (M) NY N050095 (M) NY N125879 (M)	9401.5x 9401.79.00 (using GRI 3)	HQ H192520	9401.79.00 [GRI 1]	
	Tariff classification of lawn mower tires	HQ H156538 (R)	Did not qualify for duty free 9817.00.60		Eligible for 9817.00.60 [EN to 84.37; AUSR1]	
	Tariff classification of a document holder or multi-function folder with a memorandum pad	NY N106619 (R)	4820.10.2040	HQ H252610	4820.10.2020 [GRI 1, 6]	
	Tariff classification of gel pack vest set	NY N259445 (R)	3824.90.92 (gel pack) 4202.92.08 (coolerbag) 6110.30.30 (vest)	HQ H283055	6110.30.3059 [Set GRI 1, 3(b)]	
	Tariff classification of fiber optic ribbon	HQ 962445 (R)	8544.70	HQ H098958	9001.10.00 [GRI 1, 6; EN 90.01]	

Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
	Tariff classification of coco- nut water	NY N171621 (R) NY N188787 (M) NY 816865 (R) NY N128316 (R) NY N258785 (M)	2202	HQ H284220	2009.89.60 [GRI 1, 6; EN 20.09]] 2009.90.40 [GRI 1, 6; EN]	

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) 2017/1971 26-10-17	<p>An electronic apparatus (so-called 'Solid State Drive (SSD)') with dimensions of approximately 100 x 70 x 7 mm, a 2,5 inch form factor and a storage capacity of 128 GB.</p> <p>It is a semiconductor based electronic storage device, built on solid state architecture, with flash memory to store non-volatile data and Dynamic Random Access Memory (DRAM).</p> <p>It has a Serial Advanced Technology Attachment (SATA) interface which permits integration in an automatic data-processing machine and is used as an internal data storage device.</p> <p>(see image)</p> 	8471 70 98	<p>Classification is determined by General Rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 5 (C) to Chapter 84 and by the wording of CN codes 8471, 8471 70 and 8471 70 98.</p> <p>Its objective characteristics such as the SATA interface, size and form factor are characteristics of a device of a kind used principally in an automatic data-processing machine, it is directly connectable to the central processing unit, and it is able to accept or deliver data in a form which can be used by the system. Classification under heading 8523 as solid state non-volatile storage device is therefore excluded.</p> <p>Consequently, the device is to be classified under CN code 8471 70 98 as other storage units for automatic data-processing machines.</p>
(EU) 3017/1977 (26-10-17)	<p>Implementing Regulation (EU) No 876/2014, the Commission classified a portable battery-operated apparatus for capturing and recording still and video images under CN code 8525 80 99 as other video camera recorders</p>	8525 80 99 Regulation re- pealed	<p>In Joined Cases C-435/15 and C-666/15, the Court of Justice ruled that Implementing Regulation (EU) No 876/2014 is invalid.</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
2017/C 370/02 (31-10-17)	9018 90 84 Pg. 372	Insert new text and images on exclusion of “tourniquets” after existing text.
2017/C 370/03 (31-10-17)	9403 Pg. 379	Insert new text and images on coverage of “storage cubes” after existing text.

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-945 (Modification Proceeding)	Certain Network Devices, Related Software and Components Thereof (II)	Institution of Modification Proceeding
337-TA-979	Certain Radio Frequency Identification (“RFID”) Products and Components Thereof	Commission Determination Finding No Violation of Section 337; Termination of the Investigation
337-TA-1003	Certain Composite Aerogel Insulation Materials and Methods for Manufacturing the Same	Notice of Request for Statements on the Public Interest
337-TA-1005	Certain L-Tryptophan, L-Tryptophan Products, and Their Methods of Production	Commission Determination to Review a Final Initial Determination Finding No Section 337 Violation; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding
337-TA-1007 337-TA-1021 (Consolidated)	Certain Personal Transporters, Components Thereof, and Packaging and Manuals Therefor and Certain Personal Transporters and Components Thereof	Notice of a Commission Determination To Review in Part a Final Initial Determination; Schedule for Filing Written Submissions on Certain Issues Under Review and on Remedy, the Public Interest, and Bonding
337-TA-1010	Certain Semiconductor Devices, Semiconductor Packages, and Products Containing Same	Commission Determination to Review in Part a Final Initial Determination Finding in Part a Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding; and Denial of a Motion to Modify the Administrative Protective Order
337-TA-1015	Certain Hand Dryers and Housing for Hand Dryers	Commission's Determination to Affirm the Domestic Industry Finding Under Modified Reasoning; Issuance of a General Exclusion Order; Issuance of Three Cease and Desist Orders; Termination of the Investigation
337-TA-1016	Certain Access Control Systems and Components Thereof	Notice of Request for Statement on the Public Interest
337-TA-1026	Certain Audio Processing Hardware, Software, and Products Containing the Same	Notice of Request for Statements on the Public Interest
337-TA-1051	Certain LTE Wireless Communication De-	Commission Determination Not to Review an Initial Determination

Inv. №	Commodity	Action
	vices and Components Thereof	Granting a Joint Motion to Terminate the Investigation Based Upon Settlement; Termination of the Investigation
337-TA-1072	Certain Wi-Fi Enabled Electronic Devices and Components Thereof	Institution of Investigation based upon a complaint filed on behalf of Sharp Corporation of Japan and Sharp Electronics Corporation alleging patent infringement
337-TA-1073	Certain Thermoplastic-Encapsulated Electric Motors, Components Thereof, and Products and Vehicles Containing Same II	Institution of Investigation based upon a complaint filed on behalf of Intellectual Ventures II LLC alleging patent infringement
337-TA-1074	Certain Industrial Automation Systems and Components Thereof Including Control Systems, Controllers, Visualization Hardware, Motion and Motor Control Systems, Networking Equipment, Safety Devices, and Power Supplies	Institution of Investigation based upon a complaint filed on behalf of Rockwell Automation, Inc. alleging patent infringement and unfair methods of competition and unfair acts in the importation or sale
337-TA-1075	Certain Electrochemical Glucose Monitoring Systems and Components Thereof	Institution of Investigation based upon a complaint filed on behalf of Dexcom, Inc. alleging patent infringement
337-TA-1076	Certain Magnetic Data Storage Tapes and Cartridges Containing the Same (II)	Institution of Investigation based upon a complaint filed on behalf of FUJIFILM Corporation and FUJIFILM Recording Media U.S.A., Inc. alleging patent infringement
337-TA-1077	Certain Reusable Diapers, Components Thereof, and Products Containing the Same	Institution of Investigation based upon a complaint filed on behalf of Cotton Babies, Inc. alleging trademark and patent infringement
337-TA-1078	Certain Amorphous Metal and Products Containing Same	Institution of Investigation based upon a complaint filed on behalf of Metglas, Inc. and Hitachi Metals, Ltd. alleging misappropriation of trade secrets
337-TA-1079	Certain Shaving Cartridges, Components Thereof and Products Containing Same	Institution of Investigation based upon a complaint filed on behalf of The Gillette Company LLC alleging patent infringement
337-TA-1080	Certain Wafer-Level Packaging Semiconductor Devices and Products Containing Same (Including Cellular Phones, Tablets, Laptops, and Notebooks) and Components Thereof	Institution of Investigation based upon a complaint filed on behalf of Tessera Advanced Technologies, Inc. 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 3259	Certain Gas Spring Nailer Products and Components Thereof	Kyocera Senco Brands Inc.
DN 3261	Certain Insulated Beverage Containers, Components, Labels, and Packaging Materials Thereof	YETI Coolers, LLC
DN 3262	Certain Wafer-Level Packaging Semiconductor Devices and Products Containing Same (Including Cellular Phones, Tablets, Laptops, and Notebooks) and Components Thereof	Tessera Advanced Technologies, Inc.
DN 3263	Certain IoT Devices and Components Thereof (IoT, The Internet of Things (IoT) – Web Applications Displayed on a Web Browser)	Lakshmi Arunachalam, Ph.D.
DN 3265	Certain Network Personal Computers and Mobile Devices	Aqua Connect, Inc.
DN 3266	Certain Glucosylated Steviol Glycosides, and Products Containing Same	PureCircle USA Inc. and PureCircle Sdn Bhd
DN 3268	Certain Mounting Apparatuses for Holding Portable Electronic Devices and Components Thereof	National Products, Inc.
DN 3269	Certain Batteries and Electrochemical Devices Containing Composite Separators, Components Thereof, and Products Contain-	LG Chem, Ltd.; LG Chem Michigan Inc.; LG Chem Power Inc.; and Toray Industries, Inc.

Ref. №	Commodity	Complaint filed on behalf of:
	ing Same	
DN 3270	Certain Road Construction Machines and Components Thereof	Caterpillar Inc. and Caterpillar Paving Products, Inc.
DN 3271	Self-Anchoring Beverage Containers	Mighty Mug, Inc.
DN 3272	Certain Memory Modules and Components Thereof	Netlist, Inc.

Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

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

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



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

Case №	Merchandise/Country	Action
C-122-860	100- to 150-Seat Large Civil Aircraft From Canada	Preliminary Affirmative CVD Determination and Alignment of Final Determination With Final ADD Determination
A-583-859	Steel Concrete Reinforcing Bar From Taiwan	ADD Order
A-821-802	Uranium From the Russian Federation	Continuation of Suspension of ADD Investigation
A-588-845 A-580-834 A-583-831 C-580-835	Certain Stainless Steel Sheet and Strip in Coils from Japan, S. Korea, and Taiwan	Continuation of ADD Orders and CVD Order
A-201-830	Carbon and Certain Alloy Steel Wire Rod from Mexico	Initiation and Preliminary Results of Changed Circumstances Review: ADD Order
A-570-016	Certain Passenger Vehicle and Light Truck Tires From China	Notice of Court Decision Not in Harmony with the Amended Final Determination of the ADD Investigation and Notice of Second Amended Final Determination
A-533-502 A-549-502 A-489-501	Certain Welded Carbon Steel Pipes and Tubes From India, Thailand, and Turkey	Final Results of the Expedited Fourth Sunset Reviews of the ADD Orders
C-489-817	Oil Country Tubular Goods From Turkey	Amendment of CVD Order
A-351-809 A-201-805 A-580-809 A-583-814 A-583-008	Certain Circular Welded Non-Alloy Steel Pipe From Brazil, Mexico, S. Korea, and Taiwan and Certain Circular Welded Carbon Steel Pipes and Tubes From Taiwan	Final Results of Expedited Fourth Sunset Reviews of the ADD Orders
A-533-843	Certain Lined Paper Products From India	Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2015-2016
C-570-913	Certain New Pneumatic Off-The-Road Tires From China	Preliminary Results of CVD Administrative Review; 2015
A-475-828 A-557-809 A-565-801	Certain Stainless Steel Butt-Weld Pipe Fittings From Italy, Malaysia, and the Philippines	Final Results of Expedited Sunset Review of the ADD Orders
C-489-502	Circular Welded Carbon Steel Pipes and Tubes From Turkey	Final Results of Expedited Fourth Sunset Review of CVD Order


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

Case №	Merchandise/Country	Action
C-570-980	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China	Amended Final Results of CVD Administrative Review; 2014
A-570-977	High Pressure Steel Cylinders From China	Notice of Court Decision Not in Harmony with Final Determination in LTFV Investigation, Notice of Amended Final Determination Pursuant to Court Decision, Notice of Revocation of ADD Order in Part, and Discontinuation of Fifth ADD Administrative Review
C-489-817	Oil Country Tubular Goods From Turkey	Preliminary Results of CVD Administrative Review and Rescission of CVD Administrative Review, in Part
A-570-912	Certain New Pneumatic Off-the-Road Tires From China	Preliminary Results of ADD Administrative Review and Preliminary Rescission of New Shipper Review; 2015-2016
A-580-870	Certain Oil Country Tubular Goods From S. Korea	Preliminary Results of ADD Administrative Review; 2015-2016
A-549-502	Circular Welded Carbon Steel Pipes and Tubes From Thailand	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
A-570-890	Wooden Bedroom Furniture From China	Preliminary Results and Partial Rescission of ADD Administrative Review and Preliminary Determination of No Shipments in Part; 2016
C-489-502	Circular Welded Carbon Steel Pipes and Tubes From Turkey	Final Results of CVD Administrative Review; Calendar Year 2015
A-570-848	Freshwater Crawfish Tail Meat From China	Final Results of ADD Administrative Review and Rescission of New Shipper Review; 2015-2016
A-570-836	Glycine From China	Final Results of ADD Administrative Review and Rescission of Administrative Review, in Part; 2015-2016
A-489-815	Light-Walled Rectangular Pipe and Tube From Turkey	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
A-570-053	Certain Aluminum Foil From China	Deferral of Preliminary Determination of the LTFV Investigation
A-602-810	Silicon Metal From Australia	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Affirmative Determination of Critical Circumstances, Postponement of Final Determination, and Extension of Provisional Measures
A-351-850	Silicon Metal From Brazil	Preliminary Affirmative Determination of Sales at LTFV, Postponement of Final Determination, and Extension of Provisional Measures
A-403-805	Silicon Metal From Norway	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Negative Determination of Critical Circumstances, Preliminary Determination of No Shipments, Postponement of Final Determination, and Extension of Provisional Measures
A-122-859	100- to 150-Seat Large Civil Aircraft From Canada	Preliminary Affirmative Determination of Sales at LTFV
A-583-844	Narrow Woven Ribbons with Woven Selvedge from Taiwan	Final Determination of No Shipments; 2015-2016
C-475-819	Certain Pasta From Italy	Final Results of CVD Administrative Review; 2015
C-533-862	Certain Polyethylene Terephthalate Resin From India	Notice of Rescission of CVD Administrative Review, 2015-2016
C-552-819	Certain Steel Nails From Vietnam	Final Results of CVD Administrative Review, and Partial Rescission of CVD Administrative Review; 2014-2015
A-570-848	Freshwater Crawfish Tail Meat From China	Initiation of ADD New Shipper Reviews
A-533-810	Stainless Steel Bar From India	Preliminary Results of Changed Circumstances Review and Intent To Reinstate Certain Companies in the ADD Order
A-570-053	Certain Aluminum Foil From China	Deferral of Preliminary Determination of the LTFV Investigation—Correction Notice
C-122-862	Certain Uncoated Groundwood Paper From	Postponement of Preliminary Determination in the CVD Investiga-


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

Case №	Merchandise/Country	Action
	Canada	tion
A-520-804	Certain Steel Nails From the United Arab Emirates	Continuation of ADD Order
C-570-911	Circular Welded Carbon Quality Steel Pipe From China	Rescission of CVD Administrative Review; 2016
A-570-875	Non-Malleable Cast Iron Pipe Fittings From China	Notice of Rescission of ADD Administrative Review; 2016-2017
A-122-855	Polyethylene Terephthalate Resin from Canada	Notice of Rescission of ADD Administrative Review; 2015-2017
A-570-981	Utility Scale Wind Towers From China	Notice of Rescission of ADD Administrative Review; 2016-2017
A-351-852 A-560-832 A-580-896 A-535-905 A-583-862	Polyethylene Terephthalate Resin From Brazil, Indonesia, S. Korea, Pakistan, and Taiwan	Initiation of LTFV Investigations
A-489-501	Welded Carbon Steel Standard Pipe and Tube Products From Turkey	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
A-570-060 A-533-875 A-580-893 A-583-860	Fine Denier Polyester Staple Fiber From China, India, S. Korea, and Taiwan	Postponement of Preliminary Determinations in LTFV Investigations
C-533-880	Polytetrafluoroethylene Resin From India	Initiation of CVD Investigation
A-533-879 A-570-066	Polytetrafluoroethylene Resin From India and China	Initiation of LTFV investigations
C-533-878 C-570-065	Stainless Steel Flanges From India and China	Postponement of Preliminary Determinations of CVD Investigations
A-570-826	Certain Paper Clips From China	Continuation of ADD Order
A-427-602 A-428-602 A-475-601 A-588-704	Brass Sheet and Strip From France, Germany, Italy, and Japan	Continuation of ADD Orders
A-523-810	Polyethylene Terephthalate Resin From Oman	Rescission of ADD Administrative Review; 2015-2017
A-357-820	Biodiesel From Argentina	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Affirmative Determination of Critical Circumstances, in Part
A-560-830	Biodiesel From Indonesia	Preliminary Affirmative Determination of Sales at LTFV
A-475-836	Carbon and Alloy Steel Wire Rod From Italy	Preliminary Affirmative Determination of Sales at LTFV
A-469-816	Carbon and Alloy Steel Wire Rod From Spain	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Determination of Critical Circumstances, in Part
A-580-891	Carbon and Alloy Steel Wire Rod From S. Korea	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Negative Determination of Critical Circumstances
A-791-823	Carbon and Alloy Steel Wire Rod From South Africa	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Affirmative Determination of Critical Circumstances, and Preliminary Determination of No Shipments
A-412-826	Carbon and Alloy Steel Wire Rod From the United Kingdom	Preliminary Affirmative Determination of Sales at LTFV, Preliminary Affirmative Determination of Critical Circumstances
A-489-831	Carbon and Alloy Steel Wire Rod From Turkey	Preliminary Affirmative Determination of Sales at LTFV, and Preliminary Negative Determination of Critical Circumstances
A-823-816	Carbon and Alloy Steel Wire Rod From Ukraine	Preliminary Affirmative Determination of Sales at LTFV
C-570-068	Forged Steel Fittings From China	Initiation of CVD Investigation
A-423-813 A-301-803	Citric Acid and Certain Citrate Salts From Belgium, Colombia, and Thailand	Postponement of Preliminary Determinations of LTFV Investigations


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

Case №	Merchandise/Country	Action
A-549-833		
A-570-067 A-475-839 A-583-863	Forged Steel Fittings From China, Italy and Taiwan	Initiation of LTFV Investigations
A-570-053	Certain Aluminum Foil From China	Affirmative Preliminary Determination of Sales at LTFV and Postponement of Final Determination
C-549-834	Citric Acid and Certain Citrate Salts From Thailand	Preliminary Negative CVD Determination, Preliminary Negative Critical Circumstances Determination and Alignment of Final Determination with Final ADD Determination
A-570-055	Carton-Closing Staples From China	Preliminary Affirmative Determination of Sales at LTFV, Postponement of Final Determination and Extension of Provisional Measures
A-552-814	Utility Scale Wind Towers From Vietnam	Preliminary Determination of No Shipments, and Preliminary Partial Rescission of ADD Administrative Review; 2016-2017
C-533-876	Fine Denier Polyester Staple Fiber From India	Preliminary Affirmative CVD Determination
A-570-601	Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From China	Final Results of the Expedited Fourth Sunset Review of the ADD Order
C-533-844	Certain Lined Paper Products From India	Final Results of Expedited Second Sunset Review of CVD Order
C-570-011	Certain Crystalline Silicon Photovoltaic Products From China	Notice of Rescission of CVD Administrative Review; 2016
A-351-825 A-533-810 A-588-833 A-469-805	Stainless Steel Bar From Brazil, India, Japan, and Spain	Final Results of the Expedited Sunset Reviews of the ADD Orders
A-570-831	Fresh Garlic From China	Continuation of ADD Order
A-580-867	Large Power Transformers From S. Korea	Notice of Court Decision Not in Harmony With Final Results, Notice of Amended Final Results
C-570-061	Fine Denier Polyester Staple Fiber From China	Preliminary Affirmative CVD Determination


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-1387-1391	Polyethylene Terephthalate (PET) Resin From Brazil, Indonesia, Korea, Pakistan, and Taiwan	(Preliminary) Institution of ADD Investigations and Scheduling of Preliminary Phase Investigations
731-TA-672-673	Silicomanganese From China and Ukraine	(Fourth Review) Institution of Five-Year Reviews
701-TA-588 731-TA-1392-1393	Polytetrafluoroethylene ("PTFE") Resin From China and India	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-576-577 731-TA-1362-1367	Cold-Drawn Mechanical Tubing From China, Germany, India, Italy, Korea, and Switzerland	(Final) Scheduling of the Final Phase of CVD and ADD Investigations
731-TA-865-867	Stainless Steel Butt-Weld Pipe Fittings From Italy, Malaysia, and the Philippines	(Third Review) Scheduling of Expedited Five-Year Reviews
731-TA-1185	Steel Nails From the United Arab Emirates	(Review) Determination that revocation of the ADD Order 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-585-586 731-TA-1383-1384	Stainless Steel Flanges From China and India	(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


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
		the United States at LTFV and to be subsidized by the governments of China and India.
701-TA-589 731-TA-1394-1396	Forged Steel Fittings From China, Italy, and Taiwan	(Preliminary) Institution of CVD and ADD investigations and scheduling of preliminary phase investigations
TA-201-076	Large Residential Washers [Safeguards]	Determination that large residential washers are being imported into the United States in such increased quantities as to be a substantial cause of serious injury to the domestic industry producing an article like or directly competitive with the imported article; Negative findings for Canada, Mexico, Jordan, Australia, Colombia, Korea, Panama, Peru, Singapore, the CAFTA-DR countries and Israel
731-TA-847, 849	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan and Romania	(Third Review) Determinations that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time
701-TA-587 731-TA-1385-1386	Titanium Sponge From Japan and Kazakhstan	(Preliminary) Determinations that there is no reasonable indication that an industry in the United States is materially injured or threatened with material injury, or that the establishment of an industry in the United States is materially retarded, by reason of imports that are alleged to be sold in the United States at LTFV and to be subsidized by the government of Kazakhstan.
731-TA-344	Tapered Roller Bearings From China	(Fourth Review) Notice of Commission Determination To Conduct a Full Five-Year Review
731-TA-678-679 and 681-682	Stainless Steel Bar From Brazil, India, Japan, and Spain	(Fourth Review) Notice of Commission Determination To Conduct Full Five-Year Reviews
731-TA-313-314, 317, 379	Brass Sheet and Strip From France, Germany, Italy, and Japan	(Fourth Review) Determinations that that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.
731-TA-683	Fresh Garlic From China	(Fourth Review) Determination that revocation of the ADD order would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.
731-TA-1189	Large Power Transformers From Korea	(Review) Notice of Commission Determination to Conduct a Full Five-Year Review
701-TA-253 731-TA-132, 252, 271, 273, 532-534, 536	Certain Circular Welded Pipe and Tube (CWP) from Brazil, India, Korea, Mexico, Taiwan, Thailand, and Turkey	(Fourth Review) Scheduling of Expedited Five-Year Reviews
701-TA-442 731-TA-1095-1096	Lined Paper School Supplies From China and India	(Second Review) Scheduling of an expedited five-year review
731-TA-891	Foundry Coke From China	(Third Review) Scheduling of a full five-year review
731-TA-860	Tin- and Chromium-Coated Steel Sheet From Japan	(Third Review) Scheduling of a full five-year review
701-TA-578 731-TA-1368	100- to 150-Seat Large Civil Aircraft from Canada	(Final) Scheduling of the final phase of CVD and antidumping duty investigations
701-TA-388, 389, 391 731-TA-817, 818, 821	Cut-to-Length Carbon Steel Plate from India, Indonesia, and Korea	(Third Review) Revised Schedule for the Subject Reviews
701-TA-567-569 731-TA-1343-1345	Silicon Metal from Australia, Brazil, Kazakhstan, and Norway	(Final) Scheduling of the final phase of CVD and ADD investigations
731-TA-1186-1187	Certain Stilbenic Optical Brightening Agents From China and Taiwan	(Review) Determinations that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.



United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
701-TA-481 731-TA-1190	Crystalline Silicon Photovoltaic Cells and Modules From China	(Review) Institution of Five-Year Reviews
731-TA-893	Honey From China	(Third Review) Institution of a Five-Year Review
701-TA-487 731-TA-1197-1198	Steel Wire Garment Hangers from Taiwan and Vietnam	(Review) Institution of a Five-Year Reviews
TA-201-075	Crystalline Silicon Photovoltaic Cells (Whether or Not Partially or Fully Assembled into Other Products)	(Remedy Phase) USITC Announces Remedy Recommendations in its Global Safeguard Investigation – Report to be issued by 12-04-17
701-TA-480 731-TA-1188	High Pressure Steel Cylinders From China	(Review) Determinations that revocation of the CV and 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



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
RR-2017-004	Certain hot-rolled carbon steel plate and high-strength low-alloy plate originating in or exported from China	Notice of Expiry Review of Order - Schedule
PI-2017-002	Dumping and subsidizing: Certain polyethylene terephthalate resin (PET resin) originating in or exported from China, India, Oman and Pakistan	Determination issued in Preliminary Injury Inquiry Reasons issued
RR-017-001	Dumping and subsidizing: Certain stainless steel sinks originating in or exported from China	Revised Notice of Expiry Review of Finding
RD-2017-001	Oil country tubular goods originating in or exported from Chinese Taipei, India, Indonesia, the Philippines, S. Korea, Thailand, Turkey, Ukraine and Vietnam	Order denying interim review and reasons issued
PI-2017-003	Dumping and subsidizing: Certain pressure pipe fittings and drainage, waste and vent pipe fittings, made of cast copper alloy, originating in or exported from Vietnam	Notice of Commencement of Preliminary Injury Inquiry
NQ-2017-001	<i>Dumping</i> : Silicon metal originating in or exported from Brazil, Kazakhstan, Lao PDR, Malaysia, Norway and Thailand; <i>Subsidizing</i> : same from Brazil, Kazakhstan, Malaysia, Norway and Thailand	Finding issued: that the dumping and/or subsidizing of the subject goods originating in or exported from listed countries have not caused injury and are not threatening to cause injury to the domestic industry



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
SM2 2017 IN	Certain silicon Metal Originating in or Exported from Brazil, Kazakhstan, Laos, Malaysia, Norway and Thailand	Notice of Final Decisions - Provisional duties will continue to apply on imports of subject goods until the date of the CITT's injury order or finding. Provisional duties relating to the dumping of goods by Elkem, the subsidization of goods by Sica, and the subsidization of goods originating in or exported from Thailand by all other exporters will no longer apply, and the provisional duty paid or security posted will be returned. Statement of Reasons
CSWP2 2012 IN Dumping: AD1396 / 4214-36 Subsidy: CV132 / 4218-34	Certain Carbon Steel Welded Pipe Originating in or Exported from Chinese Taipei	Statement of Reasons for a Continuation of a Final Determination of Dumping



NAFTA Panels

Ref. Number	Merchandise/Country	Action
None this Update		



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2017/220 Corrigendum	Certain stainless steel wires originating in India	Corrigendum to Commission Implementing Regulation amending Council Implementing Regulation (EU) No 1106/2013 imposing a definitive ADD following a partial interim review
(EU) 2017/1795	Certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Brazil, Iran, Russia and Ukraine	Commission Implementing Regulation imposing a definitive ADD and terminating the investigation on imports of the stated products originating in Serbia
2017/C 334/03	Certain stainless steel wires originating in India	Notice concerning the judgment of 11 July 2017 in case T-67/14 in relation to Council Implementing Regulation (EU) No 1106/2013 imposing a definitive ADD and collecting definitively the provisional duty
2017/C 346/08	New and retreaded tyres for buses or lorries originating in China	Notice of initiation of an anti-subsidy proceeding
2017/C 353/06	Electric bicycles originating in China	Notice of initiation of an AD proceeding
2017/C 356/11	New and retreaded tyres for buses or lorries originating in China	Corrigendum to notice of initiation of an AD proceeding concerning imports of (OJ C 264, 11.8.2017)
2017/C 356/12	Ceramic tableware and kitchenware originating in China	Corrigendum to notice concerning the AD measures in force: change of the name of a company subject to the ADD rate for co-operating non-sampled companies (OJ C 204, 28.6.2017)
(EU) 2017/1932	Ceramic tableware and kitchenware originating in China	Commission Implementing Regulation of 23 October 2017 amending Council Implementing Regulation imposing a definitive ADD and collecting definitively the provisional duty
2017/C 362/04	Ironing boards originating in China	Notice of the impending expiry of ADD on 24-07-18
(EU) 2017/1981	Certain footwear with uppers of leather originating in the China and Vietnam	Commission Implementing Regulation re-imposing a definitive ADD and collecting definitively the provisional duty imposed on subject goods produced by Dongguan Luzhou Shoes Co. Ltd, Dongguan Shingtak Shoes Co. Ltd, Guangzhou Dragon Shoes Co. Ltd, Guangzhou Evervan Footwear Co. Ltd, Guangzhou Guangda Shoes Co. Ltd, Long Son Joint Stock Company and Zhaoqing Li Da Shoes Co., Ltd, implementing the judgment of the Court of Justice in Joined Cases C-659/13 and C-34/14



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2017/136	Hollow Structural Sections Initiation of a review of measures from Thailand	Initiation of a review of measures
2017/137	Aluminium Extrusions from China	Initiation of an anti-circumvention inquiry
2017/139	Aluminium Zinc Coated Steel from China	Extension of time granted to issue Final Report
2017/140	Tomatoes from Italy	Initiation of an accelerated review
2017/141	Wind Towers From China	Initiation of Exemption Inquiry
2017/143	Various	Status Report as at 30 September 2017
2017/144	Aluminium Extrusions From China and Thailand	Initiation of an investigation into dumping
2017/145	Hollow Structural Sections From China, Korea,	Extension of time to publish Statement of Essential Facts and Final



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
	Malaysia & Taiwan	Report
2017/146	Steel Reinforcing Bar From Greece, Indonesia, Spain, Taiwan & Thailand	Extension of time to publish Statement of Essential Facts and Final Report
2017/147	Steel Reinforcing Bar From China	Extension of time granted to issue the Statement of Essential Facts and the Final Report
2017/148	Rod in Coil From China	Extension of time granted to issue the Statement of Essential Facts and the Final Report
2017/150	Steel Reinforcing Bar From China	Extension of time granted to issue the Statement of Essential Facts and the Final Report
2017/151	Rod in Coil From China	Extension of time granted to issue the Statement of Essential Facts and the Final Report
2017/152	Alloy Round Steel Bar From China	Termination of Part of Investigation
2017/153	2,4-Dichlorophenoxy-acetic Acid From China	Extension of time granted to issue the Statement of Essential Facts and the Final Report



China Ministry of Commerce (MOFCOM)

Ref. Number	Merchandise/Country	Action
MOFCOM № 54	Spandex originating in Japan, Singapore, S. Korea, Taiwan and US	Termination of ADD
MOFCOM № 62	Hydriodic Acid originating in the US and Japan	AD Investigation
MOFCOM № 56	O-Chloronitroaniline originating in India	Preliminary Determination in ADD Investigation
MOFCOM № 57	O-Chloronitroaniline originating in India	Preliminary Determination in CVD Investigation
MOFCOM № 53	Caprolactam originating in the EU and US	Final Review of the AD Measures
MOFCOM № 61	Copolymethylene Originated from Korea, Thailand and Malaysia	ADD Final Determination
MOFCOM № 67	Ethanolamines Originating in the United States, Saudi Arabia, Malaysia and Thailand	ADD Investigation



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
45/2017 (ADD)	New/unused pneumatic radial tyres with or without tubes and/or flap of rubber (including tubeless tyres) having normal rim dia code above 16" used in buses and lorries/trucks" originating in or exported from China PR	Imposes ADD
46/2017 (ADD)	PNA originating in or exported from China PR	Imposes ADD
47/2017 (ADD)	Melamine originating in or exported from European Union, Iran, Indonesia and Japan	Imposes ADD
48/2017 (ADD)	Wire Rod of Alloy or Non- Alloy Steel originating in or exported from China PR	Imposes ADD
49/2017 (ADD)	Color Coated/ Pre-Painted flat products of alloy or non-alloy steel originating in or	Imposes ADD


Government of India Ministry of Finance (Department of Revenue)

Notification No	Merchandise/Country	Action
	exported from China PR and European Union	
50/2017 (ADD)	Soda Ash, originating in or exported from China PR, EU, Kenya, Pakistan, Iran, Ukraine and USA	Seeks to rescind notification No.34/2012-Customs (ADD) dated 03.07.2012, in supersession of notification No. 55/2016-Customs (ADD) dated 21.12.2016. This notification has been issued since the time limit of three months for issuing the notification is ending shortly. However, the operation of the said rescinding notification shall remain in abeyance, till the final decision of the Hon. High Court of Gujarat in Special Civil Applications 14202 of 2017. Therefore, in effect, ADD under notification No.34/2012-Customs (ADD) dated 03.07.2012 will continue to be levied till the final decision of the Court
51/2017 (ADD)	Soda Ash, originating in or exported from Russia and Turkey	Seeks to rescind notification No. 08/2013-Customs (ADD) dated 18.04.2013, in supersession of notification No. 56/2016-Customs (ADD) dated 21.12.2016. This notification has been issued since the time limit of three months for issuing the notification is ending shortly. However, the operation of the said rescinding notification shall remain in abeyance, till the final decision of the Hon. High Court of Gujarat in Special Civil Application 14202 of 2017. Therefore, in effect, ADD under notification No. 08/2013-Customs (ADD) dated 18.04.2013 will continue to be levied till the final decision of the Court.
52/2017 (ADD)	Certain cold-rolled Flat products of stainless steel excluding: (a) certain grades and (b) certain product supplied under Indian Patent No. 223848 originating in or exported from China PR, Korea, European Union, South Africa, Taiwan, Thailand, and USA.	Imposes ADD
53/2017 (ADD)	Sodium Chlorate originating in or exported from Canada, China PR and European Union	Imposes definitive ADD


Argentina Ministry of Production – Secretary of Commerce

Ref. Number	Merchandise/Country	Action
Res. 764-E/2017	Certain steel tubes of the of a kind used for oil or gas pipelines originating in China	Institution of AD investigation without the application of provisional AD duties
Res. 510-E/2017	Straight manual saw blades of steel, originating in India	Expiry review and changed circumstances investigation
Res. 511-E/2017	Sunglasses, frames for goggles and goggles, originating in China	Expiry review and changed circumstances investigation
Res. 521-E/2017	Multi-function appliances equipped with interchangeable accessories for food processing for manual use; hand mixers, whether or not presented with accessories and blenders, originating in China	Requirement for certificates of origin and continuation of provisional AD measures
Res. 805-E/2017	Phthalic Anhydride originating in Mexico and S. Korea; Di-2-ethylhexyl orthophthalate (DOP) originating in S. Korea and Chile	Goods are subject to the regime of non-preferential control of origin in the terms of the provisions of paragraph c) of Article 2 of Resolution No. 763 of June 7, 1996



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
CAMEX № 82	Citric acid and certain salts of citric acid originating in China	Ratifies a price undertaking and extends a definitive ADD for a period of up to five (5) years
CAMEX № 83	E-SBR rubbers originating in the European Union	Termination of the definitive ADD



Eurasian Economic Union

Ref. Number	Merchandise/Country	Action
№ 133	Corners of steel hot-rolled, originating from Ukraine	On the application of the AD measure through the introduction of an ADD



Turkey – Ministry of Economy

Communique №	Merchandise/Country	Action
2017/25	Refined copper thin and thick pipes originating from Greece	Dumping and injury and ADD
2017/24	Diocetyl terephthalates from S. Korea	Dumping and injury and ADD
2017/23	Diocetyl phthalate from S. Korea	Dumping and injury and ADD
2017/22	Quilted fabric: The quilted fabric (other than those of heading 58.10) in the form of a piece of fabric or of one or more layers of textile material which are interspersed with filler from China	Dumping and injury and ADD
2017/21	Hinges (except for those used in civil aircraft), hanger and drawer rails from Spain, Italy, Greece and Thailand	ADD except for one Italian company
2017/11	Poly(ethylene terephthalate) with a viscosity of 78 ml / g or higher	Safeguard measures in the form of additional financial obligations for the period of 3 (three) years

Opportunity to Request Administrative Review

In an October 4, 2017 *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 October anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Australia: Hot-Rolled Steel Flat Products	A-602-809	3/22/16 - 9/30/17
Brazil: Carbon and Certain Alloy Steel Wire Rod	A-351-832	10/1/16 - 9/30/17
Hot-Rolled Steel Flat Products A-351-845	3/22/16 - 9/30/17	
Indonesia: Carbon and Certain Alloy Steel Wire Rod	A-560-815	10/1/16 - 9/30/17
Italy: Pressure Sensitive Plastic Tape	A-475-059	10/1/16 - 9/30/17
Japan: Hot-Rolled Steel Flat Products	A-588-874	3/22/16 - 9/30/17
Mexico: Carbon and Certain Alloy Steel Wire Rod	A-201-830	10/1/16 - 9/30/17
Moldova: Carbon and Certain Alloy Steel Wire Rod	A-841-805	10/1/16 - 9/30/17
R. of Korea: Hot-Rolled Steel Flat Products	A-580-883	3/22/16 - 9/30/17

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
The Netherlands: Hot-Rolled Steel Flat Products	A-421-813	3/22/16 - 9/30/17
The P.R. of China: Barium Carbonate	A-570-880	10/1/16 - 9/30/17
Barium Chloride A-570-007	10/1/16 - 9/30/17	
Boltless Steel Shelving Units Prepackaged For Sale	A-570-018	10/1/16 - 9/30/17
Electrolytic Manganese DioxideA-570-919	10/1/16 - 9/30/17	
Helical Spring Lock Washers A-570-822	10/1/16 - 9/30/17	
Polyvinyl Alcohol A-570-879	10/1/16 - 9/30/17	
Steel Wire Garment Hangers A-570-918	10/1/16 - 9/30/17	
Trinidad and Tobago: Carbon and Certain Alloy Steel Wire Rod A-274-804	10/1/16 - 9/30/17	
Turkey: Hot-Rolled Steel Flat Products	A-489-826	3/22/16 - 9/30/17
United Kingdom: Hot-Rolled Steel Flat Products	A-412-825	3/22/16 - 9/30/17
Countervailing Duty Proceedings		
BRAZIL: Carbon and Certain Alloy Steel Wire Rod	C-351-833	1/1/16 - 12/31/16
Hot-Rolled Steel Flat Products	C-351-846	1/15/16 - 12/31/16
Iran: Roasted In-Shell Pistachios	C-507-601	1/1/16 - 12/31/16
R. of Korea: Hot-Rolled Steel Flat Products	C-580-884	8/12/16 - 12/31/16
The P.R. of China: Boltless Steel Shelving Units Prepackaged for Sale	C-570-019	1/1/16 - 12/31/16
Suspension Agreements		
Russia: Uranium	A-821-802	10/1/16 - 9/30/16

Opportunity to Request Administrative Review

In a November 1, 2017 *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 November anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Circular Welded Non-Alloy Steel Pipe	A-351-809	11/1/16 - 10/31/17
India: Welded Stainless Pressure Pipe	A-533-867	5/10/16 - 10/31/17
Indonesia: Monosodium Glutamate	A-560-826	11/1/16 - 10/31/17
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	A-560-823	11/1/16 - 10/31/17
Mexico: Certain Circular Welded Non-Alloy Steel Pipe	A-201-805	11/1/16 - 10/31/17
Seamless Refined Copper Pipe and Tube	A-201-838	11/1/16 - 10/31/17
Steel Concrete Reinforcing Bar	A-201-844	11/1/16 - 10/31/17
S. Korea: Certain Circular Welded Non-Alloy Steel Pipe	A-580-809	11/1/16 - 10/31/17
Taiwan: Certain Circular Welded Non-Alloy Steel Pipe	A-583-814	11/1/16 - 10/31/17
Certain Hot-Rolled Carbon Steel Flat Products	A-583-835	11/1/16 - 10/31/17
Thailand: Certain Hot-Rolled Carbon Steel Flat Products	A-549-817	11/1/16 - 10/31/17
PR of China: Certain Cut-To-Length Carbon Steel	A-570-849	11/1/16 - 10/31/17
Certain Hot-Rolled Carbon Steel Flat Products	A-570-865	11/1/16 - 10/31/17
Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	A-570-958	11/1/16 - 10/31/17
Diamond Sawblades and Parts Thereof	A-570-900	11/1/16 - 10/31/17
Fresh Garlic	A-570-831	11/1/16 - 10/31/17
Lightweight Thermal Paper	A-570-920	11/1/16 - 10/31/17
Monosodium Glutamate	A-570-992	11/1/16 - 10/31/17
Paper Clips	A-570-826	11/1/16 - 10/31/17
Polyethylene Terephthalate (Pet) Film	A-570-924	11/1/16 - 10/31/17
Pure Magnesium in Granular Form	A-570-864	11/1/16 - 10/31/17
Refined Brown Aluminum Oxide	A-570-882	11/1/16 - 10/31/17
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe	A-570-956	11/1/16 - 10/31/17
Seamless Refined Copper Pipe and Tube	A-570-964	11/1/16 - 10/31/17

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Ukraine: Certain Hot-Rolled Carbon Steel Flat Products	A-823-811	11/1/16 - 10/31/17
U.A.E.: Polyethylene Terephthalate (Pet) Film	A-520-803	11/1/16 - 10/31/17
Countervailing Duty Proceedings		
India: Welded Stainless Pressure Pipe	C-533-868	3/11/16 - 12/31/16
Indonesia: Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	C-560-824	1/1/16 - 12/31/16
PR of China: Chlorinated Isocyanurates	C-570-991	1/1/16 - 12/31/16
Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses	C-570-959	1/1/16 - 12/31/16
Lightweight Thermal Paper	C-570-921	1/1/16 - 12/31/16
Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe	C-570-957	1/1/16 - 12/31/16
Turkey: Steel Concrete Reinforcing Bar	C-489-819	1/1/16 - 12/31/16
Suspension Agreements		
Ukraine: Certain Cut-To-Length Carbon Steel	A-823-808	11/1/16 - 10/31/17

Requested Reviews

In an October 16, 2017 *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 August anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
India: Corrosion-Resistant Steel Products	A-533-863	1/4/16-6/30/17
Malaysia: Polyethylene Retail Carrier Bags	A-557-813	8/1/16-7/31/17
Mexico: Light-Walled Rectangular Pipe and Tube	A-201-836	8/1/16-7/31/17
R. of Korea: Large Power Transformers	A-580-867	8/1/16-7/31/17
S.R. of Vietnam: Certain Frozen Fish Fillets	A-552-801	8/1/16-7/31/17
Welded Stainless Pressure Pipe	A-552-816	7/1/16-6/30/17
Taiwan: Certain Steel Nails	A-583-854	7/1/16-6/30/17
P.R. of China: Certain Passenger Vehicle and Light Truck Tires	A-570-016	8/1/16-7/31/17
Hydrofluorocarbon Blends and Components Thereof	A-570-028	2/1/16-7/31/17
Certain Steel Nails	A-570-909	8/1/16-7/31/17
Polyethylene Retail Carrier Bags	A-570-886	8/1/16-7/31/17
Countervailing Duty Proceedings		
Italy: Certain Pasta	C-475-819	1/1/16-12/31/16
R. of Korea: Corrosion-Resistant Steel Products	C-580-879	11/6/15-12/31/16
P. R. of China: Certain Passenger Vehicle and Light Truck Tires	C-570-017	1/1/16-12/31/16
Suspension Agreements		
None		

Initiation of Sunset Reviews

In an October 4, 2017, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-828	731-TA-672	PRC	Silicomanganese (4 th Review)

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-823-805	731-TA-673	Ukraine	Silicomanganese (4 th Review)

In a November 1, 2017, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year (“Sunset”) review of the antidumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-863	731-TA-893	PRC	Honey (3 rd Review)
A-570-979	731-TA-1190	PRC	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules (1 st Review)
C-570-980	701-TA-481	PRC	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules (1 st Review)
A-583-849	731-TA-1197	Taiwan	Steel Wire Garment Hangers (1 st Review)
A-552-812	731-TA-1198	Vietnam	Steel Wire Garment Hangers (1 st Review)
C-552-813	731-TA-487	Vietnam	Steel Wire Garment Hangers (1 st Review)

Advance Notification of Sunset Reviews

In an October 16, 2017, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for November 2017.

AD/CVD Proceedings - Merchandise/Country	Case No.
Antidumping Duty Proceedings	
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from China	A-570-979 (1 st Review).
Honey from China	A-570-863 (3 rd Review)
Steel Wire Garment Hangers from Taiwan	A-583-849 (1 st Review) ..
Steel Wire Garment Hangers from Vietnam	A-552-812 (1 st Review)
Countervailing Duty Proceedings	
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules from China	C-570-980 (1 st Review)
Steel Wire Garment Hangers from Vietnam	C-552-813 (1 st Review)



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