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Editor, *International Trade Compliance Update*

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

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2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



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2018 Year-End Review of Import/Export Developments



Save the Date: Nov. 14-15, 2018 – Santa Clara & Webcast

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

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

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World Trade Organization (WTO)

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
DS 562	United States – Safeguard Measure on Imports of Crystalline Silicon Photovoltaic Products Request for Consultations by China	16-08-18
DS 563	United States – Certain Measures Related To Renewable Energy Request for Consultations by China	
DS 564	United States – Certain Measures on Steel and Aluminium Products Request for Consultations by Turkey	20-08-18
DS 565	United States - Tariff Measures on Certain Goods from China II - Request for Consultations by China	27-08-18

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
DS 490 DS 496	Indonesia — Safeguard on Certain Iron or Steel Products [Complainants: Chinese Taipei, Vietnam]	Appellate Body issues report	15-08-18
DS 316	European Communities — Measures Affecting Trade in Large Civil Aircraft [Complainant: US]	EU request for second compliance panel	
DS 478	Indonesia — Importation of Horticultural Products, Animals and Animal Products [Complainant: US]	Matter referred to Arbitration	
DS 493	Ukraine — Anti-Dumping Measures on Ammonium Nitrate [Complainant: Russian Federation]	Ukraine files appeal	23-08-18
DS 499	Russia — Measures Affecting the Importation of Railway Equipment and Parts thereof [Complainant: Ukraine]	Ukraine files appeal	27-08-18
DS 505	United States — Countervailing Measures on Supercalendered Paper from Canada [Complainant: Canada]	US files appeal	

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)

Draft agenda released for 62nd Session of the HSC

The [August 22, 2018](#), *Customs Bulletin and Decisions* published by US Customs and Border Protection contains the dates and complete draft agenda for the sixty-second session of the Harmonized System Committee of the WCO.

The *International Convention on the Harmonized Commodity Description and Coding System* ("Harmonized System (or "HS") Convention") established the *Harmonized Commodity Description and Coding System* ("Harmonized System" or "HS"), an international nomenclature system. Article 6 of the HS Convention establishes a Harmonized System Committee ("HSC"), composed of representatives from each of the contracting parties to the HS Convention. The HSC's responsibilities include issuing classification decisions on the interpretation of the Harmonized System. Those decisions may take the form of published tariff classification opinions concerning the classification of an article under the HS or amendments to the *Explanatory Notes* to the HS. The HSC also considers amendments to the legal text of the Harmonized System. The HSC meets twice a year in Brussels, Belgium. The next session of the HSC will be the sixty-second and it will be held from September 17, 2018 to September 28, 2018.

Announcements and news releases [dd-mm-yy]

Date	Title
01-08-18	WCO attends the International Conference on Customs Laboratories in the Russian Federation
02-08-18	WCO successfully conducts 'People Diagnostics' mission in Ethiopia, 16th-24th July 2018
	National Workshop in Dakar, Senegal, on WTO Agreement on Customs Valuation and Transfer Pricing
	The WCO Regional Workshop for the East South Africa (ESA) region
	WCO new e-learning course on a Single Window environment
03-08-18	WCO Workshop to support Ethiopian Customs with Risk Management
07-08-18	WCO supports Nepal on Advance Ruling System and improvement of tariff classification
14-08-18	COPES Regional Seminar in Mauritius
20-08-18	WCO supports Cape Verde to improve KPIs for Strategic Dashboard establishment
	WCO supports Iran with enhancing ICT implementation and AEO Programme
21-08-18	South American WCO Member – Bolivia – Benefits from Mercator Programme
22-08-18	Second Meeting of APEC's SCCP marks important advances in Customs cooperation
	The WCO C-RED project follows up on the finalization of the Standard Operating Procedures for relief consignments in Liberia and Sierra Leone
	WCO support mission to the General Department of Customs and Excise (GDCE) of Cambodia focused on WTO TFA implementation and the further development of a new Strategy and Work Program for Reform and Modernization
24-08-18	WCO publishes new guides supporting the implementation of AEO programmes and MRAs
27-08-18	Pacific Islands Passenger Controls Workshop and Training (Suva, Fiji)
29-08-18	WCO National Workshop on Coordinated Border Management held in Montevideo, Uruguay
	Further WCO Activity to Strengthen Sierra Leone National Revenue Authority's Customs Valuation Controls
30-08-18	WCO contributes to strengthening Zimbabwe's capacities on Authorised Economic Operator and Post Clearance Audit

Date	Title
31-08-18	WCO's WACAM Project supports Nigeria Customs Service and Stakeholders in the preparation of the Time Release Study (TRS)
	Zambia Revenue Authority joins the WCO Mercator Programme
	WCO Secretary General addresses Scholars in Japan on Customs modernization

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
24-08-18	2018/069 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
27-08-18	2018/070 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

The Americas - Central America

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
16-08-18	Law No. 42 (14-08-18) amends an article of law 19 of 2001, which creates a Special Tax and Customs Regime of Free Tourist Area and of Multimodal Logistical Support In Barú.
29-08-18	National Customs Authority (ANA): Res. № 396 (10-08-18) Through which the measures adopted by Resolution No. 134 of April 4, 2017, "For The Migration Process of the Existing Transactions Originated in the Integrated System of Foreign Trade (SICE) That Fulfill Different Customs Regimes Towards the Official Computer System of the National Customs Authority Denominated Integrated System of Customs Management (SIGA)

The Americas - North America

CANADA

Canada launches consultation on preventing steel diversion

On August 14, 2018, the Department of Finance [announced](#) that it had launched a public consultation on possible safeguard action on imports of the following steel products:

- Steel plate
- Concrete reinforcing bar
- Energy tubular products

- Hot-rolled sheet
- Pre-painted steel
- Stainless steel wire
- Wire rod

Safeguards are trade measures imposed under international trade rules in exceptional circumstances to respond to import surges that may harm Canadian producers and workers. The Government said it will continue to work with stakeholders to determine if additional products may be considered for safeguard action, and is committed to applying additional safeguards where circumstances warrant their application, in accordance with Canada's international trade obligations.

Comments regarding possible safeguard action can be submitted to the Department of Finance Canada at fin.simaconsult-lmsiconsult.fin@canada.ca until August 29, 2018.

Miscellaneous regulations and proposals

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

Publication Date	Title
08-04-18	ENVIRONMENT: Order 2018-87-05-02 Amending the Non-domestic Substances List pursuant to subsection 87(5) of the Canadian Environmental Protection Act, 1999 (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of a substance — methanone, diphenyl- (benzophenone), CAS RN1 119-61-9 — 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 living organisms — Bacillus cereus (B. cereus strain ATCC 14579 and B. subtilis strain 11685-3) — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
08-08-18	ENVIRONMENT: Order 2018-87-05-01 Amending the Domestic Substances List (SOR/2018-163, July 24, 2018) pursuant to the Canadian Environmental Protection Act, 1999
	ENVIRONMENT: Order 2018-112-05-01 Amending the Domestic Substances List (SOR/2018-164, July 24, 2018) pursuant to the Canadian Environmental Protection Act, 1999
	ENVIRONMENT: Order 2018-66-05-01 Amending the Domestic Substances List (SOR/2018-165, July 24, 2018) pursuant to the Canadian Environmental Protection Act, 1999
08-18-18	ENVIRONMENT/HEALTH: Publication after screening assessment of two substances — naphthenic acids (NAs), CAS RN1 1338-24-5, and naphthenic acids, calcium salts (calcium naphthenates), CAS RN 61789-36-4 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of 10 fatty acids and derivatives specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
08-25-18	ENVIRONMENT: Ministerial Condition No. 19626 pursuant to Paragraph 109(1)(a) of the Canadian Environmental Protection Act, 1999 (N) [permits the manufacture or import of the living organism, Saccharomyces species]

Publication Date	Title
	strain ALX104- 148.38, in accordance with the conditions]
	ENVIRONMENT: Notice to provide information for the risk management of 1,4-benzenediamine, N,N'-mixed phenyl and tolyl derivatives (BENPAT) Pursuant to paragraph 71(1)(b) of the Canadian Environmental Protection Act, 1999 (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of 57 substances specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)

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 additional advance rulings were posted by the CBSA during the period covered by this Update.

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Title
08-01-18	CN 18-12	Coasting Trade Vessels Leaving Canadian Waters
08-07-18	D11-4-20	Procedures for Verifications of Origin Under a Free Trade Agreement (Revised)
08-17-18	D16-1-1	Information pertaining to the application, collection, and adjustment of a surtax
08-18-18	D17-1-8	Release Prior to Payment Privilege

Antidumping and countervailing duty cases

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

MEXICO

Diario Oficial

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

Publication Date	Title
08-15-18	ECONOMY: Responses to the comments of the Draft Official Mexican Standard PROY-NOM-205-SCFI-2016, Children's Products -Operation of high chairs for the safety of the infant-Specifications and test methods, published on July 10, 2017
	ECONOMY: Notice by means of which the amount of the maximum quota for exporting sugar to the United States of America during the period between

Publication Date	Title
	October 1, 2018 and September 30, 2019, is disclosed.
08-17-18	Decree by which the Tariff of the Law of the General Import and of Export Taxes is modified. ECONOMY: Acuerdo that modifies the Acuerdo by which the mechanism of assignment to import beans under tariff-quota is disclosed
08-21-18	FOREIGN RELATIONS: Decree approving the Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures, done in Brussels on June 26, 1999 HACIENDA: Addendum of Public Call to integrate the Technical Council of the Special Economic Zone of Salina Cruz.
08-27-18	ECONOMY: Acuerdo that modifies the Acuerdo by which the quota is announced to import roast and ground coffee free tariff in individual packages with a weight of up to 40 grams of the tariff fractions 0901.21.01, 0901.22.01 and 0901.90.99.
08-29-18	ECONOMY: Acuerdo that gives rise to Decision No. 95 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on August 3, 2018

Antidumping and countervailing duty cases

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

UNITED STATES

[NOTE ON *FEDERAL REGISTER* TABLES IN THE UNITED STATES SECTION BELOW: N=NOTICE, FR=FINAL RULE, PR=NOTICE OF PROPOSED RULEMAKING, AN=ADVANCE NOTICE OF PR, IR=INTERIM RULE, TR=TEMPORARY RULE 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
08-02-18	Proclamation 9771 of July 30, 2018 - To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes
08-07-18	Executive Order 13846 of August 6, 2018 - Reimposing Certain Sanctions With Respect to Iran
08-09-18	Presidential Determination 2018-10 of July 20, 2018 - Continuation of U.S. Drug Interdiction Assistance to the Government of Colombia
08-13-18	Notice of August 8, 2018 - Continuation of the National Emergency With Respect to Export Control Regulations
08-15-18	Proclamation 9772 – Adjusting Imports of Steel into the United States
08-29-18	Proclamation 9776 Adjusting Imports of Aluminum into the United States Proclamation 9777 Adjusting Imports of Steel into the United States

President notifies Congress of intent to sign trade agreement

On August 31, 2018, USTR issued the following [statement](#):

Today the President [notified the Congress](#) of his intent to sign a trade agreement with Mexico – and Canada, if it is willing – 90 days from now. The agreement is the most advanced and high-standard trade agreement in the world. Over the next few weeks,

Congress and cleared advisors from civil society and the private sector will be able to examine the agreement. They will find it has huge benefits for our workers, farmers, ranchers, and businesses.

We have also been negotiating with Canada throughout this year-long process. This week those meetings continued at all levels. The talks were constructive, and we made progress. Our officials are continuing to work toward agreement. The USTR team will meet with Minister Freeland and her colleagues Wednesday of next week.

President modifies proclamations on sec. 232 steel and aluminum tariffs to permit Commerce to grant additional relief on quotas

On August 29, 2018, President Trump signed [Proclamation 9777 Adjusting Imports of Steel into the United States](#) and [Proclamation 9776 Adjusting Imports of Aluminum into the United States](#), both published in the *Federal Register* on Sept. 4, 2018, which provide for exclusions from the steel and aluminum quantitative restrictions in certain cases. The provisions are set forth below: [Note: "CLAUSE" refers to the clause in the appropriate proclamation.]

CLAUSE (1) FOR STEEL AND ALUMINUM: The Secretary of Commerce is authorized, in consultation with the Secretary of State, the Secretary of the Treasury, the Secretary of Defense, the United States Trade Representative (USTR), the Assistant to the President for National Security Affairs, the Assistant to the President for Economic Policy, and such other senior Executive Branch officials as the Secretary deems appropriate, to provide relief from the quantitative limitations applicable to steel articles described in subheadings 9903.80.05 through 9903.80.58 of subchapter III of chapter 99 of the HTSUS and the quantitative limitations applicable to aluminum articles described in subheadings 9903.85.05 and 9903.85.06 of subchapter III of chapter 99 of the HTSUS for any steel or aluminum articles determined not to be produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality, and to provide such relief based upon specific national security considerations.

- Such relief shall be provided for a steel article only after a request for relief is made by a directly affected party located in the United States.
- Such relief may be provided to directly affected parties on a party-by-party basis taking into account the regional availability of particular articles, the ability to transport articles within the United States, and any other factors as the Secretary deems appropriate.
- If the Secretary determines that relief should be granted, the Secretary shall publicly post such determination and notify US Customs and Border Protection (CBP) so that it will be excluded from the applicable quantitative limitation.
- Relief granted under this clause shall apply only to an article entered for consumption, or withdrawn from warehouse for consumption, on or after the date on which the request for relief is granted.
- Until such time as any applicable quantitative limitation for a particular article has been reached, CBP shall count any steel or aluminum article for which relief is granted under this clause toward such quantitative limitation at the time when such steel article is entered for consumption or withdrawn from warehouse for consumption.
- Any steel article for which relief is granted under this clause shall not be subject to the additional rate of duty set forth in Proclamation 9705, as amended. Steel articles for which relief is granted under this clause shall be subject to the duty treatment provided in subheading 9903.80.60 of subchapter III of chapter 99 of the HTSUS, as established by the Annex to Proclamation 9777.
- Any aluminum article for which relief is granted under this clause shall not be subject to the additional rate of duty set forth in Proclamation 9704, as amended. Aluminum articles for which relief is granted under this clause shall be subject to the duty treatment provided in subheading 9903.85.11 of subchapter III of chapter 99 of the HTSUS, as established by the Annex to Proclamation 9776.

CLAUSE (2) FOR STEEL ONLY: The Secretary shall, on an expedited basis, grant relief from the quantitative limitations set forth in Proclamation 9740 and Proclamation 9759 and their accompanying annexes for any steel article where

- the party requesting relief entered into a written contract for production and shipment of such steel article before March 8, 2018;
- such contract specifies the quantity of such steel article that is to be produced and shipped to the United States consistent with a schedule contained in such contract;
- such steel article is to be used to construct a facility in the United States and such steel article cannot be procured from a supplier in the United States to meet the delivery schedule and specifications contained in such contract;
- the payments made pursuant to such contract constitute 10 percent or less of the cost of the facility under construction; and
- lack of relief from the quantitative limitations on such steel article would significantly disrupt or delay completion of the facility being constructed in the United States with the steel article specified in such contract.

Until such time as any applicable quantitative limitation for a particular article has been reached, CBP shall count any steel article for which relief is granted under this clause toward such quantitative limitation at the time when such steel article is entered for consumption or withdrawn from warehouse for consumption.

Any steel article for which relief is granted under this clause shall be subject to the additional rate of duty set forth in clause 2 of Proclamation 9705, as amended by this proclamation, when such steel article is entered for consumption or withdrawn from warehouse for consumption. This rate of duty is in addition to any other duties, fees, exactions, and charges applicable to such steel article.

Any steel article provided relief under this clause must be entered for consumption, or withdrawn from warehouse for consumption, on or before March 31, 2019, and may not be granted further relief by the Secretary under clause 3 of Proclamation 9705, as amended. Steel articles for which relief is granted under this clause shall be subject to the duty treatment provided in subheading 9903.80.61 of subchapter III of chapter 99 of the HTSUS, as established by the Annex to this proclamation.

CLAUSE (3) FOR STEEL ONLY: The Secretary shall grant relief under clause 2 of this proclamation only upon receipt of a sworn statement signed by the chief executive officer and the chief legal officer of the party requesting relief. Such statement shall attest that

- the steel article for which relief is sought and the associated contract meet all of the criteria for relief set forth in clause 2 of this proclamation;
- the party requesting relief will accurately report to CBP, in the manner that CBP prescribes, the quantity of steel articles entered for consumption, or withdrawn from warehouse for consumption, pursuant to any grant of relief; and
- the quantity of steel articles entered pursuant to a grant of relief will not exceed the quantity specified in such contract for delivery on or before March 31, 2019.

The Secretary shall notify CBP and publish a notice of relief for the quantity of steel articles specified in such contract that are scheduled for delivery on or before March 31, 2019. The Secretary shall revoke any grant of relief under clause 2 of this proclamation if the Secretary determines at any time after such grant that the criteria for relief have not been met and may, if the Secretary deems it appropriate, notify the Attorney General of the facts that led to such revocation.

CLAUSE (4) FOR STEEL AND CLAUSE (2) FOR ALUMINUM: As soon as practicable, the Secretary is required to issue procedures for the requests for exclusion described in clause 1 of either proclamation. CBP shall implement exclusions granted pursuant to clause 1 of either proclamation or relief provided under clause 2 of the steel proclamation as soon as practicable.

CLAUSE (5) FOR STEEL AND CLAUSE 3 FOR ALUMINUM: Clause 3 of Proclamation 9705 [for steel or Proclamation 9704 for aluminum], as amended by Proclamation 9711 [for

steel or 9710 for aluminum], is further amended by striking the fourth and fifth sentences and inserting in lieu thereof the following two sentences:

“If the Secretary determines that a particular steel [or aluminum] article should be excluded, the Secretary shall publicly post such determination and notify U.S. Customs and Border Protection (CBP) of the Department of Homeland Security concerning such article so that it will be excluded from the duties described in clause 2 of this proclamation. For merchandise entered for consumption, or withdrawn from warehouse for consumption, on or after the date the duty established under this proclamation is effective and with respect to which liquidation is not final, such relief shall be retroactive to the date the request for relief was accepted by the Department of Commerce.”.

CLAUSE (6) FOR STEEL: In order to establish the duty rate on imports of steel articles for which relief is granted under clause 2 of this proclamation, clause 2 of Proclamation 9705, as amended, is further amended by striking the last sentence and inserting in lieu thereof the following two sentences:

“All steel articles imports covered by subheading 9903.80.61, in subchapter III of chapter 99 of the HTSUS, shall be subject to the additional 25 percent ad valorem rate of duty established herein with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on the date specified in a determination by the Secretary granting relief. These rates of duty, which are in addition to any other duties, fees, exactions, and charges applicable to such imported steel articles, shall apply to imports of steel articles from each country as specified in the preceding three sentences.”.

CLAUSE (7) FOR STEEL AND CLAUSE (4) FOR ALUMINUM: Where the government of a country identified in the superior text to subheadings 9903.80.05 through 9903.80.58 [for steel or 9903.85.05 and 9903.85.06 for aluminum] of subchapter III of chapter 99 of the HTSUS notifies the United States that it has established a mechanism for the certification of exports to the United States of products covered by the quantitative limitations applicable to these subheadings, and where such mechanism meets the operational requirements for participation in an export certification system administered by the United States, CBP, in consultation with the Secretary, USTR, and other relevant executive departments and agencies, may require that importers of these products furnish relevant export certification information in order to qualify for the treatment set forth in subheadings 9903.80.05 through 9903.80.58 [for steel or 9903.85.05 and 9903.85.06 for aluminum]. Where CBP adopts such a requirement, it shall publish in the *Federal Register* notice of the requirement and procedures for the submission of relevant export certification information. No article that is subject to the export certification requirement announced in such notice may be entered for consumption, or withdrawn from warehouse for consumption, on or after the effective date specified in such notice, except upon presentation of a valid and properly executed certification, in accordance with the procedures set forth in the notice.

CLAUSE (8) FOR STEEL OR CLAUSE (5) FOR ALUMINUM: Subdivision (c) of U.S. note 16 [19 for aluminum] to subchapter III of chapter 99 of the HTSUS is amended by inserting at the end the following new sentence: “Pursuant to subheadings 9903.80.60 and 9903.80.61 [9903.85.11 for aluminum] and superior text thereto, the Secretary may provide that any excluded product shall be granted entry into the customs territory of the United States when the applicable quantitative limitation has filled for the specified period for such good.”.

CLAUSE (9) FOR STEEL AND CLAUSE (6) FOR ALUMINUM: Subdivision (d) of U.S. note 16 [19 for aluminum] to subchapter III of chapter 99 of the HTSUS is amended by inserting after “9903.80.58” the phrase “and 9903.80.60 and 9903.80.61” [or for aluminum inserting after “9903.85.06” the phrase “and 9903.85.11”].

CLAUSE (10) FOR STEEL: The rate of duty specified in the HTSUS in the general column for heading 9903.80.01 is amended by striking “25%” and inserting in lieu thereof: “The duty provided in the applicable subheading + 25%”.

CLAUSE (11) FOR STEEL: The rate of duty specified in the HTSUS in the general column for heading 9903.80.02 is amended by striking “50%” and inserting in lieu thereof: “The duty provided in the applicable subheading + 50%”.

CLAUSE (12) FOR STEEL: The superior text for subheadings 9903.80.05 through 9903.80.58 of the HTSUS is amended by deleting “Iron” and inserting in lieu thereof: “Except as provided in subheadings 9903.80.60 and 9903.80.61, iron”.

CLAUSE (7) FOR ALUMINUM: The superior text for subheadings 9903.85.05 and 9903.85.06 of the HTSUS is amended by deleting “Aluminum” and inserting in lieu thereof: “Except as provided in subheading 9903.85.11, aluminum”.

CLAUSE (13) FOR STEEL AND CLAUSE 8 FOR ALUMINUM: To implement clauses 1 and 2 [clause 1 for aluminum] of this proclamation, subchapter III of chapter 99 of the HTSUS is modified as provided in the Annex to the proclamation.

CLAUSE (14) FOR STEEL AND CLAUSE (9) FOR ALUMINUM: The modifications to the HTSUS made by clauses 8 through 13 [5 through 8 for aluminum] of this proclamation and the Annex to this proclamation shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 30, 2018, and shall continue in effect, unless such actions are expressly reduced, modified, or terminated.

CLAUSE (15) FOR STEEL AND CLAUSE (10) FOR ALUMINUM: Clause 5 of Proclamation 9705 [9704 for aluminum] is amended by inserting “for consumption” after “goods entered” in the first sentence. Clause 5 of Proclamation 9711 [9739 for aluminum], as amended, is amended by striking “by this proclamation” from the end of the second sentence. Clause 6 of Proclamation 9740 [clause 5 of Proclamation 9739 for aluminum] is amended by striking “by clause 1 of this proclamation”.

The Proclamations each authorize revisions to the HTSUS so that it conforms to the amendments directed by the proclamations and to publish any such modification to the HTSUS in the Federal Register.

Both proclamations state that any provisions of previous proclamations and Executive Orders that are inconsistent with the actions taken in these two proclamations are superseded to the extent of such inconsistency.

President announces preliminary agreement with Mexico on trade

On August 27, 2018, President Trump [announced](#) that the US and Mexico have reached a preliminary agreement on a new trade agreement.

In a meeting with reporters from the Oval Office, and President Enrique Peña Nieto of Mexico on the phone, President Trump announced that the two countries have reached an agreement on new trade agreement. According to the President, this agreement will be called the “US-Mexico Trade Agreement” and it will replace NAFTA (which, the President said had “bad connotations because it was such a bad deal for the United States”). The Administration intends to notify Congress this coming Friday of its attention to sign this new trade agreement (the Administration is required to notify Congress at least 90 days before signing any trade deal and President Nieto leaves office November 30th, which is ~90 days from Friday, so they are trying to get this in under the wire).

As for Canada, the two presidents seemed to express different views. President Trump said that negotiations with Canada had not started yet, but would be begin shortly. He also suggested that they would be short – saying that if Canada wants to negotiate fairly, we will do that; but that, if not, the United States will just impose a duty on Canadian-made automobiles (presumably under the on-going Section 232 investigation). He also said that any deal could be a separate deal, or it could be integrated in to the new U.S.-Mexico trade agreement. President Peña repeated stated that Mexico’s intention was to have a trilateral agreement

that included Canada (not two separate bilateral deals, as seems to President Trump's preference).

The fact sheets put out by the USTR on the U.S.-Mexico Trade Agreement are available [here](#). A video of the meeting in the Oval Office is available on C-SPAN's website.

While this is a momentous development, there are a few things to keep in mind. First, the United States (and possibly Mexico?) appears to be willing to move forward without Canada. It seems increasingly likely that President Trump intends to use his leverage (over autos, in particular) to present Canada with a 'take it or leave it' offer. If Canada is not willing to accept President Trump's terms, it is not clear whether Mexico would be willing to forego an agreement with the United States (that seems less likely based on today's meeting). Second, this process is far from over. As mentioned above, the United States and Mexico are racing against a political deadline (when President Nieto leaves office November 30th), but that is not the only political consideration. The U.S. political process/deadlines will also come into play, as mentioned in our previous updates. It is not clear whether a renegotiated agreement can be finalized and ratified in the time available. Nevertheless, all companies will meaningfully NAFTA-related investment should be considering how today's announcement is likely to impact their business and begin planning accordingly.

If you have any questions, please contact [Ted Murphy](#) or any member of the Customs group with whom you normally work.

President proclaims increase in tariffs for steel from Turkey

On August 10, 2018, President Trump signed [Proclamation 9772 - Adjusting Imports of Steel Into the United States](#) (published in the *Federal Register* on August 15, 2018), which increases the section 232 tariffs on Turkish Steel to 50%. In the proclamation, it is stated that

In the [Commerce] Secretary's January 2018 report, the Secretary recommended that I consider applying a higher tariff to a list of specific countries should I determine that all countries should not be subject to the same tariff. One of the countries on that list was the Republic of Turkey (Turkey). As the Secretary explained in that report, Turkey is among the major exporters of steel to the United States for domestic consumption. To further reduce imports of steel articles and increase domestic capacity utilization, I have determined that it is necessary and appropriate to impose a 50 percent ad valorem tariff on steel articles imported from Turkey, beginning on August 13, 2018. The Secretary has advised me that this adjustment will be a significant step toward ensuring the viability of the domestic steel industry.

The proclamation modifies subchapter III of chapter 99 of the HTSUS as provided for in the Annex to the proclamation to impose a 50 percent ad valorem rate of duty with respect to the designated Turkish steel articles entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on August 13, 2018. The duty is in addition to any other duties, fees, exactions, and charges applicable to the designated Turkish steel articles. On or after 12:01 on August 13, Turkish steel imports will use "9903.80.02 (50% ad valorem duty rate for products of iron and steel that are the product of Turkey)" in addition to the regular tariff subheadings for affected products.

President continues national emergency with respect to Export Control Regulations

On August 13, 2018, the *Federal Register* published Presidential [Notice of August 8, 2018 - Continuation of the National Emergency With Respect to Export Control Regulations](#) which continues for an additional year the national emergency established on August 17, 2001 in Executive Order (EO) 13222, as amended by EO 13637 (of March 8, 2018), with respect to the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States related to the expiration of the *Export Administration Act of 1979*, as amended (50 U.S.C. 4601 et seq.). The national emergency is being extended because the Congress has not renewed the Export Administration Act.

President signs the Foreign Investment Risk Review Modernization Act, most important reforms to CFIUS in thirty years

On Monday August 13, 2018, President Trump signed into law the “[John S. McCain National Defense Authorization Act for Fiscal Year 2019](#) (NDAA). The *Foreign Investment Risk Review Modernization Act of 2018* (FIRRMA; sections 1701-1728 of the NDAA) contains the most significant changes to the law governing the Committee on Foreign Investment in the United States (CFIUS or Committee) since the creation of the US foreign investment regime in 1988. Although prompted primarily by national security concerns with Chinese investments, the legislation will affect investments by all foreign investors. The changes reflect a trend across advanced markets for greater scrutiny of inbound investments.

While Congress declares that the United States continues to welcome investments from abroad, FIRRMA grants the administration new tools to regulate foreign direct investments raising national security concerns. FIRRMA will expand the jurisdiction of CFIUS to scrutinize inbound investments, and will create for the first time mandatory declaration requirements for foreign government affiliated investors and for other investments designated by CFIUS. The law makes a series of other changes that strengthen CFIUS’s authority, delegates broad rule-making authority to the Committee, and authorizes the sharing of information on transactions with allied governments for the first time.

The enactment of FIRRMA will launch a major rule-making process at the same time that CFIUS agencies must undertake a significant expansion of staff. While extended timelines for the CFIUS review process will enter into force immediately, most FIRRMA provisions will phase in only after the issuance of regulations and expansion of staff, processes that will likely take over a year. Meanwhile, the administration will initiate a related regulatory process of classifying and imposing licensing requirements for exports of “emerging” and “foundational” technologies. This effort could affect cross-border transactions more broadly, including out-bound investments from the United States.

Expanded Jurisdiction

While CFIUS previously had broad authority to review investments through which a foreign person could assume control of a US business, the new law grants CFIUS the authority to review:

Non-passive foreign investments: A non-passive foreign investment in a company that (1) owns, operates, manufactures, supplies or services **critical infrastructure**, (2) produces, designs, tests, manufactures, fabricates, or de-

velops critical technologies, or (3) maintains or collects sensitive personal data of US citizens. “Non-passive” investments are those that provide any position on the board of directors including observer rights, a role in substantive decision-making, or access to “material non-public technical information,” with certain exemptions for investment funds.

Real estate: The purchase, lease, or concession by or to foreign persons of real estate that is located within port, or is proximate to a “sensitive” US government property. Previously, CFIUS did not have jurisdiction to review acquisitions of real estate that was not associated with commercial activities.

Declarations — Mandatory and Voluntary

FIRRMA imposes a new declaration procedure in addition to the existing notification procedure. Declarations, whether voluntary or mandatory, will be short (about five pages). After receiving a declaration, CFIUS will have 30 days either to approve the transaction or to require a full CFIUS review.

Declarations will be mandatory for investments by foreign persons in which a foreign government has a “substantial interest.” There will be a possibility of waiving the required declaration where the foreign investor has a record of compliance and cooperation with the US government. In addition, CFIUS will issue regulations imposing mandatory declarations on investments in other businesses, likely including those involved in critical infrastructure, critical technology, and handling of sensitive personal data of US citizens.

Parties will also have the option of submitting voluntary declarations where they desire the legal certainty of an approval through the expedited procedure.

Other Changes

FIRRMA amends the CFIUS process in a number of other ways. In terms of timing, FIRRMA extends the initial review period from 30 to 45 days, and adds a possible 15 day extension to the investigations phase (i.e., an investigation phase may take up to 60 days). FIRRMA also clarifies CFIUS’s authority to block transactions or impose conditions during a review process or when parties withdraw.

For the first time, CFIUS will be authorized to collect a filing fee. The fees will be determined by regulation, and will be based on the value of the transaction — they will be capped at the lesser of 1 percent of the value of the transaction, or \$300,000.

Of broader importance, FIRRMA authorizes CFIUS to disclose to a US ally or partner information arising from a CFIUS process in order to advance the common national security interests of the United States and that other government. This new authority will facilitate greater cooperation between regulators in the United States and partner countries.

Export Controls

As part of the compromise to secure FIRRMA’s passage, Congress reauthorized and expanded the US export control law. The export control legislation (sections 1741-1768 of the NDAA) requires the administration to identify “emerging” and “foundational” technologies, and to impose licenses on exports to China and cer-

tain other countries. This classification process is expected to occur over the coming months, [a process that the President foreshadowed when he directed his administration in June to assess US export controls of “critical technologies” and to work with allies to support “efforts to combat harmful technology transfer and intellectual property theft.”](#) This new regulatory mandate could have, like FIRRMA with its focus on the transfer of national security relevant technologies, significant impacts on cross-border transactions.

For additional information, please contact the original authors, [Rod Hunter](#), [Sylvia Lis](#), [Daniel Andreeff](#) and [Callie Lefevre](#).

President issues Proclamation 9771, suspending Rwanda from AGOA duty-free benefits and modifying the HTS

On August 2, 2018, the *Federal Register* published [Proclamation 9771 of July 30, 2018 - To Take Certain Actions Under the African Growth and Opportunity Act and for Other Purposes](#). The Proclamation:

- Suspends the application of duty-free treatment for Rwanda as the President determined that Rwanda is not meeting the statutory requirements, and modifies notes and subheadings to subchapter XIX of chapter 98 of the Harmonized System of the United States (HTS), accordingly. These changes shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after July 31, 2018 (Annex I).
- Implements changes to the *US-Bahrain Free Trade Agreement* (USBFTA) Rules of Origin (HTS General Note 30) that the Parties to the FTA agreed to in a protocol to the USBFTA that went into effect on November 30, 2017 to conform to changes in the tariff schedules of both countries as a result of Harmonized System revisions. These changes shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after the date that is 30 days after the date of publication of the proclamation in the *Federal Register* (Annex II).
- Modifies the HTS in order to conform the HTS to the most recent amendments to the *Harmonized System Convention*. These modifications to the HTS shall be effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after the later of (i) the date that is 30 days after the date of publication of the proclamation in the *Federal Register*, or (ii) the first day of the month that follows after such thirtieth day (Annex III).
- Modifies the HTS in order to correct technical errors in the annex to Proclamation 9693, Note 18(c)(iii) in subchapter III of chapter 99 of the HTS, by deleting the phrase “Subheadings 9903.45.21 and 9903.45.22 shall likewise” and by inserting in lieu thereof the phrase “Subheading 9903.45.25 shall”; and Note 18(g) is modified by deleting “For purposes of” and by inserting in lieu thereof “Subject to the provisions of subdivision (c)(iii) of this note, for purposes of”.

State extends US Passport ban for travel to N. Korea (DPRK)

On August 31, 2018, the Department of State published in the *Federal Register* a notice [Public Notice: 10527] extending until August 31, 2019 (unless extended or sooner revoked) a declaration made on September 1, 2017 that all United States passports were invalid for travel to, in, or through the Democratic People's Republic of Korea (DPRK) unless specially validated for such travel.

State determines Russia used chemical weapons

On August 27, 2018, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 10519] of new sanctions on Russia under the *Chemical*

and Biological Weapons Control and Warfare Elimination Act of 1991 (the “CBW Act”) after determining that the Russian Government has used chemical weapons in violation of international law or chemical or biological weapons against its own nationals. The imposition of CBW Act sanctions follows reports of the use of a “Novichok” nerve agent in an attempt to assassinate UK citizen Sergei Skripal and his daughter Yulia Skripal. There is no indication in the notice regarding the potential for significant additional sanctions (e.g., an export ban, an import ban, an air transportation ban) to be imposed in three months time, as previously described [here](#).

The CBW Act sanctions are effective upon their publication in the *Federal Register* on August 27, 2018, and will be in place for at least one year. (Their imposition has been delayed from the original date provided by the State Department of August 22, 2018.) Certain waivers of the CBW Act sanctions apply, as further described below.

The following CBW Act sanctions and related waivers will take effect as of August 27, 2018:

1. Waiver of Sanctions Imposed on Foreign Assistance: Though termination of foreign assistance to Russia (except for urgent humanitarian assistance and food or other agricultural commodities) was announced, the State Department has chosen to waive the imposition of such sanctions in the interests of national security.
2. Termination of Arms Sales Except in Furtherance of Space Program: The State Department announced the termination of (a) sales to Russia of defense articles, defense services, or design and construction services subject to the jurisdiction of the International Traffic in Arms Regulations (“ITAR”), and (b) licenses for the export to Russia of any item on the ITAR’s United States Munitions List. However, in furtherance of national security, the State Department has waived these sanctions with respect to the issuance of licenses in support of government space cooperation and commercial space launches. Licenses for such items and activities will be issued on a case-by-case basis consistent with the export licensing policy for Russia that was in effect prior to the enactment of the CBW Act sanctions.
3. Termination of Arms Sales Financing: All foreign military financing for Russia is terminated.
4. Denial of United States Government Credit or Other Financial Assistance: Any credit, credit guarantees, or other financial assistance by any department, agency, or instrumentality of the US Government is denied, including by the Export-Import Bank of the United States.
5. Prohibition on Exports of Goods and Technology Subject to National Security Controls Subject to Certain Waivers: All exports and reexports to Russia of goods and technology subject to National Security (“NS”) controls on the Commerce Control List (“CCL”) contained in Supplement No. 4 to Part 774 of the Export Administration Regulations (15 C.F.R. Part 730 *et seq.*, “EAR”) are prohibited, except for certain exports or reexports that are waived for national security reasons, as follows:
 - a. License Exceptions: Exports or reexports made pursuant to certain EAR license exceptions contained in [EAR Part 740](#) are allowed, including but not limited to exports or reexports under License Exception ENC, which applies to certain encryption-related items. A full list of the License Exceptions is available in the [notice](#). Each license exception is subject to certain conditions, and we would therefore suggest an exporter review the license exceptions in detail before relying on any one exception to export or reexport to Russia a good or technology subject to NS controls.
 - b. Certain Exports/Reexports Under New Licenses Allowed: The following exports and reexports of goods and technology controlled for NS reasons are al-

lowed provided they are pursuant to a “new” license. We interpret this reference to “new” licenses to mean that this waiver applies only to licenses issued after the enactment of the CBW Act sanctions (i.e., issued after August 24, 2018); however, the State Department has not issued guidance on this point thus far. Such “new” licenses will be issued on a case-by-case basis consistent with the export licensing policy for Russia that was in effect prior to the enactment of the CBW Act sanctions.

1. Exports and reexports necessary for flight safety of civil fixed-wing passenger aviation.
2. Exports and reexports for deemed exports and reexports to Russian nationals.
3. Exports and reexports to wholly-owned Russian subsidiaries of US companies.
4. Exports and reexports in support of government space cooperation and commercial space launches.
5. Exports and reexports for commercial end-users and civil end-uses in Russia.

c. Exports/Reexports to SOEs or SFEs Denied: Separately, license applications for new licenses to export NS-controlled goods or technology to Russian state-owned or state-funded enterprises will be reviewed on a case-by-case basis, subject to a “presumption of denial” policy.

For additional information, please contact one of the authors, [Nicholas F. Coward](#), [Hannah N. Zarkar](#) or [Meghan Hamilton](#), or any member of the US Outbound trade group with whom you usually work..

US requests WTO to allow retaliation against Indonesia

On August 2, 2018, the United States delegation to the WTO [notified](#) the WTO Dispute Settlement Body (DSB) that The United States considers that Indonesia has failed to comply with the recommendations and rulings of the DSB in the dispute *Indonesia — Importation of Horticultural Products, Animals, and Animal Products* (DS478). Pursuant to Article 22.2 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* (DSU), the United States requested authorization from the DSB to suspend concessions or other obligations with respect to Indonesia at an annual level based on a formula commensurate with the trade effects caused to the interests of the United States by the failure of Indonesia to comply with the recommendations of the DSB. Based on a preliminary analysis of available data for certain products, this level is provisionally estimated at up to approximately \$350 million for 2017. The United States said it would update this figure annually, as Indonesia's economy continues to expand.

On 22 November 2017, the DSB adopted the reports contained in [WT/DS478/R](#) and [WT/DS478/AB/R](#), finding that Indonesia's measures on horticultural products, animal, and animal products breached Article XI:1 of the General Agreement on Tariffs and Trade (“GATT 1994”) . Accordingly, the DSB recommended that Indonesia bring its measures into conformity with its obligations under the GATT 1994.

The United States and Indonesia agreed that the reasonable period of time for Indonesia to implement the DSB's recommendations would expire on 22 July 2018. In the view of the United States, Indonesia failed to bring its measures into compliance with its obligations under the GATT 1994 within that period. The parties have not reached agreement on compensation. Therefore, the United States is entitled to authorization by the DSB to take countermeasures under Article 22 of the DSU.

In considering what countermeasures to take, the United States follows the principles and procedures set forth in Article 22.3 of the DSU. The countermeasures would consist of suspension of tariff concessions and related obligations (including most-

favoured-nation obligations) under the GATT 1994 on a list of products of Indonesia to be drawn from the Harmonized Tariff Schedule of the United States.

USTR releases fact sheets on NAFTA negotiations with Mexico

On August 27, 2018, the US Trade Representative (USTR) announced that the United States and Mexico had reached a preliminary agreement in principle, subject to finalization and implementation, USTR released three Fact Sheets. One is entitled: [United States–Mexico Trade Fact Sheet: Rebalancing NAFTA to Support Manufacturing](#). It states that United States and Mexico have reached an agreement that supports North American manufacturing and mutually beneficial trade. According to the announcement, the new agreement will create more balanced, reciprocal trade that supports high-paying jobs for Americans and grows the United States and Mexican economies. The following information was released in the Fact Sheet:

Key Achievement: Increasing Regional Value Content Rule

This deal encourages United States manufacturing and regional economic growth by requiring that 75 percent of auto content be made in the United States and Mexico.

The rules will:

- Incentivize billions annually in additional United States vehicle and auto parts production.
- Help to preserve and re-shore vehicle and parts production in the United States.
- Transform supply chains to use more United States content, especially content that is key to future automobile production and high-paying jobs.
- Close gaps in the current NAFTA agreement that incentivized low wages in automobile and parts production.

Key Achievement: Creating New Labor Value Content Rule

This deal uses trade rules to drive higher wages by requiring that 40-45 percent of auto content be made by workers earning at least \$16 per hour.

The rules will:

- Support better jobs for United States producers and workers by requiring that a significant portion of vehicle content be made with high-wage labor.
- Ensure that United States producers and workers are able to compete on an even playing field, and incentivize new vehicle and parts investments in the United States.
- Encourage more investment by auto companies in research and development in the region.

Key Achievement: Exceeding NAFTA 1.0 and TPP Standards with Stronger Rules of Origin and Enforcement

The United States and Mexico have agreed to stronger rules of origin that exceed those of both NAFTA 1.0 and the Trans-Pacific Partnership (TPP), including for autos and automobile parts and other industrial products such as chemicals, steel-intensive products, glass, and optical fiber.

This deal exceeds NAFTA 1.0 and the TPP by establishing procedures that streamline certification and verification of rules of origin and that promote strong enforcement. This includes new cooperation and enforcement provisions that help to prevent duty evasion before it happens.

The new rules will help ensure that only producers using sufficient and significant United States and Mexican parts and materials receive preferential tariff benefits.

GOODS MARKET ACCESS

New commitments have been included in the Market Access chapter to reflect developments in United States trade agreements that address non-tariff barriers related to trade in remanufactured goods, import licensing, and export licensing.

Key Achievement: Exceeding NAFTA 1.0 and TPP Standards to More Effectively Support Trade in Manufactured Goods

The new Market Access chapter will more effectively support trade in manufactured goods between the United States and Mexico by removing provisions that are no longer relevant, updating key references, and affirming commitments that have phased in from the original agreement.

Specifically, the Market Access chapter:

- Maintains duty-free treatment for originating goods.
- Maintains the prohibition on export duties, taxes, and other charges and the waiver of specific customs processing fees.
- Adds new provisions for transparency in import licensing and export licensing procedures.
- Prohibits Parties from applying: (a) requirements to use local distributors for importation; (b) restrictions on the importation of commercial goods that contain cryptography; (c) import restrictions on used goods to remanufactured goods; and (d) requirements for consular transactions and their associated fees and charges.
- Updates provisions for duty-free temporary admission of goods to cover shipping containers or other substantial holders used in the shipment of goods.

TEXTILES

The new provisions on textiles incentivize greater United States and Mexican production in textiles and apparel trade, strengthen customs enforcement, and facilitate broader consultation and cooperation among the Parties on issues related to textiles and apparel trade.

Key Achievement: Strengthening Supply Chains to Provide New Market Opportunities for the Textile and Apparel Sector

The provisions will:

- Promote greater use of Made-in-the-USA fibers, yarns, and fabrics by:
 - Limiting rules that allow for some use of non-NAFTA inputs in textile and apparel trade.
 - Requiring that sewing thread, pocketing fabric, narrow elastic bands, and coated fabric, when incorporated in apparel and other finished products, be made in the region for those finished products to qualify for trade benefits.
- Establish a Textiles chapter for United States–Mexico trade, including textile-specific verification and customs cooperation provisions that provide new tools for strengthening customs enforcement and preventing fraud and circumvention in this important sector.

The new Textiles chapter provisions are stronger than those in NAFTA 1.0 with respect to both enforcement and incentivizing North American production of textiles.

SECTORAL ANNEXES

The United States and Mexico have also reached agreement on new provisions covering trade in specific manufacturing sectors, including Information and Communication Technology, Pharmaceuticals, Medical Devices, Cosmetic Products, and Chemical Substances. Each of the annexes includes provisions that exceed NAFTA 1.0 and TPP that promote enhanced regulatory compatibility, best regulatory practices, and increased trade between both countries.

Additional Fact Sheets were issued at the same time:

- [UNITED STATES–MEXICO TRADE FACT SHEET: Strengthening NAFTA for Agriculture](#)
- [UNITED STATES–MEXICO TRADE FACT SHEET: Modernizing NAFTA to be a 21st Century Trade Agreement](#)

USTR requests comments to compile the National Trade Estimate Report on Foreign Trade Barriers

On August 24, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice](#) [Docket Number USTR-2018-0029] in which the Trade Policy Staff Committee (TPSC) invites interested persons to submit written comments to assist the TPSC in identifying significant barriers to U.S. exports of goods and services, U.S. foreign direct investment, and the protection and enforcement of intellectual property rights for inclusion in the annual National Trade Estimate Report on Foreign Trade Barriers (NTE Report). USTR also will consider responses to this notice as part of the annual review of the operation and effectiveness of all U.S. trade agreements regarding telecommunications products and services that are in force with respect to the United States.

USTR must receive all written comments no later than 11:59 pm on October 30, 2018.

USTR requests comments on China's compliance with its WTO commitments

On August 24, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice of public hearing and request for comments](#) [Docket Number USTR-2018-0030] to assist the Office of the USTR in the preparation of its annual report to the Congress on China's compliance with the commitments made in connection with its accession to the World Trade Organization (WTO).

The deadline for submission of comments, and requests to appear and summaries of testimony at the October 3, 2018 public hearing is September 19, 2018 at midnight EDT. The Trade Policy Staff Committee (TPSC) will convene a public hearing in Rooms 1 and 2, 1724 F Street NW, Washington DC 20508, beginning at 9:30 am on October 3, 2018.

USTR publishes Notice of Action pursuant to section 301: new round of 25% tariffs on Chinese goods to start August 23

On August 16, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice of action](#) pursuant to section 301 regarding China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation and has determined that appropriate action in this investigation includes the imposition of an additional ad valorem duty of 25 percent on products from China classified in the subheadings of the *Harmonized*

Tariff Schedule of the United States (HTSUS) set out in Annex A of the notice. USTR has further determined to establish a process by which US stakeholders may request that particular products classified within a covered tariff subheading in Annex A be excluded from these additional duties. The additional duties set out in Annex A to this notice are effective with respect to products that are entered for consumption, or withdrawn from warehouse for consumption, on or after August 23, 2018.

The notice of action adds a new subheading 9903.88.02 and revises subchapter III to add a new US Note 20(c) that makes goods listed in the new 20(d) subject to the additional 25% duty, and sets forth the rules for the exceptions that apply. Of note is the revised treatment of goods subject to chapter 98. The additional duties imposed by heading 9903.88.02 do not apply to goods for which entry is properly claimed under a provision of chapter 98 of the HTSUS, except for goods entered under subheadings 9802.00.40, 9802.00.50, and 9802.00.60, and heading 9802.00.80. For subheadings 9802.00.40, 9802.00.50, and 9802.00.60, the additional duties apply to the value of repairs, alterations, or processing performed abroad, as described in the applicable subheading. For heading 9802.00.80, the additional duties apply to the value of the article less the cost or value of such products of the United States, as described in heading 9802.00.80. Under the original action that went into effect on July 9, the rates of duty imposed by heading 9903.88.01 did not apply to any products for which entry was properly claimed under a heading or subheading in chapter 98. However, that is also being changed.

U.S. note 20(a) to subchapter III of chapter 99 of the HTSUS which applies to the first group of Chinese goods subject to the 25% duty, is modified:

- by deleting: “Products of China that are classified in the subheadings enumerated in U.S. note 20(b) to subchapter III and that are eligible for special tariff treatment under general note 3(c)(i) to the HTSUS”; and
- by inserting in lieu thereof: “Products of China that are classified in the subheadings enumerated in U.S. note 20(b) to subchapter III and that are eligible for special tariff treatment under general note 3(c)(i) to the tariff schedule, or that are eligible for temporary duty exemptions or reductions under subchapter II to chapter 99,”.
- by deleting: “The rates of duty imposed by heading 9903.88.01 shall not apply to products for which entry is properly claimed under a heading or subheading in chapter 98.”; and
- by inserting in lieu thereof: “The additional duties imposed by heading 9903.88.01 do not apply to goods for which entry is properly claimed under a provision of chapter 98 of the HTSUS, except for goods entered subheadings 9802.00.40, 9802.00.50, and 9802.00.60, and heading 9802.00.80. For subheadings 9802.00.40, 9802.00.50, and 9802.00.60, the additional duties apply to the value of repairs, alterations, or processing performed abroad, as described in the applicable subheading. For heading 9802.00.80, the additional duties apply to the value of the article less the cost or value of such products of the United States, as described in heading 9802.00.80.”

Any product listed in Annex A to the notice, except any product that is eligible for admission under ‘domestic status’ as defined in 19 C.F.R. 146.43, which is subject to the additional duty imposed by this determination, and is admitted into a US foreign trade zone on or after 12:01 a.m. Eastern daylight time on August 23, 2018, only may be admitted as ‘privileged foreign status’ as defined in 19 C.F.R. 146.41. Such products will be subject upon entry for consumption to any *ad val-*

orem rates of duty or quantitative limitations related to the classification under the applicable HTSUS subheading.

USTR issues notice regarding the initiation of country practice review of Turkey (GSP)

On August 16, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* an announcement of the [initiation of a country practice review](#) of the eligibility of Turkey for benefits under the GSP program and notice of a public hearing and request for comments [Docket No. USTR-2018-0031]. This review will focus on whether Turkey is meeting the GSP eligibility criterion that requires a GSP beneficiary country to assure the United States that it will provide equitable and reasonable access to its market. This notice includes the schedule for submission of public comments and a public hearing.

The deadline for submission of comments, pre-hearing briefs, and requests to appear at the September 26, 2018 public hearing is September 12, 2018 at midnight EDT. The GSP Subcommittee of the Trade Policy Staff Committee (TPSC) will convene a public hearing on the GSP country practice review of Turkey in Rooms 1 and 2, 1724 F Street NW, Washington DC 20508, beginning at 10:00 am on September 26, 2018. The deadline for submission of post-hearing briefs is October 17, 2018 at midnight EDT.

USTR seeks comments for 2018 Special 301 Out-of-Cycle Review of Notorious Markets

On August 16, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [request for written comments](#) [Docket No. USTR-2018-0027] that identify online and physical markets based outside the United States that should be included in the 2018 Notorious Markets List (List). Conducted under the auspices of the Special 301 program, the List identifies online and physical marketplaces that reportedly engage in and facilitate substantial copyright piracy and trademark counterfeiting. In 2010, USTR began publishing the Notorious Markets List separately from the annual Special 301 Report as an “Out-of-Cycle Review.”

Deadline for submission of written comments: October 1, 2018 at midnight EST.
Deadline for submission of rebuttal comments and other information USTR should consider during the review: October 15, 2018 at midnight EST.

USTR requests comments on Russia’s implementation of its WTO commitments

On August 14, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [request for comments and notice of public hearing](#) [Docket No. USTR-2018-0028] by the interagency Trade Policy Staff Committee (TPSC) to assist the Office of the USTR in the preparation of its annual report to Congress on Russia’s implementation of its obligations as a Member of the World Trade Organization (WTO). See the *Federal Register* notice for requested information.

Deadline for submission of written comments and for filing requests to appear and a summary of expected testimony at the public hearing: September 25, 2018 at midnight EST.

The TPSC will convene a public hearing in Rooms 1 & 2, 1724 F Street NW, Washington, DC 20508 beginning at 9:30 a.m. on October 4, 2018.

USTR finalizes second tranche of tariffs on Chinese goods

On August 7, 2018, the US Trade Representative (USTR) [announced](#) the release of a list of approximately \$16 billion worth of imports from China that will be subject to a 25 percent additional tariff as part of the US response to China's unfair trade practices related to the forced transfer of American technology and intellectual property. This second tranche of additional tariffs under Section 301 follows the first tranche of tariffs on approximately \$34 billion of imports from China, which went into effect on July 6.

[The list](#) contains 279 of the original 284 tariff lines that were on a proposed list announced on June 15. Changes to the proposed list were made after USTR and the interagency Section 301 Committee sought and received written comments and testimony during a two-day public hearing last month. US Customs and Border Protection (CBP) will begin to collect the additional duties on the Chinese imports on August 23.

In March 2018, USTR released the findings of its exhaustive Section 301 investigation that found China's acts, policies and practices related to technology transfer, intellectual property and innovation are unreasonable and discriminatory and burden U.S. commerce.

The announcement said a formal notice of the \$16 billion tariff action will be published shortly in the *Federal Register*. As in the case of the first tranche of additional tariffs, the notice will announce a process by which interested persons may request the exclusion of particular products covered by a tariff line subject to the additional duties.

USTR proposes modification from 10% to 25% duties and extends public comment period for new section 301 actions

On August 7, 2018, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [document](#) extending the public comment period to a notice [Docket No. USTR-2018-0026] published on July 17, 2018 (83 Fed. Reg. 33608), in which USTR proposed a modification of the action taken in the Section 301 investigation of China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation in the form of an additional 10 percent ad valorem duty on products of China with an annual trade value of approximately \$200 billion. The July 17th notice sought public comment and provided notice of a public hearing regarding this proposed modification of the action in the investigation. On August 1, 2018, USTR announced that the President had directed USTR to consider raising the level of the additional duty in the proposed supplemental action from 10 percent to 25 percent. In light of this possible increase in the rate of additional duty, the Trade Representative is extending certain comment periods set out in the July 17th notice.

To be assured of consideration, you must submit comments [Docket No. USTR-2018- 0026] and responses in accordance with the following schedule:

- The due date for filing requests to appear and a summary of expected testimony at the public hearing and for filing pre-hearing submissions is extended from July 27 to August 13, 2018.

- September 6, 2018: The due date for submission of written comments is extended from August 17 to September 6, 2018.
- August 20-23, 2018: The scheduled start date of the Section 301 hearing (August 20) has not changed.

The Section 301 Committee may extend the length of the hearing depending on the number of additional interested persons who request to appear. The Section 301 Committee will convene the public hearing in the main hearing room of the U.S. International Trade Commission, 500 E Street SW Washington DC 20436 beginning at 9:30 am on August 20, 2018.

- September 6, 2018: The due date for submission of post-hearing rebuttal comments is extended from August 30 to September 6, 2018

USTR announces new GSP eligibility review for Turkey

On August 3, 2018, the Office of the United States Trade Representative (USTR) [announced](#) that it is reviewing the eligibility of Turkey to participate in the *Generalized System of Preferences* (GSP) program based on concerns related to its compliance with the GSP market access criterion. The announcement said:

- This criterion, one of fifteen defined by Congress in the statute authorizing the GSP program, covers the extent to which beneficiary countries have assured the United States reasonable and equitable access to their markets.
- “The Trump Administration has concerns with Turkey’s compliance with GSP’s market access criterion,” said Deputy U.S. Trade Representative Jeffrey Gerrish. “We hope that Turkey will work with us to address the concerns that led to this new review of their duty-free access to the United States.”
- Turkey has imposed additional tariffs on \$1.78 billion of U.S. imports only and not to other trading partners. USTR is launching a self-initiated GSP eligibility review of Turkey based on concerns related to its compliance with the GSP market access criterion.
- The United States imported \$1.66 billion in 2017 from Turkey under the GSP program, representing 17.7 percent of total U.S. imports from Turkey. The leading GSP import categories were vehicles and vehicle parts, jewelry and precious metals, and stone articles.
- A public hearing and comment period for Turkey’s GSP eligibility review will be announced in an upcoming *Federal Register* notice.

USTR seeks comments on WTO disputes

The Office of the US Trade Representative (USTR) published the following documents related to WTO disputes in the *Federal Register*:

F.R. Date	Matter	Comments Due
08-02-18	WTO Dispute Settlement Proceeding Regarding United States—AntiDumping Measures on Fish Fillets From Vietnam [Docket Number USTR–2018–0021; Dispute Number WT/DS536]	09-04-18, to be assured of timely consideration by USTR

ITC releases latest HTS (Revisions 10,11)

On August 24, 2018, the US International Trade Commission (ITC) announced that the 2018 Harmonized Tariff Schedule of the United States (HTS) Revision 10 has been released and is now available:

- [View Rev. 10 HTS](#) (Full document and chapter-by chapter)

All of the changes in this revision affect subchapter III of chapter 99 of the tariff schedule, and the changes derive from a *Federal Register* notice issued by the Office of the United States Trade Representative, “[Notice of Action Pursuant to Section 301: China’s Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation](#)” (83 Fed. Reg. 40823 of August 16, 2018), effective August 23, 2018. Revision 10 includes modifications to US notes 20 (a) and (b) and 9903.88.01 and new US notes 20 (c) and (d) and 9903.88.02.

On or about August 30, 2018, The US International Trade Commission issued [Revision 11](#) to the Harmonized Tariff Schedule of the United States. Revision 11 includes modifications required by:

- Pres. Proc. 9776 and 9777 - to implement the recent exemptions from absolute quotas on steel from Argentina, Brazil and South Korea and aluminum from Argentina (Effective Aug. 30, 2018);
- Pres. Proc. 9771 - Changes to AGOA and the US Bahrain FTA rules of origin (Effective Sept. 1, 2018); and
- Committee for Statistical Annotation of the Tariff Schedules, which modified sub-heading 9705.00.0085 (Effective July 1, 2018) for statistical reporting.

ITC releases “The Year in Trade 2017”

The US International Trade Commission (ITC) has released [The Year in Trade 2017 - Operation of the Trade Agreements Program](#) (Pub. No. 4817). The 314 page report is the 69th in a series of annual reports submitted to the US Congress under section 163(c) of the *Trade Act of 1974* (19 U.S.C. 2213(c)) and its predecessor legislation. Section 163(c) states that “the International Trade Commission shall submit to the Congress at least once a year, a factual report on the operation of the trade agreements program.”

According to the Preface:

This report is one of the principal means by which the ITC provides Congress with factual information on trade policy and its administration for 2017. The trade agreements program includes “all activities consisting of, or related to, the administration of international agreements which primarily concern trade and which are concluded pursuant to the authority vested in the President by the Constitution” and by congressional legislation.

The Executive Summary states:

The level of U.S. imports and U.S. exports of goods and services depends on many factors, including the strength of the U.S. and global economies. Growth in these economies contributes to growth in crossborder trade. The rate of global economic growth increased in 2017, rising from 2.5 percent in 2016 to 3.3 percent in 2017. Economic growth in the United States also increased in 2017: U.S. real gross domestic product (GDP) grew 2.3 percent in 2017, compared to an increase of 1.5 percent in 2016. Overall global economic growth was fueled by growth of advanced economies such as the United States and top trading partners including the European Union (EU), Canada, and Japan. Some emerging and developing economies—e.g., China, South Korea, and Taiwan—also contributed to global economic growth. India and Mexico, however, grew at a slower rate in 2017 than in 2016.

Both U.S. exports and U.S. imports of goods increased in value in 2017. The value of U.S. merchandise exports totaled \$1,546.7 billion in 2017, up 6.6 percent (\$95.7 billion) from \$1,451.0 billion in 2016. The value of U.S. merchandise imports totaled \$2,342.9 billion in 2017, up 7.1 percent (\$155.1 billion) from \$2,187.8 billion in 2016. The largest increase in both U.S. imports and U.S. exports was in energy-related products. In particular, the increase in the value of U.S. imports of crude petroleum

was due to the increase in the price of U.S. crude, whereas the increase in the value of U.S. exports of crude was driven by increases in both the price and volume of U.S. crude exports, resulting in a decline in the sector's deficit to \$4.5 billion. The agricultural sector was the only goods sector to experience a trade surplus in 2017, with \$5.7 billion more in exports than imports. The trade deficit in the other sectors of the U.S. economy increased. Overall, U.S. imports increased more than U.S. exports in terms of value, resulting in an increase in the U.S. merchandise trade deficit from \$752.5 billion in 2016 to \$811.2 billion in 2017 (figure ES.1).

U.S. two-way cross-border trade in private services, which excludes exports and imports of government goods and services n.i.e., increased 5.0 percent to \$1,277.7 billion in 2017. U.S. exports of private services grew 3.8 percent to \$761.7 billion in 2017, while U.S. imports of private services grew 6.8 percent to reach \$516.0 billion in 2017. As a result, the U.S. surplus in private services fell from \$250.4 billion in 2016 to \$245.7 billion in 2017.

ITC issues summary of practice relating to APOs

On August 20, 2018 the US International Trade Commission (ITC) published in the *Federal Register* a [summary of ITC practice relating to administrative protective orders \(APOs\)](#). Since February 1991, the ITC has published in the *Federal Register* reports on the status of its practice with respect to violations of its APOs under title VII of the *Tariff Act of 1930*, in response to a direction contained in the Conference Report to the Customs and Trade Act of 1990. Over time, the ITC has added to its report discussions of APO breaches in ITC proceedings other than under title VII and violations of the ITC's rules including the rule on bracketing business proprietary information (BPI) (the "24-hour rule"). The notice provides a summary of breach investigations (APOB investigations) completed during calendar year 2017. This summary addresses an APOB investigation related to a proceeding under title VII of the *Tariff Act of 1930*. The ITC intends that this report inform representatives of parties to ITC proceedings as to some specific types of APO breaches encountered by the ITC and the corresponding types of actions the ITC has taken.

ITC investigations and Reports

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

Investigation. No. and title	Requested by:
Inv. No. 332-352 - Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution [18 th report] (I/RFC)	Statutory
The Year in Trade (USITC Pub. No. 4817) (R)	Statutory
Inv. No. 332-569 - Trade-Related Barriers that Affect Exports of U.S. Small- and Medium-Sized Enterprises to the United Kingdom (I)	

Commerce restricts imports of certain Mexican fish products

On August 28, 2018, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce published in the *Federal Register* a [notification](#) advising that the Secretary of Commerce, in cooperation with the Secretaries of Treasury and Homeland Security, is, under the authority of the *Marine Mammal Protection Act* (MMPA), giving notice of import restrictions on fish and fish products from Mexico caught with gillnets deployed in

the range of the vaquita, an endangered porpoise. Importation into the United States from Mexico of fish and fish products harvested by gillnets in the upper Gulf of California (UGC) within the vaquita's geographic range is now prohibited. These import restrictions are being implemented as required by a court order. These trade restrictions remain in effect until further court action amends the preliminary injunction. Harmonized Tariff Schedule (HTS) codes associated with the prohibited fish and fish products are identified in the notification (and in CBP messages, the latest of which is [CSMS #18-000502](#), issued by CBP on August 28). NMFS is also requiring that all other fish and fish products not within the scope of the import restrictions but imported under the same published HTS codes be accompanied by a Certification of Admissibility. Compliance with the import restrictions and Certification of Admissibility described in the document is required beginning August 24, 2018, and will remain in effect until further notice is published in the *Federal Register* indicating otherwise.

CBP publishes CY 2018 Tuna TRQ (1604.14.22, HTSUS)

On August 29, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [document](#) [CBP Dec. 18-10] announcing the quota quantity of tuna in airtight containers for Calendar Year 2018. Each year, the tariff-rate quota for tuna described in subheading 1604.14.22, *Harmonized Tariff Schedule of the United States* (HTSUS), is calculated as a percentage of the tuna in airtight containers entered, or withdrawn from warehouse, for consumption during the preceding Calendar Year. It has been determined that 13,951,961 kilograms of tuna in airtight containers may be entered, or withdrawn from warehouse, for consumption during the CY 2018, at the rate of 6.0 percent ad valorem under subheading 1604.14.22, HTSUS. Any such tuna which is entered, or withdrawn from warehouse, for consumption during the current calendar year in excess of this quota will be dutiable at the rate of 12.5 percent ad valorem under subheading 1604.14.30, HTSUS. The 2018 tariff-rate quota is applicable to tuna in airtight containers entered, or withdrawn from warehouse, for consumption during the period January 1, 2018 through December 31, 2018.

CBP issues interim rule on alcohol excise tax refunds

On August 16, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* an [interim rule soliciting comments](#) [CBP Dec. 18-09; Docket No. USCBP-2018-0033] to revisions updating language in the CBP regulations to reflect the current organization of CBP and the Department of the Treasury. The document also eliminates a restriction pertaining to CBP's authority to refund excessive duties, taxes, fees, or interest imposed on distilled spirits, wine, and beer to facilitate implementation of Subpart A (Craft Beverage Modernization and Tax Reform) of Part IX of the *Tax Cuts and Jobs Act*, signed December 22, 2017, commonly referred to as the Craft Beverage Modernization Act (CBMA).

The CBMA amended the Internal Revenue Code for two calendar years with respect to the tax treatment of alcoholic beverages, including beer, wine, and distilled spirits. For an importer to be eligible to receive a reduced tax rate or a tax credit, the importer must be able to substantiate that the foreign producer has assigned an allotment of its reduced tax rate or tax credits to the beer, wine, or distilled spirits imported by that importer. The new 19 C.F.R. § 24.36(d)(10) makes it clear that CBP has authority to refund the difference between the full excise taxes an importer pays at the time of entry summary filing and the CBMA's lower effective tax rate. An importer must request and substantiate its entitlement to the reduced tax rate or tax credit appropriately.

The interim final rule is effective August 16, 2018; comments must be received by October 15, 2018.

CBP publishes long-awaited proposed drawback regulations

On August 2, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* its long-awaited [notice of proposed rulemaking](#) (NPRM) [USCBP-2018-0029] on modernized drawback procedures under the [Trade Facilitation and Trade Enforcement Act of 2015](#) (TFTEA). The drawback regulations were the subject of Congressional hearings as well as a lawsuit in which the Court of International Trade found that the statutory deadline had been missed.

The NPRM proposes to amend the CBP regulations to implement changes to the drawback regulations as directed by the TFTEA. The proposed regulations establish a new process for drawback pursuant to TFTEA which liberalizes the merchandise substitution standard, simplifies recordkeeping requirements, extends and standardizes timelines for filing drawback claims, and requires the electronic filing of drawback claims. TFTEA allows a transition period wherein drawback claimants will have the choice between filing claims under the existing process detailed in the current regulations or filing claims under the proposed new process. The NPR document explains how filings during the transition period will work, discusses the interim policy guidance procedures for filing claims prior to these regulations becoming final, and proposes to make TFTEA-related changes, dealing with bonds, regarding joint and several liability for the importer of the goods and the drawback claimant, and technical corrections and conforming changes to CBP regulations.

The NPRM also proposes to clarify the prohibition on the filing of a substitution drawback claim for internal revenue excise tax paid on imported merchandise in situations where no excise tax was paid upon the substituted merchandise; or the substituted merchandise is the subject of a different claim for refund or drawback of tax under any provision of the *Internal Revenue Code*. CBP is proposing these amendments regarding excise taxes to protect the revenue by clarifying the relationship between drawback claims and Federal excise tax liability. Further, CBP proposes to add a basic importation and entry bond condition to foster compliance.

Comments must be received on or before September 17, 2018.

[Note: On July 27, 2018, US Customs and Border Protection (CBP) released an advance copy of the [notice of proposed rulemaking](#) published in the *Federal Register* on August 2, 2018.]

On August 20, 2018, CBP published [a correction](#) to the proposed drawback rules. Specifically, CBP inadvertently proposed in 19 C.F.R. 190.32(d)(2) an exemption for drawback claims for wine which included an imprecise reference to the entirety of paragraph (b). The reference should have been only to paragraphs (b)(1) and (b)(2), the specific paragraphs regarding the “lesser of” rule. As is evident from the entirety of the proposed rule, paragraph (b)(3), which implements the statutory prohibition on double drawback, applies to all drawback claims for wine. This technical correction remedies a clerical error that occurred when the language of paragraph (b)(3) was moved from a different part of the proposed regulations.

CBP publishes adjusted COBRA fees for FY 2019

On August 1, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) [CBP Dec. 18-08] announcing that CBP is adjusting certain customs user fees and limitations established by the *Consolidated Omnibus Budget Reconciliation Act* (COBRA) for Fiscal Year 2019 in accordance with the *Fixing America's Surface Transportation Act* (FAST Act) as implemented by CBP regulations. The adjusted amounts of customs COBRA user fees and their corresponding limitations set forth in this notice for Fiscal Year 2019 are required as of October 1, 2018.

Table 1 — Customs COBRA User Fees and Limitations Found in 19 C.F.R. 24.22 as Adjusted for Fiscal Year 2019

19 U.S.C. 58c	19 C.F.R. 24.22	Customs COBRA User Fee/Limitation	New Adjusted Fee/Limitation
(a)(1)	(b)(1)(i)	Fee: Commercial Vessel Arrival Fee	\$458.35
(b)(5)(A)	(b)(1)(ii)	Fee: Commercial Vessel Arrival Fee Limitation: Calendar Year Maximum for Commercial	\$6,245.97
(a)(8)	(b)(2)(i)	Fee: Barges and Other Bulk Carriers Arrival Fee	\$115.37
(b)(6)	(b)(2)(ii)	Limitation: Calendar Year Maximum for Barges and	\$1,573.29
(a)(2)	(c)(1)	Other Bulk Carriers Arrival Fees Fee: Commercial Truck Arrival Fee ^{2, 3}	\$5.75
(b)(2)	(c)(2) and (3)	Limitation: Commercial Truck Calendar Year Prepayment Fee ⁴	\$104.89
(a)(3)	(d)(1)	Fee: Railroad Car Arrival Fee	\$8.65
(b)(3)	(d)(2) and (3)	Limitation: Railroad Car Calendar Year Prepayment Fee	\$104.89
(a)(4)	(e)(1) and (2)	Fee and Limitation: Private Vessel or Private Aircraft - First Arrival/Calendar Year Prepayment Fee	\$28.84
(a)(6)	(f)	Fee: Dutiable Mail Fee	\$5.77
(a)(5)(A)	(g)(1)(i)	Fee: Commercial Vessel or Commercial Aircraft Passenger Arrival Fee	\$5.77
(a)(5)(B)	(g)(1)(ii)	Fee: Commercial Vessel Passenger Arrival Fee (from one of the territories and possessions of the United States)	\$2.02
(a)(7)	(h)	Fee: Customs Broker Permit User Fee	\$144.74

2. The Commercial Truck Arrival fee is the CBP fee only- it does not include the USDA APHIS agricultural quarantine and inspection (APHIS/AQI) fee that is collected by CBP on behalf of USDA. See 7 C.F.R. 354.3(c) and 19 C.F.R. 24.22(c)(1). Once 19 Single Crossing Fees have been paid and used for a vehicle identification number (VIN)/vehicle in a Decal and Transponder Online Procurement System (DTOPS) account within a calendar year, the payment required for the 20th (and subsequent) single-crossing is only the APHIS/AQI fee and no longer includes the CBP Commercial Truck Arrival fee (for the remainder of that calendar year).

3. The Commercial Truck Arrival fee is adjusted down from \$5.77 to the nearest lower nickel. See 82 Fed. Reg. 50523 (November 1, 2017).

4. See footnote 2 above.

Table 2 — Customs COBRA User Fees and Limitations Found in 19 C.F.R. 24.23 as Adjusted for Fiscal Year 2019

19 U.S.C. 58c	19 C.F.R. 24.23	Customs COBRA User Fee/Limitation	New Adjusted Fee/Limitation
(b)(9)(A) (ii)	(b)(1)(i)(A)	Fee: Express Consignment Carrier/ Centralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee	\$1.05
(b)(9)(B)(i)	(b)(1)(i)(B)(2)	Limitation: Minimum Express Consignment Carrier/Centralized Hub Facility Fee ⁵	\$0.37

19 U.S.C. 58c	19 C.F.R. 24.23	Customs COBRA User Fee/Limitation	New Adjusted Fee/Limitation
(b)(9)(B)(i)	(b)(1)(i)(B)(2)	Limitation: Maximum Express Consignment Carrier/Centralized Hub Facility Fee	\$1.05
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)(1)	Limitation: Minimum Merchandise Processing Fee (Rate remains 0.3464%)	\$26.22
(a)(9)(B)(i); (b)(8)(A)(i)	(b)(1)(i)(B)(1)	Limitation: Maximum Merchandise Processing Fee ⁸ (Rate remains 0.3464%)	\$508.70
(b)(8)(A)(ii)	(b)(1)(ii)	Fee: Surcharge for Manual Entry or Release	\$3.15
(a)(10)(C)(i)	(b)(2)(i)	Fee: Informal Entry or Release; Automated and Not Prepared by CBP Personnel	\$2.10
(a)(10)(C)(ii)	(b)(2)(ii)	Fee: Informal Entry or Release; Manual and Not Prepared by CBP Personnel	\$6.29
(a)(10)(C)(iii)	(b)(2)(iii)	Fee: Informal Entry or Release; Automated or Manual; Prepared by CBP Personnel	\$9.44
(b)(9)(A)(ii)	(b)(4)	Fee: Express Consignment Carrier/Centralized Hub Facility Fee, Per Individual Waybill/Bill of Lading Fee	\$1.05

5. Although the minimum limitation is published, the fee charged is the fee required by 19 U.S.C. 58c(b)(9)(A)(ii).

8. For monthly pipeline entries, see: <https://www.cbp.gov/trade/entry-summary/pipeline-monthly-entry-processing/pipeline-line-qa>.

Miscellaneous CBP and ICE Federal Register documents

The following documents not discussed above were published by US Customs and Border Protection (CBP) or US Immigration and Customs Enforcement (ICE) in the *Federal Register*. [Note that multiple listings of approved gaugers and laboratories reflects different locations and/or products.]

F.R. Date	Subject
08-02-18	CBP: Accreditation and Approval of Laboratory Service, Inc., as a Commercial Gauger and Laboratory [Seabrook, TX] (N)
08-09-18	CBP: Agency Information Collection Activities: Biometric Identity [OMB Control No. 1651-0138] (N)
08-10-18	CBP: Agency Information Collection Activities: Free Trade Agreements [OMB Control No. 1651-0117] (N)
08-10-18	ICE: Agency Information Collection Activities: Allegation of Counterfeiting and Intellectual Piracy: Extension Without Change, of a Currently Approved Collection [OMB Control No. 1653-0053] (N)
08-13-18	CBP: Approval of SGS North America, Inc., as a Commercial Gauger (N) [Texas City, TX]
08-13-18	CBP: Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory (N) [Bridgeview, IL]
08-13-18	CBP: Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory (N) [Carteret, NJ]
08-14-18	CBP: Agency Information Collection Activities: Certificate of Origin [OMB Control No. 1651-0016] [CBP Form 3229]
08-15-18	CBP: Accreditation and Approval of Intertek USA, Inc. (Sulphur, LA), as a Commercial Gauger and Laboratory (N)
08-21-18	CBP: Agency Information Collection Activities: Guam-CNMI Visa Waiver Information [OMB Control No. 1651-0109] (N) [CBP Form I-736]
08-22-18	CBP: Accreditation and Approval of Saybolt LP (Linden, NJ) as a Commercial Gauger and Laboratory (N)

F.R. Date	Subject
	CBP: Accreditation and Approval of AmSpec LLC (Mobile, AL) as a Commercial Gauger and Laboratory (N)
08-31-18	CBP: Accreditation and Approval of Inspectorate America Corporation (Pasadena, TX), as a Commercial Gauger and Laboratory (N)

CBP publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised publications and fact sheets [Note: “CBP and Trade Automated Interface Requirements” is abbreviated as “CATAIR” below]:

- [ACE ABI/AIER Document Image System \(DIS\) Implementation Guide](#)
- [Automated In-Bond Processing Business Process Document \(ver 1.0 – Aug. 8, 2018\)](#)
- [CATAIR Implementation Guide ACE Cargo/ Manifest/Entry Release Query \(August 2018\)](#)
- [CAMIR ACE Air Import Manifest Appendix A – Codes \(June 2018\)](#)
- [UN/EDIFACT Truck Manifest Implementation Guide Customs Response Message \(CUSRES\) Status Notification \(July 2018\)](#)
- [CATAIR ACE Extract Reference File \(June 25, 2018\)](#)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CBP reminds traders of deadline to file retroactive GSP claims

[CSMS #18-000505](#) (August 30, 2018) reminds traders that the deadline for filing GSP retroactive duty refund requests is September 19, 2018. On March 23, 2018, the President signed into law the “*Consolidated Appropriations Act, 2018*,” (Public Law 115-141), which reauthorized the *Generalized System of Preferences* (GSP) program for goods entered or withdrawn from warehouse, for consumption, from January 1, 2018 through December 31, 2020. The law, effective April 22, 2018, also provided for the retroactive refund of all duties, without interest; to the importer of record (IOR) of GSP-eligible goods entered during the January 1, 2018 through April 21, 2018 lapse period.

Status - Phased GSP retroactive duty refund:

Phase I – CBP has completed the auto refund processing of importations entered during the lapse with special program indicator (SPI) “A” and checks are forthcoming.

Phase II – CBP will begin processing shortly the manual refunds of importations entered during the lapse with the SPI “A” that may be subject to additional review (i.e., AD/CVD, 232 remedy, reconciliation, etc.)

Phase III – Importers wishing to claim GSP preference on importations entered during the lapse period without the SPI “A” must input a Post Summary Correction (PSC) or protest (CBP will accept a protest, although not a true 19 USC § 1514) to the corresponding Port team or Center of Excellence and Expertise team requesting the GSP refund no later than September 19, 2018.

Phase III GSP Duty Refund PSC or Protest

GSP refund requests may be submitted as either a PSC if the entry summary is not liquidated, or a protest if the entry summary has liquidated, in accordance with 19 CFR 174. CBP reserves the right to reject the duty refund request if the importer does not provide sufficient line-level data.

Request Deadline

Per [Public Law 115-141 \(H.R. 1625\)](#), CBP will deny all GSP duty refund requests received after September 19, 2018, unless the request is a re-submission of a previously submitted and improperly denied request.

Additional Information

CBP's [GSP page is available here](#).

CSMS 18-000296, Generalized System of Preferences (GSP) Reinstated Through December 31, 2020, of April 20, 2018, is [available here](#).

For questions regarding the GSP Program, contact Lee Licata, Trade Agreements Branch, at FTA@dhs.gov or at (202) 325-6541, and for refund processing questions, contact Jennelle Cray, Drawback and Revenue Branch, at OTENTRYSUM-MARY@cbp.dhs.gov or (202) 325-6937.

CBP updates guidance on section 301 duties on Chinese goods

On August 21, 2018, CBP issued [CSMS #18-000493, Update: Section 301 Trade Remedies Assessed on Certain Products from China](#). The text is shown below:

UPDATE: Section 301 Trade Remedies Assessed on Certain Products from China; Additional List of Products Subject to Section 301 Remedy.

BACKGROUND:

On August 18, 2017, the Office of the United States Trade Representative (USTR) initiated an investigation under Section 301 of the Trade Act of 1974 into the government of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation. On June 20, 2018, the USTR published a Notice of Action and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301, imposing additional import duties on a list of Chinese products. See Federal Register 83 FR 28710 (June 20, 2018).

On August 16, 2018, the USTR published a Notice of Action providing for the imposition of additional import duties on a second list of Chinese Products. The August 16, 2018 list of products covered by the Section 301 remedy, which comprises 279 eight-digit Harmonized Tariff Schedule of the United States (HTSUS) subheadings, can be found in Annex A to the USTR's August 16, 2018 notice of action. See Federal Register 83 FR 40823 (August 16, 2018).

GUIDANCE:

Products Covered by the June 20, 2018 List for the Section 301 Action

The additional import duties for Chinese goods covered by the June 20, 2018 list were effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 AM Eastern Daylight Time on July 6, 2018.

In addition to reporting the Chapters 1-97 HTSUS classification of the imported merchandise, importers shall also report the 9903.88.01 special tariff number for goods subject to the additional duty assessment of 25% ad valorem as a result of the Section 301 trade remedy.

9903.88.01: 25% ad valorem additional duty for articles the product of China

Products Covered by the August 16, 2018 List for the Section 301 Action

The additional import duties for Chinese goods covered by the August 16, 2018 list of products subject to the Section 301 action are effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 AM Eastern Daylight Time on August 23, 2018.

Any article classified in a subheading covered by the August 16 list that is a product of China is subject to a 25% ad valorem duty rate, in addition to the general (Column 1) rate of duty for that particular subheading.

In addition to reporting the Chapter 1-97 HTSUS classification of the imported merchandise, importers shall also report the 9903.88.02 special tariff number for goods subject to the additional duty assessment of 25% ad valorem as a result of the Section 301 trade remedy.

9903.88.02: 25% ad valorem additional duty for articles the product of China

All Products Covered by Section 301 Duties

The Section 301 duties only apply to products of China, and are based on the country of origin, not country of export.

CHAPTER 98

The USTR's August 16, 2018 notice of action has provided updated instructions in respect to the use of Chapter 98 provisions for all merchandise on the June 20, 2018 and August 16, 2018 lists covered by the Section 301 remedy.

The additional duties imposed by headings 9903.88.01 and 9903.88.02 do not apply to goods for which entry is properly claimed under a provision of chapter 98 of the HTSUS, except for goods entered under headings 9802.00.40, 9802.00.50, 9802.00.60, and 9802.00.80. For headings 9802.00.40, 9802.00.50, and 9802.00.60, the additional duties apply to the value of repairs, alterations, or processing performed abroad, as described in the applicable heading. For heading 9802.00.80, the additional duties apply to the value of the article less the cost or value of such products of the United States, as described in heading 9802.00.80.

The provisions related to goods entered under headings 9802.00.40, 9802.00.50, 9802.00.60, and 9802.00.80 are effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 AM Eastern Daylight Time on August 23, 2018.

CHAPTER 98 FILING INSTRUCTIONS

When submitting an entry in which a heading or subheading in Chapter 98 is claimed on merchandise covered by the Section 301 remedy, the following instructions will apply.

When submitting an entry using a Chapter 98 provision that normally requires the reporting of a secondary Chapter 1-97 HTSUS classification, a filer must first report subheading 9903.88.01 or 9903.88.02, as applicable, followed by the applicable Chapter 98 subheading, and the Chapter 1-97 HTSUS classification for the commodity being imported.

When submitting an entry using a Chapter 98 provision that does not normally require the reporting of a secondary Chapter 1-97 HTSUS classification, neither 9903.88.01/02 nor the Chapter 1-97 HTSUS should be reported.

When submitting an entry for a Temporary Importation under Bond (TIB), a filer must first report the applicable subheading in Chapter 98 (i.e., in heading 9813), followed by subheading 9903.88.01/02, and the Chapter 1-97 HTSUS for the commodity being imported.

TRADE PREFERENCE PROGRAMS AND TEMPORARY REDUCTIONS IN RATES OF DUTY

Products of China that are covered by the Section 301 remedy and that are eligible for special tariff treatment under general note 3(c)(i) to the tariff schedule, or that are eligible for temporary duty exemptions or reductions under subchapter II to chapter 99, shall be subject to the additional 25 percent ad valorem rate of duty imposed by headings 9903.88.01 and 9903.88.02.

FOR FURTHER INFORMATION:

For further information, please refer to the USTR's Notice of Action and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, 83 FR 28710 (June 20, 2018); and the August 16, 2018 Notice of Action Pursuant to Section 301, 83 FR 40823 (August 16, 2018).

Questions related to Section 301 entry filing requirements should be emailed to traderemedy@cbp.dhs.gov. Questions from the importing community concerning ACE rejections should be referred to their Client Representative.

[CSMS #18-000498 "UPDATE: Section 301 Trade Remedies Assessed on China: Drawback Claims"](#) (Aug. 23, 2018) indicated that Section 301 duties are eligible for duty drawback.

CBP restricts imports of certain Mexican fish and fish products

[CSMS #18-000502](#) (August 28, 2018) [which replaces and supersedes CSMS #18-000482, 18-000483 and 18-000484] advises the trade that a Notification was published by NOAA in the *Federal Register* on August 28, 2018, entitled "Implementation of Import Restrictions; Certification of Admissibility for Certain Fish Products from Mexico" (83 Fed. Reg. 43792) in response to a United States Court of International Trade order (Slip-Op 18-92) and in cooperation with the National Marine Fisheries Service (NMFS), CBP, imposed immediate import restrictions on fish and fish products from Mexico caught with gillnets deployed in the range of the vaquita, a species of porpoise endemic to northern Gulf of California waters in Mexico and listed as an endangered species under the U.S. *Endangered Species Act*. The CSMS states:

This action continues the existing prohibitions on the importation into the United States from Mexico of all shrimp, curvina, sierra, and chano fish and fish products harvested by gillnets in the upper Gulf of California (UGC) within the vaquita's geographic range. To effectuate the court order, beginning on August 14, 2018, CBP and NMFS required that all imports of shrimp, curvina, sierra, and chano fish and fish products from Mexico as country of origin be accompanied by the "U.S. Import Certification of Admissibility" set forth below.

In addition, to ensure complete, effective, and immediate implementation, CBP and NMFS required that all other fish and fish products not within the scope of the import restrictions but imported under the [attached HTS codes list](#) from Mexico as country of origin be accompanied by the certification set forth below.

This message is notice that as part of the continued interim procedure, and in accordance with the August 28, 2018 Federal Register Notice referenced above, effective immediately either the NMFS CERTIFICATION OF ADMISSIBILITY, available at <https://www.fisheries.noaa.gov/foreign/marine-mammal-protection/seafood-import-restrictions>, and attached hereto, or the "U.S. Import Certification of Admissibility" set forth below, must accompany imports of fish and fish products under the HTS codes list below from Mexico as country of origin. While CBP will be permitting the use of the U.S. IMPORT CERTIFICATION OF ADMISSIBILITY for an additional transition period to provide the trade sufficient time to fully comply with the newly-instituted procedures, we strongly urge the immediate use of the [NMFS CERTIFICATION OF ADMISSIBILITY](#). Following the conclusion of the transition period, this will be the only permitted form. This form requires the signature of an appropriate Mexican Government official.

If a completed U.S. IMPORT CERTIFICATION OF ADMISSIBILITY or NMFS CERTIFICATION OF ADMISSIBILITY is not filed, then the entire shipment will be denied entry. The U.S. IMPORT CERTIFICATION OF ADMISSIBILITY or NMFS CERTIFICATION OF ADMISSIBILITY may be submitted to CBP via the Document Imaging System (DIS), e-mail, fax or physical presentation in hardcopy form to the appropriate CBP Port of Entry official for review.

These trade restrictions on these products harvested by gillnets in the Upper Gulf of California of Mexico are an interim measure and will continue until further notice requiring that the NMFS CERTIFICATION OF ADMISSIBILITY will be the only acceptable means of certification.

Any questions of CBP regarding this message should be forwarded to the Commercial Targeting & Analysis Center (CTAC) at CTAC@cbp.dhs.gov.

U.S. IMPORT CERTIFICATION OF ADMISSIBILITY:

As the Importer of Record or duly authorized official/agent of the importer of record, I do hereby certify, to the best of my knowledge and belief, that the fish/fish products contained in this shipment are of species of fish or fish products, or from fisheries, not caught with gillnets deployed in the range of the vaquita, in the upper Gulf of California waters in Mexico.

Printed Name (Importer/Agent)

Signature

Date

Telephone

E-mail

- [List of HTS codes.pdf](#)
- [Admissibility Form Approved For MMPA.pdf](#)
- [Instructions for Cert of Admissibility Form.pdf](#)

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
08-01-18	18-000465	Information on COBRA User Fee Changes Effective October 1, 2018
	18-000466	In-Bond Enforcement Discretion For 8/4/18 Implementation
	18-000467	Error Coded P11 – Action – SU Rejections 7/30/2018
08-03-18	18-000468	Updated Document Image System (DIS) Implementation Guide
08-06-18	18-000470	ACE PRODUCTION PGA Deployment, Tues 8/7/2018 @0500ET
	18-000471	CSMS# 18-000471 - Deferred: ACE PRODUCTION PGA/ITDS Deployment Tues Aug. 7, 2018
08-07-18	18-000472	Voiding Inactive Importer of Record Numbers
08-08-18	18-000473	Reminder: CBP Client Representatives Webinar for ABI Brokers and Importer Self-Filers
	18-000475	New ACE Reports Documentation Posted to ACE Reports Landing Page
08-12-18	18-000477	Update - Additional Duty on Imports of Steel Articles Under Section 232, Republic of Turkey
08-13-18	18-000478	FDA New CVM Classes and New CVM Product Codes
08-14-18	18-000479	Harmonized System Update (1812) created on 08/13/18
	18-000480	Updated Implementation Guides for ACE Manifest and ABI Queries
	18-000481	Clarification for SO Message: Bill Deleted After Arrival
	18-000482	Import Restrictions on Certain Mexican Fish and Fish Products
08-15-18	18-000483	Updated - Import Restrictions on Certain Mexican Fish and Fish Products
	18-000484	Import restrictions on Certain Mexican Fish and Fish Products.
08-19-18	18-000486	Update on Issues with FDA Submissions
	18-000487	Resolved: FDA network restored
08-20-18	18-000488	ACS Broker Statistics to be Turned Off on September 22, 2018
	18-000489	FDA Experiencing Delays

Date	CSMS#	Title
	18-000490	Resolved: FDA Delays
08-21-18	18-000491	ACE issue - ABI not processing
	18-000492	Resolved - ACE ABI transactions are processing
	18-000493	Update: Section 301 Trade Remedies Assessed on Certain Products from China
08-22-18	18-000494	Monthly Trade Drawback Calls
08-23-18	18-000496	Update on Client Representative Restructuring
	18-000497	ACE PRODUCTION Cargo Release Deployed this morning, Thurs August 23, 2018
	18-000498	Update: Section 301 Trade Remedies Assessed on China; Drawback Claims
08-28-18	18-000500	Intermittent ACE Portal Unavailability Friday morning, August 31, 1-3am ET
	18-000501	Updated ACE Entry Summary Query CATAIR Implementation Guide Posted
	18-000502	Update: Import Restrictions on Certain Mexican Fish and Fish Products
08-29-18	18-000503	FDA Scheduled Maintenance Saturday, September 1, 2018, 3AM to 6AM EDT
08-30-18	18-000505	Deadline for Filing GSP Retroactive Duty Refund Request - September 19, 2018
	18-000506	Temporary Limitation in ACE Reports for Upgrade to SAP Business Objects Version 4.2
08-31-18	18-000507	Updated PE/PX Document
	18-000508	ACE CERTIFICATION FQ deployment, Saturday Sept 1, 2018 @2200 ET
	18-000510	Truck Manifest EDI issues
	18-000511	Craft Beverage Modernization Act (CBMA) Entry Summary Flag and CATAIR Publication
	18-000512	RESOLVED: Truck Manifest EDI issues

Foreign Trade Zones

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

F.R. Date	Document
08-01-18	Foreign-Trade Zone 163 -- Ponce, Puerto Rico; Application for Subzone; Liquilux Gas Corporation; Ponce, Puerto Rico [S-106-2018]
08-14-18	Foreign-Trade Zone 18—San Jose, California; Notification of Proposed Production Activity; Tesla, Inc. (Electric Passenger Vehicles and Components); Fremont and Palo Alto, California [B-49-2018]
	Foreign-Trade Zone 81— Portsmouth, New Hampshire; Authorization of Production Activity Textiles Coated International Inc. (Polytetrafluoroethylene Products) Manchester and Londonderry, New Hampshire [B-25-2018]
	Foreign-Trade Zone 249— Pensacola, Florida; Authorization of Production Activity; GE Renewables North America, LLC (Wind Turbine Nacelles, Hubs, and Drivetrains); Pensacola, Florida [B-21-2018]
	Foreign-Trade Zone 81-Portsmouth, New Hampshire; Authorization of Production Activity; Albany Safran Composites LLC; (Carbon Fiber Composite Aircraft Engine Parts); Rochester, New Hampshire [B-27-2018]
	Foreign-Trade Zone 293—Limon, Colorado; Authorization of Production Activity Laser Galicia America LLC (Bending and Assembly of Trafo Wall); Aurora, Colorado [B-24-2018]
08-15-18	Foreign-Trade Zone 38 – Spartanburg, South Carolina; Authorization of Production Activity; AFL Telecommunications, LLC (Optical Cable for Data Transfer) Duncan, South Carolina [B-26-2018]
08-20-18	Foreign-Trade Zone 41 – Milwaukee, Wisconsin; Notification of Proposed Pro-

F.R. Date	Document
	duction Activity: Generac Power Systems, Inc. (Outdoor Power, Pumps, and Lawn and Garden Equipment) Jefferson and Whitewater, Wisconsin [B-50-2018]
	Foreign-Trade Zone 189 – Kent/Ottawa/Muskegon Counties, Michigan Notification of Proposed Production Activity Helix Steel (Twisted Steel Micro Rebar) Grand Rapids, Michigan [B-51-2018]
08-22-18	Additional Production Authority Not Approved: The Coleman Company, Inc. Subzone 119I (Textile-Based Personal Flotation Devices) Sauk Rapids, Minnesota [FTZ Board Order No. 2056]
08-24-18	Foreign-Trade Zone 78 – Nashville, Tennessee: Application for Subzone: Calsonic Kansei North America, Shelbyville and Lewisburg, Tennessee [B-52-2018]
08-31-18	Foreign-Trade Zone 259 – Koochiching County, Minnesota: Application for Subzone: Digi-Key Corporation Thief River Falls, Minnesota [S-134-2018]

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: Only meetings which occur after scheduled distribution of this Update are listed.]

F.R. Date	Subject
08-06-18	ITA: District Export Council Nomination Opportunity (N)
08-08-18	BIS: Emerging Technology Technical Advisory Committee (ETTAC); Notice of Recruitment of Private-Sector Members (N)
	ITA: Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty (N)
08-09-18	STATE: Defense Trade Advisory Group; Notice of Open Meeting [Public Notice: 10490] (N) [Oct. 25, 2018]
	STATE: Industry Advisory Group: Notice of Open Meeting [Public Notice: 10482] (N) [Sept. 21, 2018]
08-21-18	ITA: Call for Applications for the International Buyer Program Quarters 2 and 3 Calendar Year 2019 [Docket No.: 180719677-8677-01] (N)
	ITA: Call for Applications for the International Buyer Program Select for Quarters 2 and 3 Calendar Year 2019 [Docket No.: 180719676-8676-01] (N)
08-22-18	ITA: U.S. Department of Commerce Trade Finance Advisory Council - Notice of renewal and solicitation of nominations for membership (N)
08-23-18	COMMERCE: Submission for OMB Review: Comment Request; Procedures for Submitting Request for Objections from the Section 232 National Security Adjustments of Imports of Aluminum and Steel [OMB Control No. 0694-0138] (N)
	BIS: Materials Technical Advisory Committee Notice of Partially Closed Meeting (N/H) [Sept. 6, 2018]
08-24-18	COMMERCE: Submission for OMB Review: Comment Request; Procedures for Submitting Request for Exclusions from the Section 232 National Security Adjustments of Imports of Aluminum and Steel [OMB Control No. 0694-0139] (N)
08-29-18	BIS: Proposed Information Collection; Comment Request; Chemical Weapons Convention Provisions of the Export Administration Regulations (N)
	ITA: Trade Fair Certification (TFC) Program: Notice of Change of Application Deadline and Mailing Address [Docket No.: 180806732-8732-01] (N)
	STATE: Determination Under Section 7012 of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 Relating to Assistance to Somalia [Public Notice: 10523] (N)
08-30-18	BIS: Regulations and Procedures Technical Advisory Committee; Notice of Partially Closed Meeting (N) [Sept. 25, 2018]
08-31-18	BIS: Transportation and Related Equipment Technical Advisory Committee;

F.R. Date	Subject
	Notice of Partially Closed Meeting (N) /Sept. 26, 2018/

US Government to impose possible significant new sanctions on Russia for use of nerve agent in UK

On August 9, 2018, the US Department of State issued a [press release](#) indicating that the US Government will be imposing new sanctions on Russia for the use of a “Novichok” nerve agent in an attempt to assassinate UK citizen Sergei Skripal and his daughter Yulia Skripal, based on its August 6, 2018, determination under the *Chemical and Biological Weapons Control and Warfare Elimination Act of 1991* (“CBW Act”) that the Russian Government has used chemical or biological weapons in violation of international law or has used lethal chemical or biological weapons against its own nationals. The CBW Act requires the President to impose sanctions on a foreign country with respect to which such a determination has been made.

Key takeaway: The impact of the initial CBW Act sanctions (which will be imposed on or around August 22, 2018) on US and non-US companies doing business in or with Russia may be limited given existing US export controls. However, if imposed without waivers, the possible additional CBW Act sanctions that could become effective in late November 2018 (which may include broad US export and import bans, prohibitions on US banks loaning money to the Russian Government, and a suspension on air transportation to and from the United States for air carriers directly or indirectly owned by the Russian Government) would represent a significant escalation in US Russia sanctions substantially impacting both US and non-US companies doing business in or with Russia. The CBW Act does have certain contract sanctity provisions such that the impact of the possible additional sanctions with respect to existing contracts may be more limited.

Initial Sanctions

The initial new sanctions will take effect upon publication of a notice in the *Federal Register*, expected on or around August 22, 2018. Such initial sanctions under the CBW Act must include termination of foreign aid assistance, limits on arms sales and financing of arms, denial of US Government credit or other financial assistance, and prohibition on certain exports including national security-sensitive goods and technology.

Notably, application of these initial sanctions can be waived in whole or in part if the President (i) determines that such waiver is in the national security interests of the United States or that there has been a fundamental change in the leadership and policies of Russia and (ii) makes certain certifications/reports to Congress in advance of such waiver. While not certain, given that the US Department of State’s press release mentions the 15-day congressional notification period, it may be that the initial sanctions will be subject to at least partial waivers. In addition, there are already significant export controls with respect to arms and national-security sensitive goods in place with respect to Russia such that, even assuming full application of these sanctions occurs, such additional export controls will likely be of limited additional impact.

Issuance of at least partial waivers of CBW Act sanctions is not unprecedented. For example, when CBW Act sanctions were imposed on Syria in 2013, the ap-

plication of such sanctions was partially waived with respect to activities in furtherance of US policies regarding the Syrian conflict.

Possible Significant Additional Sanctions

Additional significant sanctions are possible *unless*, within 3 months after making the determination under the CBW Act (likely on or around November 22, 2018), the President certifies to Congress that Russia (i) is no longer using chemical or biological weapons in violation of international law or using lethal chemical or biological weapons against its own nationals, (ii) has provided reliable assurances that it will not in the future engage in any such activities, *and* (iii) is willing to allow on-site inspections by UN or other observers. The additional sanctions required by the CBW Act in this instance are three or more of the following:

- **Export ban** with respect to all goods and technology except for food and agricultural commodities.
- **Import ban:** a ban on importation into the United States of articles grown, produced, or manufactured in Russia.
- **Air transportation ban:** suspension of authority of air carriers directly or indirectly owned by the Russian government to engage in air transportation to or from the United States.
- **Bank loan prohibition:** US banks could be prohibited from making any loan or providing credit to the Russian Government except with respect to the purchase of food and agricultural commodities
- **Multilateral development bank assistance:** the United States would oppose loans or financial or technical assistance to Russia by international financial institutions.
- **Diplomatic relations:** downgrade or suspension of diplomatic relations between the United States and Russia.

Importantly, such sanctions are subject to the same waiver process as the initial sanctions, such that it is possible that, even if imposed, the application of the sanctions could be wholly or partially waived.

Please watch our [Trade Sanctions and Export Controls blog](#) for further developments on both the initial and possible additional sanctions. For additional information, please contact the authors, [Paul E. Amberg](#) and [Andrea Tovar](#), or any member of the US Outbound team with whom you normally work.

State continues temporary modification of Category XI of the US Munitions List

On August 30, 2018, the Department of State published in the *Federal Register* a [final rule](#) [Public Notice: 10486] temporarily modifying paragraph (b) in Category XI of the United States Munitions List (USML). State with its interagency partners, continues to develop a long term solution for USML Category XI(b). However, that solution will not be in place when the current temporary modification expires on August 30, 2018. Therefore, State has determined, for the national security and foreign policy of the United States and in the best interest of the US defense industry, to publish a final rule that extends the temporary modification of USML XI(b) for one year, to August 30, 2019, to allow it to be revised as part of the wholesale revision of USML Category XI. On February 12, 2018, State published a Notice of Inquiry (83 Fed. Re. 5970) requesting public comment on USML Categories V, X and XI. State and the interagency partners are reviewing the public comments submitted in response, and State is drafting a proposed rule

setting out revised versions of the three categories for public comment. Extending the temporary revisions of USML Category XI(b) now will allow the US government to finalize its review of USML Category XI, with rulemaking to follow, to include any further modifications to USML Category XI paragraph (b) as may be warranted.

Amendatory instructions 1 and 2 are effective August 30, 2018. Amendatory instruction No. 3 is effective August 30, 2019.

BIS revises EAR based on 2017 Missile Technology Control Regime Plenary Agreements

On August 30, 2018, the Bureau of Industry and Security published in the *Federal Register* a [final rule](#) [Docket No. 170906871-7871-01] amending the *Export Administration Regulations* (EAR) to reflect changes to the Missile Technology Control Regime (MTCR) Annex that were agreed to by MTCR member countries at the October 2017 Plenary in Dublin, Ireland, and the May 2017 Technical Experts Meeting (TEM) in Stockholm, Sweden. The final rule revises seventeen Export Control Classification Numbers (ECCNs) to implement the changes that were agreed to at the meetings and to better align the missile technology (MT) controls on the Commerce Control List (CCL) with the MTCR Annex. For the actual revisions, please see the *Federal Register* document.

BIS seeks comments regarding controls on certain spraying or fogging systems and “parts” and “components” therefor

On August 13, 2018, the Bureau of Industry and Security published in the *Federal Register* [notice of inquiry](#) [Docket No. 180227222-8222-01] regarding controls on certain spraying or fogging systems and “parts” and “components” therefor. Certain items identified on the Commerce Control List (CCL) are controlled for chemical/biological (CB) reasons, because they are identified on one of the common control lists maintained by the Australia Group (AG), which is a multilateral forum of countries (plus the European Union) that maintain export controls on specified chemicals, biological agents, and related equipment and technology that could be used in a chemical or biological weapons (CBW) program. Among the items subject to these CB controls are spraying or fogging systems described in Export Control Classification Number (ECCN) 2B352.i on the CCL. Through this notice, BIS is seeking public comments as part of a review of the effectiveness of its controls on these systems, and “parts” and “components” therefor, to ensure that the descriptions of these items on the CCL are clear, do not inadvertently control items in normal commercial use, accurately reflect CB-related technological capabilities and developments, and are consistent with the principal objective of the AG, which is to ensure that exports of certain chemicals, biological agents, and dual-use chemical and biological manufacturing facilities and equipment, do not contribute to the spread of chemical and biological weapons (CBW). This notice also requests public comments on potential alternatives to the current controls in ECCN 2B352.i.

Comments must be received by BIS no later than October 12, 2018

BIS amends EAR to recognize and implement India’s membership in the Wassenaar Arrangement

On August 3, 2018, the Bureau of Industry and Security, Commerce (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 180228229-8229-01] amending the *Export Administration Regulations* (EAR) to formally recognize and

implement India's membership in the Wassenaar Arrangement (Wassenaar or WA). Further, BIS removes India from Country Group A:6 and places it in Country Group A:5. This action befits India's status as a Major Defense Partner and recognizes the country's membership in three of the four export control regimes: Missile Technology Control Regime (MTCR), WA and Australia Group (AG). This rule is another in the series of rules that implement reforms to which the United States and India mutually agreed to promote global nonproliferation, expand high technology cooperation and trade, and ultimately facilitate India's full membership in the four multilateral export control regimes (Nuclear Suppliers Group, MTCR, WA, and AG). This rule also makes conforming amendments. The rule was effective on the date of publication.

BIS revises South Sudan export and reexport license requirements

On August 3, 2018, the Bureau of Industry and Security, Commerce (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 180228230-8230-01] amending the *Export Administration Regulations* (EAR) to conform to the Department of State's (State) amendment of February 14, 2018 to the *International Traffic in Arms Regulations* (ITAR) that placed restrictions on exports of defense articles (and defense services) to the Republic of South Sudan (South Sudan). The State action reflected a policy determination by the Secretary of State that it was in the best interests of US foreign policy to impose such restrictions.

Consistent with the State action, in this amendment, BIS is updating the EAR to restrict the export and reexport of certain items on the Commerce Control List to South Sudan. Pursuant to established procedure, BIS adds South Sudan to the list of US embargoed countries under the EAR, a list drawn from the list of arms embargoes in the ITAR and State *Federal Register* notices, and adopts a restrictive license application review policy consistent with State's review policy set forth in the ITAR. The rule was effective on the date of publication. See our [earlier blog](#) on the addition of 15 South Sudanese Parties to the Entity List following imposition of the arms embargo against South Sudan.

BIS amends Entity List

On August 1, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170714666-7666-01] that amends the *Export Administration Regulations* (EAR) by adding forty-four entities (eight entities and thirty-six subordinate institutions) to the Entity List. The entities that are being added to the Entity List have been determined by the US Government to be acting contrary to the national security or foreign policy interests of the United States. These entities will be listed on the Entity List under the destination of China. This rule also modifies one entry under China to provide additional addresses and names for the entity at issue.

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

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

F.R. Date	Applicable orders
08-01-18	BIS: Addition of Certain Entities; and Modification of Entry on the Entity List [Docket No. 170714666-7666-01] (FR)

F.R. Date	Applicable orders
08-06-18	STATE: E.O. 13224 Designation of Abdul Rehman al-Dakhil, aka Dilshad Ahmad, aka Danish Dilshad, aka Amantullah Ali, aka Amanatullah Ali, aka Amanat Ali, aka Imanat Ullah Iqbal, aka 'Abd al-Rahman al-Dakhil as a Specially Designated Global Terrorist [Public Notice: 10488] (N)
08-07-18	Notice of OFAC Sanctions Actions (N) [2 individuals]
	Notice of OFAC Sanctions Actions (N) [2 individuals]
08-08-18	Notice of OFAC Sanctions Actions (N) [8 individuals, 5 entities]
	Notice of OFAC Sanctions Actions Pursuant to Directive One of Executive Order 13662 (N) [removal]
	Notice of OFAC Sanctions Actions (N) [1 individual, 4 entities]
08-17-18	STATE: Review of the Designation as a Foreign Terrorist Organization of Abu Sayyaf Group (and Other Aliases) [Public Notice: 10509] (N)
	STATE: Review of the Designation as a Foreign Terrorist Organization of Boko Haram (and Other Aliases) [Public Notice: 10510] (N)
	STATE: E.O. 13224 Designation of Qassim Abdullah Ali Ahmed, aka Qassim al-Muamen, aka Qassim Al Muamen, aka Qassim Abdullah Ali, aka Qassim Abdullah as a Specially Designated Global Terrorist [Public Notice: 10507] (N)
08-23-18	OFAC: Notice of OFAC Sanctions Actions (N) [1 individual, 3 entities]
08-24-18	OFAC: Notice of OFAC Sanctions Actions (N) [2 individuals, 2 entities]
	OFAC: Notice of OFAC Sanctions Actions (N) [2 individuals, 6, entities]

Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	Subject
08-03-18	BIS: In the Matter of: Narender Sharma - Order Activating Suspended Portion of Civil Penalty and Activating Suspended Denial of Export Privileges Against Narender Sharma and Hydrex Engineering Products [Docket Number 17-BIS-0005]
08-20-18	BIS: In the Matter of Alex Bryukhov – Order Denying Export Privileges

FTC adopts Guides for the Jewelry, Precious Metals, and Pewter Industries

On August 16, 2018, the Federal Trade Commission (FTC) published in the *Federal Register* a [final rule](#) adopting revised Guides for the Jewelry, Precious Metals, and Pewter Industries (“Jewelry Guides” or “Guides”). The *Federal Register* document summarizes the FTC’s revisions to the previous Guides and includes the final Guides as revised. Specifically, the FTC revised the following areas:

- surface application of precious metals;
- alloys with precious metals in amounts below minimum thresholds;
- products containing more than one precious metal;
- composite gemstone products;
- varietals;
- “cultured” diamonds;
- qualifying claims about man-made gemstones;
- pearl treatment disclosures;
- use of the term “gem”;
- misleading illustrations;
- diamond definition; and
- exemptions recognized in the assay for gold, silver, and platinum.

Readers can find the FTC's complete analysis in the Statement of Basis and Purpose ("SBP") on the [FTC's website here](#).

FTC and CPSC Federal Register documents

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

F.R. Date	Subject
08-16-18	FTC: Guides for the Jewelry, Precious Metals, and Pewter Industries (FR)

FDA Federal Register documents

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

F.R. Date	Subject
08-17-18	Process to Request a Review of Food and Drug Administration's Decision Not to Issue Certain Export Certificates for Devices; Draft Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2018-D-2310] (N)
08-20-18	Questions and Answers Regarding Food Facility Registration (Seventh Edition); Guidance for Industry; Availability [Docket No. FDA-2012-D-1002] (N)
	Supplemental Questions and Answers Regarding Food Facility Registration; Draft Guidance for Industry; Availability [Docket No. FDA-2012-D-1002] (N)
08-30-18	Food Safety Modernization Act Third-Party Certification Program User Fee Rate for Fiscal Year 2019 [Docket No. FDA-2016-N-4119] (N)

FAS publishes dairy import license fee for 2019 TRQ

On August 27, 2018, the Foreign Agricultural Service (FAS) published in the *Federal Register* a [notice](#) that announces a fee of \$300 to be charged for the 2019 tariff-rate quota (TRQ) year for each license issued to a person or firm by the Department of Agriculture authorizing the importation of certain dairy articles, which are subject to tariff-rate quotas set forth in the Harmonized Tariff Schedule (HTS) of the United States.

Morocco to accept US poultry and poultry products for first time

On August 7, 2018, US Trade Representative Robert Lighthizer and US Secretary of Agriculture Sonny Perdue [announced](#) that the government of Morocco has agreed to allow commercial imports of US poultry meat and products into Morocco for the first time.

Morocco had prohibited imports of US poultry. Officials from the Office of the U.S. Trade Representative and the US Department of Agriculture worked with the Moroccan government to provide assurances on the safety of US poultry.

More details on requirements for exporting to Morocco are available from the [USDA Food Safety and Inspection Service Export Library](#).

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 inter-

national traders. [USDA=OFFICE OF THE SECRETARY, FAS=FOREIGN AGRICULTURAL SERVICE, AMS=AGRICULTURAL MARKETING SERVICE, FSIS=FOOD SAFETY INSPECTION SERVICE, CCC=COMMODITY CREDIT CORPORATION];

F.R. Date	Subject
08-06-18	AMS: United States Classes, Standards, and Grades for Poultry [Docket No. AMS-LP-18-0050] (N)
08-08-18	FSIS: Trade and Foreign Agriculture Affairs; Codex Alimentarius Commission: International Standard-Setting Activities [Docket No. FSIS-2018-0013] (N)
08-13-18	AMS: United States Standards for Grades of Processed Vegetables [Document Number AMS-FV-14-0088, SC- 18-328] (N)
08-17-18	AMS: Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2018 Amendments) [Doc. # AMS-CN-18-0013] (FR)
	AMS: United States Standards for Grades of Pork Carcasses [Docket No. AMS-LPS-17-0046] (N)
08-27-18	FAS: Adjustment of Appendices Under the Dairy Tariff-Rate Import Quota Licensing Regulation for the 2018 Tariff-Rate Quota Year (N)
	FAS: Assessment of Fees for Dairy Import Licenses for the 2019 Tariff-Rate Import Quota Year (N)
08-30-18	CCC: Agricultural Trade Promotion Program (FR)
	CCC: Market Facilitation Program (FR)
	CCC: Notice of Funds Availability (NOFA); Market Facilitation Program (MFP) Payments to Producers (N)
08-31-18	APHIS: Concurrence with OIE Risk Designations for Bovine Spongiform Encephalopathy [Docket No. APHIS-2018-0012] (N)

FAS GAIN reports

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

- Canada - [Canada to Phase Out Two More Neonicotinoids](#)
- China - [China Announces Supplemental Tariffs in Response to U.S. 301 Tariffs](#)
- China - [China Announces Temporary Anti-Dumping Duties on Brazilian Poultry](#)
- China - [China Updates List of U.S. Products Subject to Additional Tariffs](#)
- China - [China Implements Schedule II of the 301 Retaliatory Tariffs](#)
- EU - [EU Establishes Trade-Facilitative MRL for Fosetyl-AI on Tree Nuts, Brussels](#)
- Germany - [Germany - Applicable Maximum Cadmium Level in Sunflower Kernels](#)
- India - [Tariff Increases on U.S. Agricultural Products Delayed Until Sept 18](#)
- India - [Compliance Timeline Provided for Ingredients under Functional Foods](#)
- India - [Draft Amendments in Contaminants, Toxins and Residues Regulation](#)
- India - [FSSAI Recognizes Technological Need of Lecithin in Infant Formula](#)
- India - [India Invites WTO Member Comments on Inclusion of Processing Aids](#)
- India - [Organic Sticker Temporarily Allowed on Imported Organic Products](#)
- India - [WTO Member Comments Invited on Draft Standards for Synthetic Syrups](#)
- Indonesia - [Dairy Import Requirements Revision](#)
- Japan - [Free Trade Agreements Pose Challenges for U.S. Processed Products](#)

- Japan - [Japan Introduces Standards for Liquid Infant Formula](#)
- Japan - [Japan Revising Domestic Pesticide Registration System](#)
- Japan - [Japan to Create Food Packaging Materials Positive List](#)
- Japan - [Japan Trade Agreements to Present Challenges for U.S. Vegetables](#)
- Japan - [Japanese Free Trade Agreements to Affect U.S. Fruit Competitiveness](#)
- Japan - [New FTA Concessions Reduce U.S. Barley Opportunities](#)
- Japan - [Proposed Deletion of 2,4-D Residue Standards Notified to WTO](#)
- Japan - [Proposed Modifications to Gibberellin MRLs Notified to WTO](#)
- Japan - [U.S. Nuts Less Competitive Under New Japan Free Trade Agreements](#)
- Kuwait - [Update on Kuwait Bans on U.S. Food Products](#)
- Morocco - [Lists of Undesirable Substances and Limited Uses of Feed Ingredients](#)
- Myanmar/Burma - [Myanmar Companies Law and Online Registration](#)
- Netherlands - [Dutch Customs and EU Retaliatory Tariffs](#)
- Panama - [Panama activates TPA's Agricultural Special Safeguard](#)
- Poland - [New Polish Draft GE Labeling Legislation](#)
- Russia - [Russia Extended Food Import Ban through End 2019](#)
- Russia - [Draft Amendments to Sanitary Requirements Notified to WTO](#)
- South Africa - [South Africa to Finalize Establishing a Border Management Authority](#)
- Spain - [FAIRS Report](#)
- Spain - [FAIRS Report](#)
- Taiwan - [Exporter Guide](#)
- Thailand - [Thailand Bans the Use of Partially Hydrogenated Oils in Foods](#)
- Turkey - [Turkey Announces Second Round of Additional Levies on U.S. Products](#)

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
08-01-18	ENVIRONMENTAL PROTECTION AGENCY (EPA) : Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0366; FRL-9970-23] (FR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0366; FRL-9981-16] (PR)
	EPA: Titanium dioxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0150; FRL-9980-39] (FR)
08-03-18	ENERGY: Energy Conservation Program: Energy Conservation Standards for Manufactured Housing; Notice of data availability; request for information [EERE-2009-BT-BC-0021] (N/RFI)
08-06-18	EPA: Address Change for Waste Import-Export Submittals from the Office of Federal Activities to the Office of Resource Conservation and Recovery [FRL-9981-90-OLEM] (FR)
	EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2017-0273; FRL-9980-85] (N)
08-07-18	EPA: Problem Formulations for the Risk Evaluations to be Conducted for the First Ten Chemical Substances under the Toxic Substances Control Act, and Application of Systematic Review in TSCA Risk Evaluations; Extension of Comment Period [EPA-HQ-OPPT-2018-0210; FRL-9981-54] (N)
08-08-18	EPA: Spinetoram; Pesticide Tolerances [EPA-HQ-OPP-2017-0352; FRL-9978-83] (FR)

F.R. Date	Subject
	EPA: Registration Review Proposed Interim Decisions for Several Pesticides: Notice of Availability [EPA-HQ-OPP-2017-0750; FRL-9981-20] (N)
08-09-18	EPA: Cerevisane (cell walls of Saccharomyces cerevisiae strain LAS117): Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0315; FRL-9980-51] (FR)
	EPA: Registration Review: Draft Human Health and/or Ecological Risk Assessments for Several Pesticides; Notice of Availability [EPA-HQ-OPP-2017-0720; FRL-9981-14] (N)
	EPA: Interim Registration Review Decisions for Several Pesticides: Notice of Availability [EPA-HQ-OPP-2017-0751; FRL-9981-15] (N)
08-10-18	EPA: Notice of Receipt of Requests To Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations To Terminate Certain Uses [EPA-HQ-OPP-2018-0014; FRL-9980-44] (N)
	EPA: Picoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0429; FRL-9980-47] (FR)
	GENERAL SERVICES ADMINISTRATION (GSA): Notice of Availability and Announcement of Meeting for the Draft Environmental Impact Statement for the Otay Mesa Port of Entry, San Diego, California [Notice-PBS-2018-06; Docket No. 2018-0002; Sequence No. 18] (N/H)
08-13-18	ENERGY: Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [EERE-2016-BT-TP-0029] (FR) Lifting of administrative stay.
	FISH AND WILDLIFE SERVICE (FWS): Endangered and Threatened Wildlife and Plants: Listing the Hyacinth Macaw [Docket No. FWS-R9-ES-2012-0013; 4500030115] (FR)
08-14-18	EPA: Certain New Chemical Substances; Receipt and Status Information for May 2018 [EPA-HQ-OPPT-2018-0404; FRL-9981-43] (N)
	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPPT-2018-0404; FRL-9981-43] (N)
08-17-18	US COAST GUARD (USCG): Lifejacket Approval Harmonization [Docket No. USCG-2018-0565] (N/RFC)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0414; FRL-9971-37] (FR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0414; FRL-9981-82] (PR)
08-20-18	DRUG ENFORCEMENT ADMINISTRATION (DEA): Proposed 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 2019 [Docket No. DEA-488P] (N/RFC)
08-23-18	DEA: Proposed Adjustments to the 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 2018 [Docket No. DEA-471P] (N/RFC)
08-24-18	EPA, NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA): The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks [NHTSA-2018-0067; EPA-HQ-OAR-2018-0283; FRL-9981-74-OAR] (H)
	EPA, NHTSA: The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks [NHTSA-2018-0067; EPA-HQ-OAR-2018-0283; FRL-9981-74-OAR] (PR)
	DEPARTMENT OF DEFENSE (DoD): Defense Federal Acquisition Regulation Supplement: Sunset of Provision Relating to the Procurement of Certain Goods (DFARS Case 2018-D007) [Docket DARS-2018-0028] (PR)
	DoD: Defense Federal Acquisition Regulation Supplement: Restrictions on Acquisitions from Foreign Sources (DFARS Case 2017-D011) [Docket DARS-2018-0004] (PR)
	EPA: Lignosulfonic Acid, Calcium, comp. with 1,6 hexanediamine polymer with Guanidine Hydrochloride (1:1); Tolerance Exemption [EPA-HQ-OPP-2017-0520; FRL-9979-94] (FR)

F.R. Date	Subject
	EPA: Zinc Oxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0574; FRL-9978-36] (FR)
	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2018-0577; FRL-9982-37] (N)
	GSA: Public Building Service (PBS); Notice of Availability and Announcement of Meeting for the Draft Environmental Impact Statement for the Otay Mesa Port of Entry, San Diego, California; Correction [Notice-PBS-2018-08; Docket No. 2018-0002; Sequence No. 23] (N/C)
08-27-18	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0560; FRL-9982-78] (PR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0464; FRL-9982-25] (PR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0560; FRL-9982-77] (FR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0464; FRL-9982-24] (FR)
08-28-18	EPA: Aspartic Acid, N-(1,2-dicarboxyethyl)-, Tetrasodium Salt; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0474; FRL-9981-27] (FR)
08-29-18	DoD DFARS: Defense Federal Acquisition Regulation Supplement: Inapplicability of Certain Laws and Regulations to Commercial Items (DFARS Case 2017-D010); Reopening of Comment Period [Docket DARS-2018-0035] (PR/RO)
08-31-18	DEA: Schedules of Controlled Substances: Temporary Placement of N-Ethylpentylone in Schedule I [Docket No. DEA-482] Temporary amendment; temporary scheduling order.
	EPA: Pesticide Product Registration; Receipt of Applications for New Active Ingredients [EPA-HQ-OPP-2018-0578; FRL-9982-38] (N)

Antidumping and countervailing duty cases

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

The Americas - South America

ARGENTINA

Boletin Oficial publications

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

BO Date	Subject
03-08-18	Decree 721 /2018 (02-08-18) DECTO-2018-721-APN-PTE – “International Fair of Villa Gesell” - International Fair – exemption from the payment of the import duties and other fees
07-08-18	PRODUCTION/COMMERCE: Resolution 459/2018 (03-08-18) RESOL-2018-459-APN-SECC # MP regarding Drawback
09-08-18	Decree 737 /2018 (08-08-18) DECTO-2018-737-APN-PTE – “41 ° COAS Nations Fair 2018”. International Fair – exemption from the payment of the import duties and other fees.
	Decree 728/2018 (08-08-18) DECTO-2018-728-APN-PTE – “Intersec Buenos Aires - International Exhibition of Security, Fire Protection, Electronic Security, Industrial and Personal Protection” International Fair – exemption from the

BO Date	Subject
	payment of import duties and and other fees
13-08-18	FEDERAL ADMINISTRATION OF PUBLIC REVENUE (AFIP): General Resolution 4293 (10-08-18) Import. Merchandise Identification Regime. Resolution No. 2.522 / 87 (ANA), its amendments and complementary. Its modification
15-08-18	Decree 757/2018 (14-08-18) Common Nomenclature of Mercosur - DECTO-2018-757-APN-PTE - Tariff positions
16-08-18	PRODUCTION/COMMERCE: Resolution № 484/2018 (15-08-18) RESOL-2018-484-APN-SECC #MP relating to technical requirements for furniture [imports and domestic sales including labeling]
21-08-18	Decree 763 /2018 (17-08-18) DECTO-2018-763-APN-PTE – International Fair “53° Agricultural, Livestock, Commercial, Industrial and Services Exhibition - Expo Tucumán 2018”. Exemption of the payment of the import duties and other taxes.
	Decree 767/2018 (17-08-18) DECTO-2018-767-APN-PTE –MERCOSUR Common Nomenclature – Modification of Decree 1126/2017. With annexes
	PRODUCTION/COMMERCE: Resolution 492/2018 (16-08-18) RESOL-2018-492-APN-SECC # MP – Results of verification under Economic Complementation Agreement № 18 fiber-optics.
	PRODUCTION/COMMERCE: Resolution 494/2018 (16-08-18) RESOL-2018-494-APN-SECC # MP - Approve this Specific Technical Regulation that establishes the technical requirements of quality and safety, which must be met by the products identified as furniture
27-08-18	PRODUCTION/COMMERCE-EXECUTING UNIT OF THE ARGENTINE SINGLE FOREIGN TRADE WINDOW REGIME: Administrative Decision 1535/2018 (24-08-18) DA-2018-1535-APN-JGM
	AFIP: Gen. Res. № 4296 (23-08-18) Free Stores Regime. Resolution No. 4.483 / 82 (ANA) and its amendment. Modification
28-08-18	AFIP and NATIONAL HEALTH AND AGRI-FOOD QUALITY SERVICE: Joint General Resolution 4297 (24-08-18) Electronic Plant Traffic Document “DTV-e” [Approval of the Electronic Plant Health Transit Document]
29-08-18	AFIP: Gen. Res. № 4299 (28-08-18) Watchkeeper functions. Resolution No. 5.109 / 80 (ANA).Modification
	AFIP: Gen. Res. № 4300 (28-08-18) Removal Guide General Resolutions № 709 and 4.076-E. Modification [Articles 386 to 396 of the Customs Code]
	PRODUCTION/NATIONAL TRADE FACILITATION DIRECTORATE: Provision 14/2018 (27-08-18) DI-2018-14-APN-DNFC # MP [Exclusion of tariff 6113.00.00.200W from certain requirements regarding listing composition]
31-08-18	PRODUCTION/COMMERCE: Res. 507/2018 (27-08-18) RESOL-2018-507-APN-SECC # MP [Processing of Import Licenses]
	PRODUCTION/COMMERCE: Res. 511/2018 (29-08-18) RESOL-2018-511-APN-SECC # MP [Verification of Non-Preferential Origin – Taiwan]
	PRODUCTION/COMMERCE: Res. 512/2018 (29-08-18) RESOL-2018-512-APN-SECC # MP [Verification of Non-Preferential Origin – Taiwan]
	PRODUCTION/COMMERCE: Res. 513/2018 (29-08-18) RESOL-2018-513-APN-SECC # MP [Verification of Non-Preferential Origin – Taiwan]

BRAZIL

Diário Oficial da União publications

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

DOU Date	Subject
08-08-18	CAMEX Res. № 50 (03-08-18) amends the list of autoparts contained in Annexes I and II of CAMEX Resolution 116 of December 18, 2014
	CAMEX Res. № 51 (03-08-18) Alters the Brazilian List of Exceptions to the Mercosur Common External Tariff.

DOU Date	Subject
10-08-18	CAMEX Res. № 52 (09-08-18) Adopts the Foreign Trade Regulatory Agenda of Brazil for the biennium 2018-19
13-08-18	CAMEX Res. № 54 (10-08-18) changes to 0% (zero percent) the Import Tax rates on the IT and Telecommunication Goods it mentions, as Ex-Tariffs.
	CAMEX Res. № 55 (10-08-18) changes to zero the Import Tax rates on the Capital Goods it mentions, in the condition of Ex-Tariffs.
14-08-18	Correction of CAMEX Res. № 52
17-08-18	Correction of CAMEX Res. № 50
23-08-18	CAMEX Res. № 57 (22-08-18) Grants temporary reduction in the rate of import duty under Resolution n the 08/08 of the MERCOSUR Common Market Group

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
02-08-18	HACIENDA: Exempt Decree № 110, of 2018. - Sponsors and declares international the LXXXVIII Agricultural, Livestock, Industrial and Commercial Exhibition of Temuco, Expofo 2018 - International Agrifood Fair of the Araucanía
16-08-18	HACIENDA: Exempt Decree № 236, of 2018. - Applies reductions of customs duties for the importation of wheat and flour of wheat or morcajo (tranquillum)
17-08-18	HACIENDA: Resolution № 3,316, of 2018.- Modifies Compendium of Customs Rules
	HACIENDA: Extract of Exempt Resolution № 2852, of 2018.- Modifies Compendium of Customs Rules
18-08-18	HACIENDA: Extract of Exempt Resolution № 64, of 2018.- Establishes a new procedure for the declaration that must be made by the importing, distributing and commercializing companies of new motorized vehicles, in accordance with the provisions of the final clause of article 12 of decree law No. 3,063, of 1979, on Municipal Income
24-08-18	HACIENDA: Exempt Decree 240, of 2018. - Applies rebates of customs duties for the import of refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and sub-standards
31-08-18	HACIENDA: Exempt Decree No. 233, of 2018. - Declares International Fair to the Vyva 2018, Travel and Holidays
	HACIENDA: Resolution number 396, of 2018.- Classification of general deposit warehouses according to the evaluation indicated

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present are available.

COLOMBIA

TPTA information

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

Tariff Classification Resolutions

Tariff Classification Resolutions may be [found here](#).

MinCIT, MinHacienda and DIAN Documents

The following documents of interest to international traders were posted by the [Ministry of Commerce, Industry and Tourism](#) (MinCIT), [Ministry of Finance](#) (Hacienda) or the [National Directorate of Taxes and Customs](#) (DIAN):

Date	Subject
03-08-18	MINCIT: Circular 27 "Addition to annex 12 of circular 037 of 2016" [Subheading 8413.40.00.00]
	MINCIT: Circular 28 "Report of waste and waste without commercial value in the presentation of demonstration studies of raw materials special systems of import and export"
	MINCIT: Circular 29 "Dumping and safeguards application"
08-08-18	MINCIT: Circular 30 "Addition to annex 20 of circular 037 of 2016" [Subheadings in 9027]
14-08-18	DIAN: Circular 003253 Ad valorem charges applicable to agricultural products of reference, their substitutes, agro-industrial products or by-products.
30-08-18	DIAN: Circular 003260 Ad valorem charges applicable to agricultural products of reference, their substitutes, agro-industrial products or by-products.

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

DHA notices and advices

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

Date	Series and №	Title
01-08-18	DHA Notice № 2018/27	Amendments to the Customs (Prohibited Exports) Regulations 1958 – Schedule 2 Rotterdam Convention chemicals
17-08-18	DHA Notice № 2018/28	Biannual indexation of customs duty rates for tobacco and tobacco products – 1 September 2018

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 clas-

sification issues. New information and tariff classification guides can be found on [Tariff Public Advice Products](#) webpage

- [Guide on the Importation of placebos and combinations of drugs and placebos for clinical trials](#) includes change of legislation from 1 July 2018.

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
27-07-18	Declaration under subsection 132B(1) of the Customs Act 1901
01-08-18	Notice of Substituted Rates of Customs Duty for Excise-Equivalent Goods - Notice (No. 3) 2018
	TC 18-29
08-08-18	TC 18-30
15-08-18	TC 18-31
16-08-18	Charter of the United Nations Act 1945 Listing 2018 (No. 2)
	Charter of the United Nations Act 1945 Listing Declaration (No. 3) 2018
22-08-18	TC 18-32
29-08-18	TC 18-33

Antidumping and countervailing duty cases

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

CHINA (INCLUDING HONG KONG SAR)

Tariffs on second batch of US originating goods announced

On August 3, 2018, the Customs Tariff Commission of the State Council [announced](#) that additional tariffs of 5% to 25% will be applied to certain goods originating in the United States. The announcement states (translated from the Chinese which is the only official version):

State Council Customs and Tariff Committee Announcement [2018] No. 6

On July 11, 2018, the US government issued measures to impose tariffs on imports of about 200 billion US dollars of goods imported from China, and solicited public opinions on the measures. On August 2, the US announced that it would increase the tariff rate imposed on the above-mentioned 200 billion US dollars of goods from 10% to 25%. The US measures have deviated from the consensus of the two sides, leading to an escalation of trade friction between China and the United States, serious violations of relevant rules of the World Trade Organization, and damage to our national interests and people's interests.

According to the "People's Republic of China Foreign Trade Law", "People's Republic of China Import and Export Tariff Regulations" and other laws and regulations and the basic principles of international law, the State Council Customs Tariff Commission decided to impose tariffs on 5,207 tax items imported from the United States. The measure involves an import trade volume of approximately US\$60 billion from the United States. The relevant matters are as follows:

1. Add 25% tariff to 2493 items of tax items listed in Annex 1, add 20% tariff to 1078 items of tax items listed in Annex 2, and impose 10% tariff on 974 items of goods listed in Annex 3. A 5% tariff is imposed on the 662 items of tax items listed in Annex 4. The specific product ranges are shown in Annexes 1 to 4.
2. For the imported goods listed in the annexes originating in the United States, the corresponding tariffs shall be levied on the basis of the current taxation method and

applicable tariff rate. The current taxation, tax reduction and exemption policies shall remain unchanged, and the tariffs imposed shall not be reduced.

3. The calculation of relevant import taxes:

Adding tariff tax = customs duty-paid price × increasing tariff rate

Tariff = taxable duty calculated at current applicable tax rate + additional tariff

The import value-added tax and consumption tax shall be calculated in accordance with relevant laws and regulations.

4. The implementation date will be announced separately.

Attachment: 1. [List of 25% tariff items for the United States](#)

2. [List of 20% tariff items for the United States](#)

3. [List of 10% tariff items for the United States](#)

4. [List of 5% tariff items for the United States](#)

[Note: An unofficial translation has been prepared by the US Department of Agriculture as part of its GAIN reports series and is [available here](#), and an update is [available here](#). On the Chinese version is official]

On August 8, the [following notice](#) was issued:

State Council Customs and Tariff Committee's Notice concerning "Imposing Tariffs on Imports of Approximately \$16 Billion from the United States"

SCCTC Notice [2018] No.7

Pursuant to the "State Council Customs and Tariff Committee's Notice concerning Imposing Tariffs on Imports of \$50 Billion from the United States" (SCCTC Notice [2018] No.5), we are making the following announcement regarding the adjustment of the List II of the commodities from the United States that are subject to additional tariffs:

1. The commodities in List II from the United States that are subject to the additional tariffs should refer to the attachment of this public notice; the additional tariff will be imposed from 12:01, August 23, 2018.

2. Other matters are still implemented in accordance with the SCCTC Notice [2018] No. 5. Attachment: List II of the commodities from the United States that are subject to additional tariffs

On August 23, 2018, the People's Republic of China's Ministry of Commerce (MOFCOM) [implemented](#) the tariffs listed in List II, originally announced on June 16 (see [USDA report](#)), then revised on August 8 (see [updated USDA report](#)). The Schedule II tariffs cover \$16 billion USD of trade, with a tariff rate of 25 percent. Only a few agricultural and agricultural-related products are included in List II. U.S. exporters of the affected commodities should be aware that the new tariffs were effective August 23, and should check with local importers to verify changes in tariff treatment.

MOFCOM and GAC notices

The following State Council Customs and Tariff Committee (SCCTC), 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
08-01-18	GAC № 98	Announcement to remind the vast number of entry and

Date	Series and №	Subject
		exit personnel to pay attention to the health of international travel
08-03-18	SCCTC. № 6, 2018	Announcement of the Customs Tariff Commission of the State Council on the Tariffs on Certain Imported Goods (Second Batch) Originating in the United States
07-24-18	GAC № 100	Joint Announcement of the State Administration of Taxation of the Ministry of Finance No. 100 of 2018 Announcement on the Pilot Reform of Printing for Customs-Specific Payments
08-08-18	SCCTC Notice № 7	Notice concerning "Imposing Tariffs on Imports of Approximately \$16 Billion from the United States"
08-09-18	GAC № 101	Announcement on the quarantine requirements for the import of fresh melon plants in Kyrgyzstan
	GAC № 102	Announcement on Preventing the Ebola Epidemic of the Democratic Republic of the Congo from Entering China
08-14-18	GAC № 103	Announcement on the adjustment and release of the texts of the six regulations and legal documents of the Customs of the PRC on the Supervision of Goods Transit
08-13-18	GAC № 104	Announcement on matters related to the regulation of processing trade
08-17-18	GAC № 106	Announcement on Issues Concerning the Issuance of the Certificate of Origin of China and the Kimberley Process Certificate
08-16-18	GAC № 107	Announcement on Inspection and Quarantine Requirements for Imported Malaysian Maoyan
08-17-18	GAC Reg. Order 242	Regulations on the Administration of Customs Statistics of the PRC
08-22-18	GAC № 109	Announcement on "Internet + Appointment Clearance"
08-24-18	GAC № 110	Announcement on the quarantine requirements for importing Mexican berry land and air transport
	GAC № 111	Announcement on Inspection and Quarantine Requirements for Imported Cambodian Banana Plants
08-27-18	GAC № 112	List of Overseas Imported Enterprises of Imported Cotton on the Announcement of the Validity of the Registration and the Renewal of the Registration Certificate

Antidumping and Countervailing Duty Cases

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

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

Date	Matter
09-07-18	Strategic Trade Controls Circular 7/2018 Chemical Weapons (Convention) Ordinance, Cap. 578 Anticipated Activities Involving Scheduled Chemicals in 2019
15-08-18	Strategic Trade Controls Circular 9/2018 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 (pdf format)

INDIA

Material in this section and the India [Antidumping Countervailing Duty and Safeguards Investigations](#) section was prepared by [Sonia Gupta](#) of [Ashok Dhingra Associates](#), Attorneys at Law, Gurgaon (Haryana), India

India notifies WTO of safeguard measure concerning imports of *Solar Cells whether or not assembled in modules or panels*

On 1 August, 2018, in pursuance of Article 12.1(B) and Article 9, Footnote 2 of the *Agreement on Safeguards*, India notified the Committee on Safeguards of proposal to impose safeguard measure concerning imports of *Solar Cells whether or not assembled in modules or panels*, which is circulated by it vide [Notification Nos. G/SG/N/8/IND/31/Suppl.1 | G/SG/N/10/IND/22 | G/SG/N/11/IND/17/Suppl.1](#) (dated 2 August, 2018) informing that the Director General of Trade Remedies, the competent authority in India, recommended to impose safeguard duty at rate of 25% ad valorem for first year, 20% ad valorem for first six months of second year and 15% ad valorem for last six months of second year.

Further, the Committee on Safeguards vide [Notification Nos. G/SG/N/8/IND/31/Suppl.2 | G/SG/N/10/IND/22/Suppl.1 | G/SG/N/11/IND/17/Suppl.2](#) (dated 6 August, 2018) circulated India's communication that definitive safeguard measures are effective from 30 July 2018, for a period of two years, progressively liberalised as provided below:

- 25% ad valorem minus Anti-dumping duty payable, if any, when imported during the period 30 July, 2018 to 29 July, 2019 (both days inclusive),
- 20% ad valorem minus Anti-dumping duty payable, if any, when imported during the period 30 July, 2019 to 29 January, 2020 (both days inclusive), and
- 15% ad valorem minus Anti-dumping duty payable, if any, when imported during the period 30 January, 2020 to 29 July, 2020 (both days inclusive).

India notifies WTO of draft Food Safety and Standards (Contaminants, Toxins and Residues) Amendment Regulations, 2018

India notified the WTO Committee on Sanitary and Phytosanitary Measures concerning draft *Food Safety and Standards (Contaminants, Toxins and Residues) Amendment Regulations, 2018* detailing limit of Metal Contaminant, Aflatoxin and Mycotoxin, which is circulated vide [Notification No. G/SPS/N/IND/223](#) (dated 3 August, 2018) by the Committee on Sanitary and Phytosanitary Measures to invite comments from other Member States before 2 October, 2018.

Measures Concerning the Importation of Certain Agricultural Products

On 20 August, 2018, in pursuance to recourse to Article 22.6 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* by India, the Arbitrator in *India – Measures Concerning the Importation of Certain Agricultural Products* addressed the Chairperson of the Dispute Settlement Body (DSB) regarding postponing issuance of its decision until October, 2018 on joint request of parties, which is circulated vide [Notification No. WT/DS430/26](#) (dated 21 August, 2018).

Similarly, on 20 August, 2018, in pursuance to recourse to Article 21.5 of the *Understanding on Rules and Procedures Governing the Settlement of Disputes* by India, the Panel in *India – Measures Concerning the Importation of Certain Agricultural Products* addressed the Chairperson of the DSB regarding delay in issuance of its Final Report until December, 2018 on joint request of parties, which is circulated vide [Notification No. WT/DS430/27](#) (dated 21 August, 2018).

Other CBIC and DGFT notifications, circulars and instructions

The Central Board of Indirect Taxes and Customs (CBIC) and the Directorate General of Foreign Trade (DGFT) issued the following notifications, circulars (Cir) and instructions during the period covered by this Update:

Date	Series and №	Subject
CBEC Non-Tariff Notifications		
02-08-18	67/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
03-08-18	68/2018-Cus (NT)	Courier Imports and Exports (Clearance) Regulations, 1998 amended
03-08-18	69/2018-Cus (NT)	Courier Imports and Exports (Electronic Declaration and Processing) Regulations, 2010 amended
03-08-18	70/2018-Cus (NT)	Specified officers appointed as officer of Customs and assigned function of the Commissioners of Customs (Appeals)
14-08-18	71/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
14-08-18	72/2018-Cus (NT)	Exchange rate notification providing conversion rate of South African Rand to INR
14-08-18	73/2018-Cus (NT)	Notifies Customs (Finalisation of Provisional Assessment) Regulations, 2018
16-08-18	74/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
21-08-18	75/2018-Cus (NT)	Area of jurisdiction of the Commissioner of Customs (Appeals) changed
31-08-18	76/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
CBIC Tariff Notifications		
03-08-18	56/2018-Cus	Notifies delay in implementation of retaliatory duties against US until September 18, 2018
07-08-18	57/2018-Cus	Prescribes effective rate of customs duty on Screw or SIM socket / other mechanical items (metal) for cellular mobile phone
07-08-18	58/2018-Cus	Amendment to increase ad-valorem component of Basic Customs duty (BCD) from 10% to 20% on 328 tariff lines of carpets, apparels and other textile products
21-08-18	59/2018-Cus	Exempts Basic Customs duty (BCD) & Integrated Goods and Service Tax (IGST) on goods imported for donation for relief & rehabilitation of people of the State of Kerala affected by floods up to December 12, 2018
CBIC Circulars		
08-08-18	25/2018-Customs	Standard operating procedures for discharge of bonds executed by nominated agencies/ banks while importing gold for purpose of export of gold jewellery/ articles
10-08-18	26/2018-Customs	Simplification and rationalization of processing of Authorized Economic Operator (AEO) programme application
14-08-18	27/2018-Customs	Clarification regarding bank guarantee requirement for bond executed by Export Oriented Units (EOUs)
30-08-18	28/2018-Customs	Forwarding of samples for testing to outside laboratories
30-08-18	29/2018-Customs	Pilot implementation of paperless processing under Single Window Interface for Facilitation of Trade (SWIFT) - uploading of supporting documents (eSANCHIT) in exports
CBIC Instructions		
13-08-18	12/2018-Customs	Provisional assessment of Safeguard duty on solar cells whether or not assembled in modules or panels until further direction from CBIC
29-08-18	13/2018-Customs	Sharing of cases booked by Customs field formations under Information Sharing Protocol with Central Economic Intelli-

Date	Series and №	Subject
		gence Bureau (CEIB)
DGFT Notifications		
08-08-18	24/2015-2020	Procedure for obtaining Importer Exporter Code (IEC) shifted to Handbook of Procedures
17-08-18	25/2015-2020	Import policy condition amended to allow import of Petcoke for only cement, lime kiln, calcium carbide and gasification industries, when used as feed stock or in manufacturing process on Actual User Condition
21-08-18	26/2015-2020	Export policy condition amended to bring export of Beach Sand Minerals (BSM) under State Trading Enterprise (STE) and thus canalised through Indian Rare Earths Limited
21-08-18	27/2015-2020	Import policy condition amended to revise policy for import of Biofuels from Free to Restricted and allow import of Biofuels for non-fuel purpose subject to Actual User Condition in terms of National Biofuel Policy, 2018
27-08-18	28/2015-2020	Annual limit of INR 1,00,00,000/- removed for exports on free of cost basis for export promotion for Status Holders and made 2% of average annual export realization during preceding three licensing years with immediate effect and annual limit prescribed for export of Gems & Jewellery sector and articles of gold and precious metals sector not earlier prescribed
28-08-18	29/2015-2020	Export policy condition amended to revise policy for export of Biofuels from Free to Restricted in terms of National Policy on Biofuels, 2018
28-08-18	30/2015-2020	Import policy condition amended to allow free import of Petroleum Bitumen and other residues of petroleum oil or oils obtained from bituminous minerals
29-08-18	31/2015-2020	Restriction on import of peas withdrawn
30-08-18	32/2015-2020	Import policy condition amended to restrict import of Peas until September 30, 2018
DGFT Public Notices		
01-08-18	26/2015-2020	Addition to list of service sectors of Services Export Promotion Council (SEPC) for issue of Registration Cum Membership Certificate (RCMC)
08-08-18	27/2015-2020	Procedure for filing online application for IEC/modification in IEC/e-IEC laid. IEC to be system generated and requirement of Digital Signature for IEC applications done away with
08-08-18	28/2015-2020	Enhancement of rates for specified HS codes in Appendix 3B, Table 2 under Merchandise Exports from India Scheme (MEIS)
09-08-18	29/2015-2020	HS Code 63029100 eligible for incentives under MEIS for 1 April, 2015 to 30 September, 2015
14-08-18	30/2015-2020	One-time relaxation and condonation of delay in submission of installation certificate to Regional Authorities under Export Promotion Capital Goods (EPCG) Scheme for authorisations issued up to 31 March, 2015 without payment of any penalty
29-08-18	31/2015-2020	EPCG authorisation holders permitted to shift capital goods imported during entire export obligation period to their other units mentioned in IEC and RCMC subject to specified conditions
29-08-18	32/2015-2020	Intimation to Regional Authorities regarding block-wise fulfilment of Export Obligation under EPCG Scheme facilitated without digital signature

Note by the Secretariat concerning Anti-dumping actions

In pursuance of reports submitted under Article 16.4 of the *Uruguay Round Agreement* by India and other Member States concerning preliminary and final Anti-dumping actions, the Committee on Anti-Dumping Practices circulated note vide [Notification No. G/ADP/N/317](#) (dated 21 August, 2018).

Antidumping and countervailing duty cases

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

LAOS

Laos adopts 2017 ASEAN tariff code

On August 23, [Xinhua](#) reported that Laos has adopted the 2017 ASEAN Harmonized Tariff Nomenclature. The adoption of the latest ASEAN tariff will facilitate trade between Laos and other ASEAN parties.

MALAYSIA

Federal Government Gazette

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

Date	Matter
25-07-18	P.U. (A) 169/2018 - Customs (Anti-Dumping Duties) (Expedited Review) (No. 2) Order 2018 - Countervailing and Anti-Dumping Duties Act 1993, Customs Act 1967
14-08-18	P.U. (B) 485/2018 - Notification of Values of Crude Petroleum Oil Under Section 12 – Customs Act 1967
	P.U. (B) 489/2018 - Notice of Initiation of Administrative Review of an Anti-Dumping Duty With Regard to the Imports of Hot Rolled Coils Originating or Exported From China and Indonesia - Countervailing and Anti-Dumping Duties Act 1993
17-08-18	P.U. (B) 497/2018 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
27-08-18	P.U. (B) 503/2018 - Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
28-08-18	P.U. (A) 201/2018 - Free Zones (Amendment) Regulations 2018 – Free Zones Act 1990
	P.U. (A) 202/2018 - Free Zones (Exclusion of Goods And Services) (Amendment) Order 2018 - Free Zones Act 1990
	P.U. (A) 204/2018 - Sales Tax (Customs Ruling) Regulations 2018 – Sales Tax Act 2018
	P.U. (A) 211/2018 - Service Tax (Customs Ruling) Regulations 2018 - Service Tax Act 2018
29-08-18	P.U. (A) 215/2018 - Customs Regulations (Appeal Tribunal) (Amendment) 2018 - Customs Act 1967
	P.U. (A) 216/2018 - Customs Duties (Exemption) (Amendment) (No. 3) Order 2018 - Customs Act 1967
	P.U. (A) 217/2018 - Customs (Amendment) Regulations 2018 - Customs Act 1967
	P.U. (A) 222/2018 - Customs (Prohibition Of Exports) (Amendment) (No. 2) Order 2018 - Customs Act 1967
	P.U. (A) 223/2018 - Customs (Prohibition Of Imports) (Amendment) (No. 2) Order 2018 - Customs Act 1967
	P.U. (B) 513/2018 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
30-08-18	P.U. (A) 224/2018 - Customs Duties (Goods of ASEAN Countries Origin) (ASEAN

Date	Matter
	Harmonised Tariff Nomenclature and ASEAN Trade In Goods Agreement (Amendment) Order 2018 - Customs Act 1967
	P.U. (A) 226/2018 - Customs Duties (Amendment) Order 2018 - Customs Act 1967

NEW ZEALAND

Customs and Excise Act 2018 commencement dates gazetted

On 23 August 2018, it was [gazetted](#) that the [Customs and Excise Act 2018](#) (the Act) and the [Customs and Excise Amendment Regulations 2018](#) to support the Act, will come into force on 1 October 2018.

On 21 August 2018, [Notice of the Making of Rules Under Section 421\(1\) of the Customs and Excise Act 2018](#) was gazetted. These rules include:

- [Customs \(Advance Notice of Arrival\) Rules 2018](#) (CR 2018/ANA)
- [Customs \(Amendment of Provisional Value\) Rules 2018](#) (CR 2018/PVL1)
- [Customs \(Applications for Administrative Reviews\) Rules 2018](#) (CR 2018/ARV1)
- [Customs \(Applications for CASE Licences\) Rules 2018](#) (CR 2018/CSE1)
- [Customs \(Applications for Customs-controlled area Licences\) Rules 2018](#) (CR 2018/CCA1)
- [Customs \(Applications for Secure Export Schemes and Scheme Amendments\) Rules 2018](#) (CR 2018/SES1)
- [Customs \(Applications for Valuation Rulings\) Rules 2018](#) (CR 2018/VRL1)
- [Customs \(Nil Returns\) Rules 2018](#) (CR 2018/NIL1)
- [Customs \(Import Entry\) Amendment Rules 2018](#) (CR 2018/IMP1)
- [Customs \(Excisable Goods Entry\) Amendment Rules 2018](#) (CR 2018/EXC1)

In addition, New Zealand Customs Service has published a [Transitional and Savings Provisions Guide – Customs and Excise Act 2018](#).

Importer may register for provisional values

As a result of the [Customs and Excise Act 2018](#), which comes into effect on 1 October, certain importers can start using provisional values on import entries from 1 October if they have registered with Customs. In some cases, they will need to be approved first.

It takes 30 working days to process applications, so forms with all required documentation need to be lodged no later than 20 August 2018.

NZ Customs Service has produced an Importers Guide that explains the eligibility criteria and the registration process. The [guide and registration forms](#) are on NZ Customs website.

The [Act education website](#) has additional information about provisional values.

New rates for motor spirits

An increase of 3.5 cents per litre of motor spirit in the excise and excise-equivalent duty rates on motor spirits will take place on 30 September 2018.

The new rates are those set out in the [Excise and Excise-equivalent Duties Table \(Motor Spirits\) Amendment Order 2018](#).

Motor spirit products removed from a licensed manufacturing area or imported after midnight on 29 September 2018 will be subject to the new rates.

Government seeking submissions on Trade for All policy

On 6 August 2018, the Government [announced](#) the launch of its Trade for All agenda and invited New Zealanders to have their say on what matters to them on trade policy and in trade agreements. The Prime Minister Rt Hon Jacinda Ardern and Minister for Trade and Export Growth Hon David Parker have launched the [Trade for All consultations](#). The consultation seeks answers to:

How do we support sustainable economic development that takes into account the impact on the environment we work and live in? How can trade policy be more inclusive and support New Zealanders in all regions of New Zealand to succeed on the global stage, including women, Māori and people in small and medium-sized enterprises? These are the questions you can ask yourself when giving your feedback.

The announcement notes that the Government already has a broad agenda of trade deals in the pipeline.

The CPTPP is set to come into effect around the end of the year, and talks are in train with the EU, the Pacific Alliance, and in the Regional Comprehensive Economic Partnership. Upgrades to existing trade deals are underway with China and Singapore and preliminary steps towards trade talks with the UK have been taken, pending Brexit. The Bill to bring into effect Pacer Plus – a trade deal with our Pacific neighbours – is before the House.

We have also made progress on bilateral issues with the US. President Trump last week signed into law the KIWI Act, giving businesses easier visa access to the US. Trade and Investment Framework Agreement talks, which went into abeyance when the US was part of TPP, have been resumed with the US.

Public meetings will be held throughout the country from 20 August to 28 September. Interested parties can find the details or register to attend [here](#).

New Zealander's views and the recommendations of the Trade for All Advisory Board will help inform the development of a Trade for All policy by mid-2019. Make a submission at haveyoursay.mfat.govt.nz or get in touch with tradeforall@mfat.govt.nz.

New Zealand Gazette

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

Date	Matter
07-08-18	Tariff Concession (Advertisement) Notice No. 2018/35
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 35) 2018
10-08-18	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 36) 2018
13-08-18	Tariff Concession (Advertisement) Notice No. 2018/36
16-08-18	Notice Under the Legislation Act 2012
	<ul style="list-style-type: none"> Excise and Excise-equivalent Duties Table (Motor Spirits) Amendment Order 2018
20-08-18	Tariff Concession Approvals, Withdrawals and Declines Notice (No.37) 2018

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.

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

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

A note on spelling, grammar and dates--

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

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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
21-08-18	Notice of the Making of Rules Under Section 421(1) of the Customs and Excise Act 2018
23-08-18	Notice Under the Legislation Act 2012 <ul style="list-style-type: none"> Customs and Excise Act 2018 Commencement Order 2018 Customs and Excise Amendment Regulations 2018
29-08-18	Notice of the Making of Rules Under Section 421(1) of the Customs and Excise Act 2018 <ul style="list-style-type: none"> Customs (Applications for Registered User System Registration) Rules 2018 (CR 2018/RUS1) Customs (Arriving Passenger and Crew Declarations) Rules 2018 (CR 2018/ARR1)

PHILIPPINES

Tariff Commission matters

The following Tariff Commission publications or Executive Orders were posted to the [Tariff Commission website](#) [Date is mm/dd/yy]:

Date	Reference	Matter
07-07-18	EO 57	Reducing the rates of duty on capital equipment, spare parts and accessories imported by Board of Investments - Registered new and expanding enterprises
08-10-18	EO 61	Modifying the Rates of Import Duty on Certain Imported Articles in Order to Implement the Philippine Tariff Commitments Pursuant to the Free Trade Agreement Between the European Free Trade Association States and the Philippines

SINGAPORE

Notices, circulars, etc.

Date	Reference	Matter
08-08-18	Circular 07/2018	Customs Permit required for Removal of Goods from Licensed and Zero-GST Warehouses
10-08-18	Notice 14/2018	Permit Requirements for the Import, Export, Transshipment and Bringing-In-Transit of Goods Originating from or Destined for The Democratic People's Republic of Korea
24-08-18	Notice 15/2018	Corppass will be the only Mode of Login for Companies to Transact with Singapore Customs from 1 Sep 2018
27-08-18	Notice 16/2018	Decommissioning of TradeXchange

VIETNAM

Draft of amended law on tax administration

The Ministry of Finance released the draft of the *Amended Law on Tax Administration* for public comments on 30 July 2018 (the "Draft Law"). Below are some highlighted issues from the Draft Law:

Tax on E-Commerce

The Draft law introduces a taxation principle which mainly targets E-Commerce businesses, supplied by offshore entities and individuals who derive income from Vietnam.

Particularly, E-commerce businesses supplied by offshore entities and individuals will be subject to a tax withholding regime. Commercial banks conducting the

remittance are obliged to conduct the tax withholding and pay the tax amount on behalf of the offshore entities and individuals in compliance with the guidelines of the Ministry of Finance (MOF) and State Bank of Vietnam (SBV) (*Article 27.3*).

The Draft Law also sets forth responsibilities for governmental agencies to collaborate with the taxation of E-Commerce businesses (*Article 19*), such as:

- The Ministry of Industry and Trade (MOIT) is in charge of collaborating with the MOF in administering tax issues of E-Commerce businesses; liaising and providing information of entities/individuals operating E-Commerce businesses for tax administration purposes.
- The SBV is in charge of developing a national E-Commerce payment system, and other applications embedded with e-payments to support E-Commerce businesses; establishing a surveillance mechanism of cross-border E-Commerce service supplies.

Reinstate E-tax payment and assign Taxation Role to Commercial Banks

The Draft Law maintains the current requirement that taxpayers conduct e-tax payments if the infrastructure is allowed. Also, the Draft Law sets forth an exclusive article regulating the rights and obligations of commercial banks in collaboration with tax authorities in taxation. Particularly, commercial banks are obliged to collaborate with tax authorities in e-tax payment and refund mechanisms; periodically provide taxpayer's bank account information to tax authorities; conduct withholding tax; and collaborate in freezing bank accounts for tax enforcement.

Adopt BEPS Action Plans

As Vietnam is a member of the Inclusive Framework on Base Erosion and Profit Shifting (BEPS), the Draft Law has incorporated the BEPS standards for tax administration. Particularly, the Draft Law has incorporated the following provisions:

- The “substance over form” principle is applied in determining taxpayers' obligations (*Article 5.4*).

Where applicable, Country by Country Report is part of the tax declaration dossier (*Article 43.7*). The Draft Law also grants tax authorities the right to impose “deemed” tax amounts when taxpayers conduct inappropriate transactions with economic substance or fail to declare related party transactions and required information (*Article 50.1.g*).

Enforcement of E-invoice

The Draft Law aims to legislate e-invoice regulations into a law document and escalates the application of e-invoices in all transactions regardless of types of sellers and transaction values.

Accordingly, taxpayers must use e-invoices for their transactions regardless of transaction values (*Article 90.1, Article 91.1*). E-invoices include e-invoices with reference codes issued by tax authorities and e-invoices without reference codes issued by tax authorities.

E-invoices used in most of transactions are those with reference codes issued by tax authorities. Only enterprises operating in certain business lines (namely power, gasoline, telecommunication, transportation, water supply, finance, banking, insurance, e-commerce, etc.) with proper IT infrastructure are allowed to use e-

invoices without reference codes issued by tax authorities. Households and individual businesses are also subject to e-invoices.

For additional information, please contact the author, [Thanh Vinh Nguyen](#).

Europe, Middle East and North Africa

European Union and EFTA

EU Blocking Regulation in support of Iran nuclear deal enters into force

Further to our previous blog posts of [18 May 2018](#) and [7 June 2018](#), the updated Blocking Regulation ([Regulation 2271/96](#)) entered into force on 7 August 2018. The effect is to block the application in the EU of extraterritorial U.S. sanctions targeting Iran.

The update was triggered by the U.S.' unilateral decision on 8 May 2018 to withdraw from the Joint Comprehensive Plan of Action, and the subsequent reimposition of extraterritorial sanctions. The full list of extraterritorial measures blocked by the EU can be found [here](#).

What does the Blocking Regulation do?

In short, the Blocking Regulation:

- prohibits EU persons from complying with the blocked U.S. measures;
- requires EU persons to notify the European Commission of any effects on their economic or financial interests caused by a blocked measure;
- prevents the enforcement and/or recognition of any judgment or decision of a non-EU authority that gives effect to a blocked measure; and
- allows EU persons to recover damages arising from the application of the blocked measures.

The Blocking Regulation applies to EU entities, EU residents, EU nationals based outside the EU, and other persons located within the EU and acting in a professional capacity. Non-EU subsidiaries of EU entities are not required to comply; however, EU subsidiaries of non-EU companies (including U.S. parent companies) are required to comply with all provisions of the Blocking Regulation.

Enforcement of the Blocking Regulation falls within the remit of Member States. Some Member States (including the UK, Sweden and the Netherlands) impose criminal penalties for violations; some other Member States impose civil/administrative penalties (including Germany, Austria, Spain and Italy). Some Member States (such as France) have yet to introduce penalties for violations. To-date, enforcement of the Blocking Regulation has not been a priority for the EU Member States.

Nonetheless, companies with an EU nexus will need to consider carefully any decision to withdraw from business involving Iran in order to balance their obligations under the Blocking Regulation with potential risks under U.S. sanctions.

The EU has also issued a guidance note on the application of the Blocking Regulation, available [here](#).

Is there scope for a waiver from the requirements of the Blocking Regulation?

Yes, the European Commission can authorise EU persons to comply with the U.S. measures in full or in part, where “non-compliance would seriously damage their interests or those of the Community”.

The 14 criteria for authorisation are set out in Regulation 2018/1101 (available [here](#)). These include the following criteria of particular interest:

- the existence of an ongoing administrative or judicial investigation against the applicant from, or a prior settlement agreement with, the third country which is at the origin of the listed extra-territorial legislation (in this context, the U.S.); and
- the existence of a substantial connecting link with the third country (again, the U.S. in this context) which is at the origin of the listed extraterritorial legislation or the subsequent actions; for example the applicant has parent companies or subsidiaries, or participation of natural or legal persons subject to the primary jurisdiction of the third country which is at the origin of the listed extra-territorial legislation or the subsequent actions.

In other words, it may be possible to obtain an authorisation where (for example) a U.S. authority such as OFAC has reached a settlement with an EU entity in relation to violations of U.S. sanctions, and that settlement requires the EU entity to comply with the blocked measures.

The Commission will consider applications on a case-by case basis, and there is no guarantee that it will grant any authorisation.

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

EU publishes Guidance Note on update to Blocking Statute

On 7 August the [Commission Delegated Regulation \(EU\) 2018/1100](#) entered into force. This Delegated Regulation amended the [Annex to Council Regulation \(EC\) No 2271/96 of 22 November 1996](#) protecting against the effects of extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom ('Blocking Statute').

The Regulation as amended, applies immediately to economic operators and shall be implemented and applied by national authorities and courts.

The Blocking Statute aims to protect the established legal order, the interests of the Union and the interests of natural and legal persons exercising rights under the Treaty on the Functioning of the European Union against the unlawful effects of extra-territorial application of such legislation.

The aim of this document is to provide guidance on the application of certain provisions of the Blocking Statute. It does not cover all provisions of that legal act in an exhaustive manner, nor does it create any new rules. Only the legal text of the Blocking Statute as published in the Official Journal is binding.

The Commission oversees the application of Union law under the control of the Court of Justice of the European Union. Pursuant to the Treaties, only the Court

of Justice of the European Union can provide legally binding interpretations of acts of the institutions of the Union.

The update was triggered by the United States' unilateral decision on 8 May 2018 to re-impose extra-territorial sanctions against Iran simultaneously with its withdrawal from the Joint Comprehensive Plan of Action (JCPOA), signed in 2015 between Iran, on the one hand, and China, France, Russia, the United Kingdom, Germany, the US and the European Union, on the other. The lifting of certain Iran-related sanctions is an essential component of the agreement. The re-imposition by the US of extra-territorial sanctions could potentially affect EU operators doing legitimate business with Iran. Such legislation will be re-imposed as of 7 August 2018 and 5 November 2018. Since 1996, the Blocking Statute has mainly applied to extra-territorial sanctions of the U.S. related to Cuba. In 1998, the Union and the U.S. signed a Memorandum of Understanding by which the U.S. administration suspended the application of certain provisions of the Cuba extra-territorial sanctions 'as long as the EU and other allies continue their stepped up efforts to promote democracy in Cuba'.

Commission issues tariff classification regulations

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

Amendments to the CN Explanatory Notes

[See separate section below](#) for amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* that were published in the *Official Journal* during the period covered by this Update.

Binding Tariff Information

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

Binding Tariff Information is issued on request to economic operators by the customs authorities of the Member States. It is valid throughout the Community, regardless of the Member State which issued it. For information about an existing BTI, you may want to contact the [customs administration of the Member State](#) which issued it. However, remember that, according to the provisions for data protection, there are limitations as to the information an administration can provide. You can search and consult existing BTIs on the [EBTI-database](#).

Official Journal documents

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

OJ Date	Subject
01-08-18	Council Decision (EU) 2018/1089 of 22 June 2018 on the conclusion, on behalf of the Union, of the Agreement between the European Union and the Kingdom of Norway on administrative cooperation, combating fraud and recovery of claims in the field of value added tax <ul style="list-style-type: none"> Agreement between the European Union and the Kingdom of Norway

OJ Date	Subject
	on administrative cooperation, combating fraud and recovery of claims in the field of value added tax Commission Implementing Regulation (EU) 2018/1090 of 31 July 2018 concerning the authorisation of a preparation of endo-1,4-beta-xylanase and endo-1,3(4)-beta-glucanase produced by <i>Komagataella pastoris</i>(CBS 25376) and <i>Komagataella pastoris</i> (CBS 26469) as a feed additive for chickens for fattening, chickens reared for laying, turkeys for fattening, all avian species reared for laying or for breeding purposes, weaned piglets and minor porcine species (weaned) (holder of the authorisation Kaesler Nutrition GmbH)
03-08-18	Commission Delegated Regulation (EU) 2018/1096 of 22 May 2018 amending Implementing Regulation (EU) No 29/2012 as regards the requirements for certain indications on the labelling of olive oil Commission Regulation (EU) 2018/1098 of 2 August 2018 amending and correcting Annex III to Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks
06-08-18	Notice concerning the entry into force of a Protocol between the European Community and its Member States and the Republic of Lebanon establishing a dispute settlement mechanism applicable to disputes under the trade provisions of the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part Agreement between the European Community and the Swiss Confederation on mutual recognition in relation to conformity assessment, Annex 1, Chapter 5, Section 5, Point 9 'Information exchange' — Information from Switzerland on the basis of Article 12 of the Agreement on the types of gas and the corresponding supply pressures of gaseous fuels on the Swiss territory referred to in Annex II of Regulation (EU) 2016/426 of the European Parliament and of the Council of 9 March 2016 on appliances burning gaseous fuels and repealing Directive 2009/142/EC (This publication is based on information received by the Commission from the Swiss Confederation) [2018/C 275/01]
07-08-18	Commission Delegated Regulation (EU) 2018/1100 of 6 June 2018 amending the Annex to Council Regulation (EC) No 2271/96 protecting against the effects of extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom Commission Implementing Regulation (EU) 2018/1101 of 3 August 2018 laying down the criteria for the application of the second paragraph of Article 5 of Council Regulation (EC) No 2271/96 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom Commission Delegated Decision (EU) 2018/1102 of 6 June 2018 amending Annex III to Decision No 466/2014/EU of the European Parliament and of the Council granting an EU guarantee to the European Investment Bank against losses under financing operations supporting investment projects outside the Union, as regards Iran Guidance Note — Questions and Answers: adoption of update of the Blocking Statute [2018/c 277 I/03]
08-08-18	Decision No 2/JP/2018 of 17 July 2018 of the Joint Committee established under the Agreement on Mutual Recognition between the European Community and Japan [2018/1104]
08-10-18	Council Decision (EU) 2018/1107 of 20 July 2018 on the conclusion of a Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part Commission Implementing Decision (EU) 2018/1114 of 9 August 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 5510) 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

OJ Date	Subject
	<i>Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011</i> [2018/C 281/04]
	Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2018/C 282/01]
	Commission communication in the framework of the implementation of Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2018/C 282/02]
13-08-18	Commission Delegated Regulation (EU) 2018/1118 of 7 June 2018 amending Delegated Regulation (EU) 2015/2446 as regards the conditions for a reduction of the level of the comprehensive guarantee and the guarantee waiver [Union Customs Code]
	Commission Implementing Regulation (EU) 2018/1120 of 10 August 2018 amending Annex I to Regulation (EU) No 605/2010 as regards the list of third countries or parts thereof from which the introduction into the European Union of consignments of raw milk, dairy products, colostrum and colostrum-based products is authorised
	Commission Implementing Regulation (EU) 2018/1122 of 10 August 2018 authorising the placing on the market of pyrroloquinoline quinone disodium salt as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470
	Commission Implementing Regulation (EU) 2018/1123 of 10 August 2018 authorising the placing on the market of 1-methylnicotinamide chloride as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470
	Commission Implementing Regulation (EU) 2018/1128 of 9 August 2018 amending Implementing Regulation (EU) No 1354/2011 opening annual Union tariff quotas for sheep, goats, sheepmeat and goatmeat
14-08-18	Commission Implementing Regulation (EU) 2018/1129 of 13 August 2018 approving acetamiprid as an existing active substance for use in biocidal products of product-type 18
	Commission Implementing Regulation (EU) 2018/1130 of 13 August 2018 approving cypermethrin as an existing active substance for use in biocidal products of product-type 18
	Commission Implementing Regulation (EU) 2018/1131 of 13 August 2018 approving penflufen as an active substance for use in biocidal products of product-type 8
	Commission Implementing Regulation (EU) 2018/1132 of 13 August 2018 authorising the change of the designation and specific labelling requirement of the novel food synthetic zeaxanthin under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470
	Commission Implementing Regulation (EU) 2018/1133 of 13 August 2018 authorising the placing on the market of dried aerial parts of <i>Hoodia parviflora</i> as a novel food under Regulation (EU) 2015/2283 of the European Parliament and of the Council and amending Commission Implementing Regulation (EU) 2017/2470
	Commission Implementing Decision (EU) 2018/1136 of 10 August 2018 on risk mitigation and reinforced biosecurity measures and early detection systems in relation to the risks posed by wild birds for the transmission of highly pathogenic avian influenza viruses to poultry (notified under document C(2018) 5243)
	Commission Implementing Decision (EU) 2018/1137 of 10 August 2018 on the supervision, plant health checks and measures to be taken on wood packaging material for the transport of commodities originating in certain third countries (notified under document C(2018) 5245)
	Notice concerning the entry into force of the Partnership and Cooperation Agreement between the European Union and its Member States, of the one
16-08-18	

OJ Date	Subject
	part, and the Republic of Iraq, of the other part Decision No 1/2017 of the EPA Committee established by the Interim Agreement establishing a framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, on the one part, and the European Community and its Member States, on the other part, of 3 October 2017 regarding the accession of the Republic of Croatia to the European Union and changes in the list of countries and territories associated with the European Union [2018/1144]
17-08-18	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) [2018/C 290/06]
23-08-18	Council Decision (EU) 2018/1194 of 21 June 2018 on the conclusion, on behalf of the Union and of the Member States, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Republic of Uzbekistan, of the other part, to take account of the accession of the Republic of Croatia to the European Union Council Decision (EU) 2018/1195 of 16 July 2018 on the signing, on behalf of the European Union, of a Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus Various decisions of the EEA Joint Committee from Decision of the EEA Joint Committee No 216/2016 through No. 255/2016 [except 243/2016, 244/2016]
24-08-18	Council Decision (EU) 2018/1197 of 26 June 2018 on the signing, on behalf of the European Union, and provisional application of the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part <ul style="list-style-type: none"> • Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Japan, of the other part
27-08-18	Commission Implementing Decision (EU) 2018/1203 of 21 August 2018 authorising Member States to provide for a temporary derogation from certain provisions of Council Directive 2000/29/EC in respect of ash wood originating or processed in the United States of America and repealing Commission Implementing Decision (EU) 2017/204 (notified under document C(2018) 5848)
28-08-18	Commission Implementing Decision (EU) 2018/1205 of 27 August 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 5723)
29-08-18	Commission Implementing Regulation (EU) 2018/1206 of 28 August 2018 opening and providing for the management of Union tariff quotas for sheep meat and goat meat and processed sheep meat originating in Iceland
30-08-18	Dangerous substances — List of authorisation decisions taken by the EEA EFTA States in accordance with Article 64(8) of Regulation (EC) No 1907/2006 (REACH) in the second half of 2017 [2018/C 305/11] Medicinal products — List of marketing authorisations granted by the EEA EFTA States for the second half of 2017 [2018/C 305/12]
31-08-18	Information concerning the date of entry into force of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Bulgaria and of Romania to the European Union Information concerning the date of entry into force of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, to take account of the accession of the Republic of Croatia to the European Union Corrigendum to Passenger Name Records (PNR) — List of Member States who

OJ Date	Subject
	have decided the application of the PNR Directive to intra-EU flights — As referred to in Article 2 of Directive (EU) 2016/681 of the European Parliament and of the Council on the use of passenger name record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (If a Member State decides to apply this Directive to intra-EU flights, it shall notify the Commission in writing. A Member State may give or revoke such a notification at any time. The Commission shall publish that notification and any revocation of it in the Official Journal of the European Union) (OJ C 196, 8.6.2018) [2018/C 308/07]
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 July 2018 to 31 July 2018(Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2018/C 309/01]

OJ Date	Restrictive Measure
13-08-18	Council Decision (CFSP) 2018/1125 of 10 August 2018 amending Decision (CFSP) 2015/740 concerning restrictive measures in view of the situation in South Sudan
	Council Implementing Regulation (EU) 2018/1115 of 10 August 2018 implementing Article 20(1) of Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan
	Council Regulation (EU) 2018/1116 of 10 August 2018 amending Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan
	Council Decision (CFSP) 2018/1126 of 10 August 2018 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma
	Council Implementing Regulation (EU) 2018/1117 of 10 August 2018 implementing Regulation (EU) No 401/2013 concerning restrictive measures in respect of Myanmar/Burma
	Commission Implementing Regulation (EU) 2018/1124 of 10 August 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
14-08-18	Commission Implementing Regulation (EU) 2018/1138 of 13 August 2018 amending for the 289th 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
27-08-18	Commission Implementing Regulation (EU) 2018/1204 of 27 August 2018 amending for the 290th 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

Antidumping and countervailing duty cases

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

INDIVIDUAL EU-EFTA COUNTRIES

CZECH REPUBLIC

Exemption of supply of services relating to the importation and exportation of goods in the Czech Republic

Recently, it can be noticed that the Czech tax authorities have started focusing on the application of the updated rules concerning the VAT exemption for services relating to the export/import of goods that are applicable from 1 March 2018 onwards and are summarized in an Information issued by the Czech tax authorities.

The mentioned Information was issued by the Czech General Financial Directorate at the beginning of 2018 in the wake of the CJEU's judgment in *L. Č. IK v Valsts ienemumu dienests* (C-288/16) and outlines the view of the Czech tax authorities on the exemption of services relating to importation and exportation of goods within the meaning of Article 144 and Article 146 (1)(e) of the VAT Directive.

In the *L. Č.* case, a company, Atek, concluded a contract with a consignor for the transport of goods from the port of Riga (Latvia) to Belarus. However, the actual transport of the goods was assigned by Atek to L.Č. under a second contract. In particular, L. Č. was responsible for driving the vehicles (which were owned by Atek), loading, unloading, customs declarations, car repairs and refuelling, surveillance of the goods, and transfer of goods to the consignee.

L.Č. regarded the supplied services as services connected with export of goods and thus applied a 0% VAT rate to those services. This position was challenged by the Latvian tax authorities and the case came before the CJEU. After considering the facts, the CJEU decided that "*Article 146(1)(e) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax must be interpreted as meaning that the exemption laid down in that provision does not apply to a supply of services, such as that at issue in the main proceedings, relating to a transaction consisting in the transport of goods to a third country, where those services are not provided directly to the consignor or the consignee of those goods.*"

After consideration of the wording of the VAT Directive, the Czech VAT Act and the decision of the CJEU in the *L.Č.* case, the Czech tax authorities concluded, or more precisely repeated, that in order to apply the VAT exemption for services relating to export or import of goods, there must be a direct link between the service and the import or export of goods.

It follows from the Official Information of the Czech tax authorities that it is possible to exempt only those services that are objectively invoked by the import/export of goods and that contribute to the realization of the import/export of goods. In addition, the tax authorities require at the same time that the services are provided directly – meaning that there must be a direct relationship between the services provider and the importer/exporter, the recipient, or the consignor.

In other words, it is insufficient for the application of the VAT exemption that the service is merely connected to the import/export of goods - there should also be a contractual relationship between the services provider and the importer/exporter, the recipient, or the consignor.

Please be aware that in the event of an incorrect application of the VAT exemption relating to services connected with export, the Czech tax authorities might assess the VAT together with the penalty of 20% of the unpaid VAT and the late payment interest (currently 14.75% p.a.).

For additional information, please contact the author, [Eliska Kominkova](#).

FRANCE

Official Gazette (*Journal officiel*)

Date	Measure
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Date	Measure
01-08-18	41. Order of 16 July 2018 establishing the central administration of the Directorate General of Customs and Excise

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
13-08-18	2018/49 - Notice to Importers of Urea and Ammonium Nitrate Mixtures Originating in Russia, Trinidad and Tobago, United States
28-08-18	18-042 - Duties and taxes applicable to energy products as of September 1, 2018
29-08-18	2018/50-Notice to importers of processed sheepmeat and goatmeat and sheepmeat originating in Iceland

IRELAND

Irish bill prohibiting the import and trade in settlement goods passes Upper House of Irish parliament

In July 2018, the [Control of Economic Activity \(Occupied Territories\) Bill 2018](#) (*An Bille um Ghníomhaíocht Eacnamaíoch a Rialú (Críocha faoi Fhorghabháil)*, 2018) (the "Bill"), a Private Member's Bill proposed by the Irish independent senator Frances Black, was passed in the Seanad (the Upper House of the Irish Parliament). The Bill makes it an offence for a person to import or sell goods or services originating in an occupied territory or to extract resources from an occupied territory in certain circumstances.

Although the Bill does not expressly refer to Israel or Palestine, it has been widely interpreted as being directed at restricting trade with Israeli settlements. The Bill would apply to:

- a person who is an Irish citizen or ordinarily resident in the State,
- a company incorporated under the [Companies Act 2014](#), and
- an unincorporated body whose centre of control is exercised in Ireland.

The vote was passed by 25 votes to 20 in the Seanad, despite opposition from the Irish Government. The Bill will next pass through the Dáil (the Lower House of the Irish Parliament) to be debated and voted on. If passed in the Dáil, the Bill will become law, subject to being approved and signed by the President of Ireland.

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

Acts of the Oireachtas and Statutory Instruments

Date	Measure
24-07-18	S.I. No. 264 European Communities (Road Vehicles: Entry into Service) (Amendment) Regulations 2018
27-07-18	S.I. No. 295 European Union (Safety of Toys) (Amendment) Regulations, 2018
03-08-18	S.I. No. 299 Protection of Cultural Property in the Event of Armed Conflict (Hague Convention) Act 2017 (Commencement) Order 2018
	S.I. No. 300 Criminal Justice (Mutual Assistance) Act 2008 (Designation of States in Accordance with the Protocol of Convention for the Protection of Cultural Property in the Event of Armed Conflict) Order 2018
	S.I. No. 301 Extradition (Protocol to The Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict) Order 2018
	S.I. No. 303 European Communities (Minimum Conditions for Examining Agriculture Plant Species) (Amendment) Regulations 2018
	S.I. No. 304 European Communities (Minimum Conditions for Examining of Vegetable Species) (Amendment) Regulations 2018
07-08-18	S.I. No. 312 European Union (Marine Equipment) (Amendment) Regulations 2018
10-08-18	S.I. No. 319 European Communities (Extra-Territorial Application of Legislation Adopted by a Third Country) (Amendment) Regulations, 2018
17-08-18	S.I. No. 327 European Communities (Official Controls on the Import of Food of Non-Animal Origin) (Amendment) (No. 2) Regulations 2018
	S.I. No. 328 European Union (Temporary Suspension of Imports from Bangladesh of Food stuffs Containing or Consisting of Betel Leaves) (Amendment) Regulations 2018
	S.I. No. 330 European Communities (Official Controls on the Import of Food of Non-Animal Origin for Pesticide Residues) (Amendment) (No. 2) Regulations 2018
Date	Restrictive Measure
27-07-18	S.I. No. 272 European Union (Restrictive Measures concerning Ukraine) (No.2) Regulations 2018
	S.I. No. 273 European Union (Restrictive Measures concerning Libya) (No. 4) Regulations 2018
	S.I. No. 274 European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) Regulations 2018
	S.I. No. 275 European Union (Restrictive Measures concerning Yemen) Regulations 2018
	S.I. No. 276 European Union (Restrictive Measures concerning Iraq) Regulations (No. 2) 2018
	S.I. No. 277 European Union (Restrictive Measures in respect of Myanmar/ Burma) Regulations (No. 2) 2018
	S.I. No. 278 Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) (No. 4) Regulations 2018

UNITED KINGDOM

UK Foreign Secretary calls for further EU sanctions against Russia

UK Foreign Secretary, Jeremy Hunt, started his three-day visit to the US last week by calling on the EU to follow the US in imposing sanctions on Russia in response to the Salisbury nerve agent attack that happened earlier this year.

On 6 August 2018, the US State Department accused Russia of contravening international law by using the chemical nerve agent “Novichok” on foreign soil and, on 24 August 2018, gave notice that the US Government will be imposing new sanctions on Russia (under the *Chemical and Biological Weapons Control*

and Warfare Elimination Act of 1991). These sanctions will include the termination on arms sales financing, denial of US Government credit or other financial assistance, and prohibition on certain exports including for national security-sensitive goods. We recently published a blog on these measures.

Significantly, on his first visit to Washington DC as Foreign Secretary, Mr Hunt called for the EU to stand with “one voice” and apply further pressure by imposing “comprehensive” sanctions to ensure Russia abides by international law.

The EU Viewpoint

As a unanimous decision is needed by all 28 EU countries in order to bring further sanctions into force, the UK may face challenges in persuading all fellow EU countries to follow the decision made by the US. The EU has recently struggled to speak with a unified voice on matters relating to Russia, with some governments such as Italy and Greece wanting to draw a line and not increase the pressure by using sanctions. Additionally, Austria was one of the few EU countries that refused to expel Russian diplomats after the nerve agent attack, with the Austrian Government now calling for the reduction of the sanctions against the Russian government.

Nonetheless, it will be interesting to see the next steps that the EU takes following the US State Department's announcement of measures against Russia.

For additional information, please contact [Sunny Mann](#) or [Akash Sikka](#).

UK agencies issue What if there's no Brexit deal notices

On 23 August 2018, several UK government departments and agencies issued notices in a series dealing with “how to prepare if the UK leaves the UK with no deal”. Below are some of the notices that were issued:

- [UK government's preparations for a 'no deal' scenario](#) (DEEU)
- [Trade remedies if there's no Brexit deal](#) (DIT)
- [Trading with the EU if there's no Brexit deal](#) (HMRC)
- [Classifying your goods in the UK Trade Tariff if there's no Brexit deal](#) (HMT, HMRC, DIT)
- [Exporting controlled goods if there's no Brexit deal](#) (ECJU, DIT)
- [Labelling tobacco products and e-cigarettes if there's no Brexit deal](#) (DHSC)
- [VAT for businesses if there's no Brexit deal](#) (HMRC)

A full list of the notices in the collection is [available here](#).

UK updates Export Control Order 2008

[SI 2018/939 The Export Control \(Amendment\) \(No. 2\) Order 2018](#) amends the *Export Control Order 2008* ([SI 2008/3231](#)) (the “2008 Order”). The 2008 Order contains export, transfer, trade and technical assistance controls on military and dual-use and certain other goods and technology. The 2008 Order also contains licensing provisions and sets out the offences and penalties for breach of the controls (except for offences relating to exportation out of the United Kingdom without a licence which are dealt with in the *Customs and Excise Management Act 1979*).

This Order amends parts of Schedules 1, 2 and 3 to the 2008 Order to update and restructure the lists of firearms contained within those Schedules which require an export licence from the UK. The amendments are being made to implement Directive 2017/853 of 17 May 2017 of the European Parliament and of the Council (OJ L 137, 24.5.2017, p.22) (“the amending Directive”) amending Council [Directive 91/477/EEC](#) on control of the acquisition and possession of weapons (OJ L 256, 13.9.1991, p.51) (“the Directive”). The amending Directive extends the controls on firearms to include controls on devices capable of being converted to firearms and introduces a difference between the firearms controlled by the Directive and those controlled by Council Regulation (EU) No 258/2012 (OJ L 94, 30.3.2012, p.1) (“the 2012 Regulation”) which governs exports outside the European Union.

Article 2(3)(a) to (c) makes amendments to control entries ML1, ML2 and ML3 of the UK Military List to ensure that non-military firearms are distinguished from firearms falling under the UK Military List. Article 2(3)(d) and (e) make changes to entries ML7 and ML10 to address typographical errors. Article 2(4) extends the controls on non-military firearms to devices capable of being converted to firearms by insertion of a new national control list PL9011 to implement the changes introduced by the amending Directive. Article 2(4) also amends PL9010 to clarify the differences between the non-military firearms controlled by the Directive and the 2012 Regulation.

An Impact Assessment has not been prepared in respect of this Order as minimal or no impact on the private or voluntary sectors is foreseen. An Explanatory Memorandum and a transposition note are available from the Export Control Organisation, 3 Whitehall Place, London SW1A 2AW and, also, are published alongside the instrument on the www.legislation.gov.uk website. In addition, copies have been placed in the Libraries of both Houses of Parliament.

Parliamentary Committees publish joint report on arms export controls

On 18 July 2018, a new report by [Parliament’s Committees on Arms Export Controls](#) (CAEC) was issued commenting on a variety of issues – including the regulation of arms-dealers; the quality of information in the public domain; concerns regarding auditing and end-user monitoring; concerns about the role of brokers / agents / advisors; concerns about enforcement and the capacity to enforce; and tackling alleged corruption in the arms trade. These issues were looked at in the context of the Committees’ review of the Government’s most recent annual reports on strategic export controls.

- [Read the summary](#)
- [Read the conclusions and recommendations](#)
- [Read the full Report: UK arms exports during 2016](#)

Committees on Arms Export Controls (CAEC)

CAEC consists of four House of Commons Committees meeting together to scrutinise the Government’s controls on exporting, and dealing in, both weapons and items with a potential military use. These Committees are the Defence, Foreign Affairs, International Development and International Trade Committees.

In their report, the Committees:

- draw attention to the potentially significant impact of Brexit on UK arms export controls, and ask the Government to show that it is planning for the legal and other consequences of the UK ceasing to be part of EU arrangements in this area;
- recommend the Government consider tightening the regulation of arms-dealers;
- ask the Government to provide information about situations where licensing decisions are made by Ministers, rather than by officials;

- recommend that the Government consider introducing a presumption that certain licences will be denied for exports to countries that have not signed the Arms Trade Treaty or are on the Foreign and Commonwealth Office's list of Human Rights Priority Countries;
- are critical of the Government for presenting data in formats that are very difficult to use – and say that the Government has misrepresented data in relation to prosecutions over export-control offences;
- ask the Government to review the resources given to HM Revenue & Customs for the enforcement of export controls;
- express dissatisfaction at the Government's admission that it carries out no auditing of overseas operations by UK companies in connection with licences, recommending that the compliance-audit regime be extended accordingly; and
- recommend that the Government consider whether to start monitoring where arms exports finally end up.

In addition, the Committees heard evidence linking middle-men in the arms industry to alleged corruption and diversion of arms to destinations for which they've not been licensed. The Committees noted they couldn't judge the truth of these allegations, but took them very seriously, asking the Government to consider adjusting the criteria used to assess licence applications to incorporate a criterion specially relating to corruption.

Legislation (legislation.gov.uk)

Date	Measure
01-08-18	SI 2018/913 - The Materials and Articles in Contact with Food (Wales) (Amendment) Regulations 2018 / Rheoliadau Deunyddiau ac Eitemau mewn Cysylltiad â Bwyd (Cymru) (Diwygio) 2018
22-08-18	SI 2018/939 - The Export Control (Amendment) (No. 2) Order 2018

HMRC updates

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

Release Date	Ref. No. and Subject
Tariff, Anti-Dumping and Other Notices	
01-08-18	Notice 60: Intrastat general guide
	Notice 376: Anti-dumping and countervailing duties
	Notice 780: Common Agricultural Policy import procedures and special directions for goods
	Notice 800: Common Agricultural Policy export procedures
	Notice 812: European Union preferences - trade with Turkey
	Notice 826: tariff preferences - imports
03-08-18	Notice 827: European Union preferences - export procedures
	UK Trade Tariff: excise duties, reliefs, drawbacks and allowances
	Tariff Quota Notice 104 (2018): The opening of new quotas imposing provisional safeguard measures on imports of certain steel products
06-08-18	Notice 828: tariff preferences - rules of origin for various countries
	Notice 830: General System of Preference rules of origin
07-08-18	Apply to access Customs Handling of Import and Export Freight (C1800)
	Tariff Stop Press Notice 29 (2018): amendments to CDS Volume 3 of the UK Trade Tariff
	Tariff Stop Press Notice 30 (2018): amendments to CDS Volume 3 of the UK Trade Tariff
08-08-18	Tariff Stop Press Notice 31 (2018): amendments to CDS Volume 3 of the UK

Release Date	Ref. No. and Subject
	Trade Tariff
15-08-18	Tariff Quota Notice 104 (2018): the opening of new quotas imposing provisional safeguard measures on imports of certain steel products
20-08-18	Notice 760: Customs Freight Simplified Procedures (CFSP)
	Tariff Stop Press Notice 32 (2018): amendments to CDS Volume 3 of the UK Trade Tariff
22-08-18	Tariff Stop Press Notice 33 (2018): amendments to CDS Volume 3 of the UK Trade Tariff
	Notice 827: European Union preferences - export procedures
	Classifying your goods in the UK Trade Tariff if there's no Brexit deal
23-08-18	Trading with the EU if there's no Brexit deal
	Notice 827: European Union preferences - export procedures
	VAT for businesses if there's no Brexit deal
28-08-18	Money laundering supervision: civil measures
	Biodiesel originating in the USA (Anti-Dumping Duty 2289)
29-08-18	Investigation of silicon, originating in Bosnia and Herzegovina and in Brazil
	Investigation of urea ammonium nitrate solutions, originating in Russia, USA, Trinidad and Tobago (Anti-Dumping Duty 2290)
	Notice 199B: approved depositories under external temporary storage facility
30-08-18	Excise Notice 197: receipt into and removal from an excise warehouse of excise goods
	Excise Notice 196: excise goods - registration and approval of warehousekeepers, warehouse premises, owners of goods and registered consignors
	Excise Notice 203a: registered consignees

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 Subct
21-08-18	Notice to exporters 2018/20: cyber export control seminar 21 November 2018 London
23-08-18	Notice to exporters 2018/21: government publishes 'no deal' technical notice on export control regulation

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
ICELAND	
20-08-18	№ 784/2018 (17-08-18) Rules about the foreign exchange balance.
31-08-18	№ 803/2018 (31-08-18) Regulation for notifications to the Consumer Agency for the marketing of certain electronics and refills for nicotine containing products
LIECHTENSTEIN	
23-08-18	LGBI № 208.162 through LGBI № 2018.168 announcements of 21-08-18 of Various Decisions of the EEA Joint Committee (LR № 0.110.039.44 through LR № 0.110.039.50)

Date*	Measure
27-08-18	LGBI № 2018.174 Exchange of Letters between the Principality of Liechtenstein and the European Union concerning the adoption of Council Decision (EU) 2018/934 on the implementation of the other provisions of the Schengen acquis relating to the Schengen Information System in the Republic of Bulgaria and in Romania (further development of the Schengen acquis) (LR № 0.362.380.085)
LUXEMBOURG	
06-08-18	Mem A 651: Act of 1 August 2018 transposing Council Directive (EU) 2016/2258 of 6 December 2016 amending Directive 2011/16 / EU as regards the access of tax authorities to information relating to the fight against fraud money laundering and amending 1. the amended Law of 29 March 2013 on administrative cooperation in the field of taxation; 2. the law of 18 December 2015 relating to the Common Reporting Standard (CRS); and 3. the law of 23 December 2016 relating to the declaration country by country
10-08-18	Mem A 675: Law of 28 July 2018 establishing a system of control and sanctions relating to foodstuffs.
16-08-18	Mem A 683: Grand-Ducal Regulation of 18 July 2018 relating to the preparation, division, packaging or repackaging and internet sale of medicines. Mem A 689: Act of 1 August 2018 on the protection of individuals with regard to the processing of personal data in criminal matters and on national security and amending 1 ° of the amended law of 7 March 1980 on the judicial organization; 2 ° of the amended law of 29 May 1998 approving the Convention on the basis of Article K.3 of the Treaty on European Union establishing a European Police Office (Europol Convention), signed in Brussels, July 26, 1995; 3 ° of the law of 20 December 2002 approving - the Convention established on the basis of Article K.3 of the Treaty on European Union, on the use of informatics in the field of customs, signed in Brussels on July 26, 1995; - the Agreement on the provisional application between certain Member States of the European Union of the Convention established on the basis of Article K.3 of the Treaty on European Union, on the use of information technology in the customs area, signed in Brussels on 26 July 1995; 4 ° of the amended law of 15 June 2004 on the classification of coins and security clearances; 5 ° of the amended law of 16 June 2004 reorganizing the socio-educational center of the State; 6 ° of the amended law of 25 August 2006 on DNA identification procedures in criminal matters and amending the Code of Criminal Procedure; 7 ° of the law of 24 June 2008 on the control of travelers in accommodation establishments; 8 ° of the amended law of 29 March 2013 on the organization of the criminal record; 9 ° of the amended law of 19 December 2014 facilitating the cross-border exchange of information concerning road safety offenses; 10 ° of the amended law of 25 July 2015 establishing the automated control and sanction system; 11 ° of the law of 5 July 2016 reorganizing the State Intelligence Service; 12 ° of the law of 23 July 2016 establishing a specific status for certain personal data processed by the State Intelligence Service; 13 ° of the law of 22 February 2018 on the exchange of personal data and police information; 14 ° of the law of 18 July 2018 on the Grand Ducal Police; and 15 ° of the law of 18 July 2018 on the General Inspectorate of Police.
17-08-18	Mem A 695: Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, done at Brussels, 11 May 2012 - Entry into force and list of Related States.
21-08-18	Mem A 702: Law of 10 August 2018 on information to be obtained and retained by trustees and transposing Article 31 of Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of

Date*	Measure
	the financial system for the purpose of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council and repealing Directive 2005/60 / EC of the European Parliament and of the Council and Commission Directive 2006/70 / EC
24-08-18	Mem A 719: Grand-Ducal Regulation of 18 July 2018 amending: 1. the annex to the amended Grand-Ducal Regulation of 26 March 1974 establishing the list of narcotics; 2. the annex to the amended Grand-Ducal Regulation of 20 March 1974 concerning certain psychotropic substances.
NORWAY	
07-08-18	FOR-2018-08-06-1221 Ministry of Agriculture and Food Regulations concerning change in pesticide regulation
08-08-18	FOR-2018-08-07-1224 Ministry of Transport and Communications Regulations amending the regulation on EEA requirements for radio equipment
17-08-18	FOR-2018-08-15-1243 Ministry of Finance Regulations concerning change in regulation concerning change in regulation to the Customs and Freight Regulations Section 4-23-1
23-08-18	FOR-2018-08-20-1257 Ministry of Health and Care Regulations concerning changes to the regulation on medicinal products (pharmaceutical regulation)
	FOR-2018-08-21-1258 Ministry of Petroleum and Energy Regulations amending the regulation on environmentally friendly design of energy-related products (ecodesign regulations)
24-08-18	FOR-2018-08-21-1262 Ministry of Health and Care Services Regulations on the amendment to the regulation on medicinal products, the regulation on clinical trials of medicinal products for humans and regulations on the manufacture and import of medicinal products
	FOR-2018-08-23-1264 Ministry of Agriculture and Food Regulations amending the regulation on the quota system for milk
30-08-18	FOR-2018-08-27-1273 Ministry of Climate and Environment Regulations amending the Regulation on the Declaration and Labeling of Microbiological Products with a Useful Application That Adapts to the External Environment
	FOR-2018-08-27-1274 Ministry of Climate and Environmental Affairs, Ministry of Labor and Social Affairs Regulations for change in biocidal regulations
	FOR-2018-08-27-1275 Ministry of Labor and Social Affairs, Ministry of Justice and Emergency Affairs, Ministry of Climate and Environment Regulations for change in the declaration regulation
POLAND	
01-08-18	№ 1466 Announcement of the Speaker of the Sejm of the Republic of Poland of 29 June 2018 regarding the publication of a uniform text of the act on waste electrical and electronic equipment
08-08-18	№ 1520 Regulation of the Minister of Enterprise and Technology of 13 July 2018 amending the regulation on requirements for toys
16-08-18	№ 1569 Regulation of the Council of Ministers of July 26, 2018 amending the ordinance on the Tarnobrzeg special economic zone
20-08-18	№ 1591 Regulation of the Minister of Health of August 17, 2018 regarding the list of psychotropic substances, narcotic drugs and new psychoactive substances
22-08-18	№ 1606 Regulation of the Minister of Internal Affairs and Administration of August 8, 2018 amending the ordinance on conducting conformity assessment of products intended for state security purposes and the list of these products
22-08-18	№ 1611 Act of 20 July 2018 on the ratification of the Protocol of Accession 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 Ecuador, done in Brussels on November 11, 2016.
23-08-18	№ 1617 Regulation of the Minister of Enterprise and Technology of August 3, 2018 amending the ordinance on the essential requirements regarding the restriction of the use of certain hazardous substances in electrical and electronic equipment
	№ 1626 Regulation of the Minister of Health of August 16, 2018 amending the ordinance on the requirements regarding the labeling of medicinal product pack-

Date*	Measure
	aging and the content of the leaflet
SWITZERLAND	
03-08-18	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) FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107)
07-08-18	Decision № 1/2013 of the EU-Switzerland Joint Committee amending Annexes I and II of the Agreement between the Swiss Confederation and the European Community on the facilitation of controls and formalities in the transport of goods and on customs measures of security (RS 0.631.242.05)
14-08-18	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012) Ordinance of the FDF on the rates of contributions for the export of agricultural commodities (RS 632.111.723.1) Ordinance on the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Chemicals in International Trade (PIC Ordinance, OPICChim) (RS 814.82) Decision № 1/2018 of the Joint Veterinary Committee regarding the amendment of Appendix 6 of Annex 11 to the Agreement between the Swiss Confederation and the European Community on trade in agricultural products (RS 0.916.026.81) FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107)
21-08-18	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012)
24-08-18	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)
28-08-18	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01) Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
31-08-18	FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107)

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
LIECHTENSTEIN	
06-08-18	LGBI № 2018.156 Ordinance of 2 August 2018 amending the regulation on measures against Libya (LR № 946.221.4)
23-08-18	LGBI № 2018.169 Order of 21 August 2018 amending the Regulation on measures against Myanmar (LR № 946.222.3) LGBI № 2018.170 Order of 21 August 2018 amending the Regulation on measures to prevent the circumvention of international sanctions in relation to the situation in Ukraine (LR № 946.224.2) LGBI № 2018.171 Order of 21 August 2018 amending the Regulation on measures against the Democratic People's Republic of Korea (LR № 946.223.1)
30-08-18	LGBI № 2018.175 Order of 28 August 2018 amending the Regulation on measures against persons and entities linked to the ISIL (Da'esh) and Al-Qaida

Date*	Restrictive Measure
	groups (LR № 946.222.22)
LUXEMBOURG	
13-08-18	Mem A 679 Ministerial Regulation of 13 August 2018 amending Annex IC of the Grand-Ducal Regulation of 29 October 2010 implementing the Act of 27 October 2010 on the implementation of United Nations Security Council Resolutions and Acts adopted by the European Union containing prohibitions and financial restrictive measures against certain persons, entities and groups in the fight against the financing of terrorism.
24-08-18	Mem A 720: Ministerial Regulation of 24 August 2018 amending Annex IC of the Grand-Ducal Regulation of 29 October 2010 implementing the Act of 27 October 2010 on the Implementation of United Nations Security Council Resolutions and Acts adopted by the European Union containing prohibitions and financial restrictive measures against certain persons, entities and groups in the fight against the financing of terrorism.
SWITZERLAND	
02-08-18	Amendment to the Ordinance on Measures against the Republic of South Sudan (RS 946.231.169.9) [Entry into force: 03-08-18]
08-08-18	Amendment to the Ordinance of 7 August 1990 instituting economic measures towards the Republic of Iraq (RS 946.206) [Entry into force 07-08-18]
09-08-18	Amendment to the Ordinance of 18 May 2016 instituting measures against the Democratic People's Republic of Korea (RS 946.231.127.6) [Entry into force 08-08-18]
15-08-18	Amendment to the Ordinance of 27 August 2014 instituting measures to prevent the circumvention of international sanctions in relation to the situation in Ukraine (RS 946.231.176.72) [Entry in force 16-08-18]
	Amendment to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82) [Entry into force 16-08-18]
24-08-18	Amendment to the Ordinance of 2 October 2000 instituting measures against persons and entities related to Osama bin Laden, the "Al Qaeda" group or the Taliban (RS 946.203) [Entry into force 23-08-18]
29-08-18	Amendment to the Ordinance of 7 August 1990 instituting economic measures towards the Republic of Iraq (RS 946.206) [Entry in force 28-08-18]

NON EU-EFTA COUNTRIES

TURKEY

Added fiscal burdens on US products

Following the recent developments, the [Decision № 21 of the President of the Republic of Turkey](#) regarding added fiscal burdens (tariffs) on imports of certain products originating from the *Resmi Gazete* (Official Gazette) dated August 15, 2018 and No. 30510 ("Decision").

The Decision calls for added fiscal burdens (tariffs) on 22 separate categories of items originating from the US. The additional tariffs range from 4% (petroleum coke, not calcinated) to 140% (automobiles).

"Origin" is defined as the economic nationality of a product, and determination of a product's origin which is imported into Turkey would be subject to Turkish customs legislation. For instance, in case a product is designed in a country and the parts of this product are put together in another country or the product is packaged in another country, added value of each of these processes on the product is generally taken into consideration for the origin determination. In this regard, it would be useful for companies which will import products to Turkey to pay attention to the origin of the product when they are evaluating the Decision.

According to the Decision, an exemption is defined for the goods that already

have a bill of lading to be delivered to Turkey and have been loaded onto transportation vehicles before the publication date of the Decision. The applicable additional fiscal burdens before the Decision will be applied to these products if the customs declaration is not submitted within 45 days commencing from the publication date of the Decision.

The Decision came into force on August 15, 2018 and will be applicable for the relevant item categories that do not fall within the above exemption.

The additional fiscal burdens target the following item categories.

Tariff Position No.	Item Description	Additional Fiscal Burden (%)
08.02	Other nuts, (fresh or dried), (whether or not shelled or peeled)	20
10.06	Rice	50
2106.90	Others	20
22.08	Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% by volume; spirits, liqueurs and other spirituous beverages	140
24.01	Unmanufactured tobacco; tobacco refuse	60
27.01	Coal; briquettes, ovoids and similar solid fuels manufactured from coal	13.7
2704.00	Coke and semi-coke of coal, of lignite or of peat, whether or not agglomerated; retort carbon	10
2713.11	Not calcinated	4
33.04	Beauty or make-up preparations and preparations for skincare (other than medicaments), including sunscreen or suntan preparations; manicure or pedicure preparations	60
3904.10	Poly (vinyl chloride), not mixed with any other substances (Polymers of vinyl chloride or of other halogenated olefins, in primary forms)	50
3908.10	Polyamides in primary forms -6, -11, -12, -6,6, -6,9, -6,10 or -6,12	10
39.26	Other articles of plastics and articles of other materials underheadings 39.01 to 39.14	60
44.01	Fuel wood, in logs, in billets, in twigs, in faggots or in similar forms; wood in chips or particles; sawdust and wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms	10
48.02	Uncoated paper and paperboard, of a kind used for writing, printing or other graphic purposes, and non-perforated punch cards and punch-tape paper, in rolls or rectangular (including square) sheets, of any size, other than paper of heading 48.01 or 48.03; handmade paper and paperboard	20
48.04	Uncoated kraft paper and paperboard, in rolls or sheets, other than those under heading 48.02 or 48.03	20
48.11	Paper, paperboard, cellulose wadding and webs of cellulose fibers, coated, impregnated, covered, surface-colored, surface-decorated or printed, in rolls or rectangular (including square) sheets, of any size, other than the goods described in heading 48.03, 48.09 or 48.10	50
5502.10	Made from cellulose acetate (Artificial filament tow)	60
7308.90	Others	60
8413.70	Other centrifugal pumps	20
8479.89	Others	20
87.03	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars	120
9022.19	Used for other purposes	10

For additional information, please contact the authors, [Erdal Ekinci](#), [Birtürk Aydın](#) and [Can Sözer](#), Esin Attorney Partnership.

Legislation (laws, resolutions, orders, etc.)

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

Date	Subject
10-08-18	Decision on the Implementation of Safeguard Measures in Imports of Wall Paper and Similar Wall Coatings (Decision Number: 18)
	Supplementary Decision on Import Regime Decision (Decision Number: 19)
	Supplementary Decision on Import Regime Decision (Decision Number: 20)
15-08-18	Decision on the Amendment of the Decision on the Implementation of Additional Financial Obligations in the Importation of Certain Products Originated in the United States of America (Decision Number 21)
	Decision on the Amendment of the Decision on the Determination of Value Added Tax Rates to be Applied to Goods and Services (Decision Number: 22)
	Decision on the application of tariff quotas for the import of certain agricultural products (Decision Number: 23)
	Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/26)
	Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/27)
20-08-18	Regulation on the Amendment of the Regulation on the Arrangement of Veterinary Controls at the Entry of the Products into the Country
	Communiqué on the Amendment of the Communiqué on Determination of Health and Technical Conditions in Cattle Meat Importation (Communiqué No: 2017/43) (No: 2018/37)

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
22-08-18	On Amendments to the Rules of border crossing by citizens of Ukraine Cabinet of Ministers of Ukraine of 22.08.2018 № 619

MIDDLE EAST AND NORTH AFRICA

GULF COOPERATION COUNCIL (GCC)

Managing VAT in the GCC: Issues emerging from implementation

With value added tax introduced in Saudi Arabia and the United Arab Emirates on 1 January 2018, further to the Gulf Cooperation Council VAT Framework Agreement, and the first VAT returns filed on 28 February 2018, businesses are beginning to adapt to the realities of conducting operations in the GCC within the new VAT regime. Although the legislative framework is more advanced than other jurisdictions that have introduced VAT for the first time, teething problems are inevitable in this first phase of implementation. For highlights of the key issues businesses operating in the UAE and Saudi Arabia are grappling with, [read the full linked article](#). The potential introduction of VAT in the four remaining GCC member states of Bahrain, Qatar, Oman, and Kuwait is also discussed.

Authors: [Reggie Mezu](#), [Jan Snel](#), [Mirko Marinc](#), [Mark Agnew](#) and [Laya Aoun Hani](#).

MOROCCO

Morocco to accept US poultry and poultry products for first time

[See article under *United States* above.](#)

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
Council (Совет) of the Eurasian Economic Commission Решение	
31-07-18	№ 63 (14-06-18) On Amending Certain Decisions of the Commission of the Customs Union on Goods Imported to the Territory of the Republic of Belarus for the Preparation and Conduct of the Second European Games of 2019
	№ 64 (14-06-18) On Amendments to Section II of the Unified List of Products (Goods) Subject to State Sanitary and Epidemiological Supervision (Control) at the Customs Border and Customs Territory of the Eurasian Economic Union
21-08-18	№ 65 (13-07-18) On Amending the Single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union and the Unified Customs Tariff of the Eurasian Economic Union for certain types of transformers for microwave ovens, as well as some decisions of the Supreme Eurasian Economic Council and the Council of the Eurasian Economic Commission
	№ 66 (13-07-18) On the establishment of rates of import customs duties of the Single Customs Tariff of the Eurasian Economic Union in respect of certain types of goods in accordance with the obligations of the Russian Federation in the WTO
Council Regulations/Orders	
31-07-18	№ 18 (14-06-18) On the establishment of a system of good laboratory practice in the Eurasian Economic Union, in line with the principles of good laboratory practice of the Organization for Economic Cooperation and Development
Board (Коллегии) of the Eurasian Economic Commission Решения	
03-08-18	№ 124 (31-07-18) On Amending Certain Decisions of the Collegium of the Eurasian Economic Commission
	№ 125 (31-07-18) On Amending the Decision of the Board of the Eurasian Economic Commission of October 2, 2012 No. 180
	№ 126 (31-07-18) On Amending the List of Common Processes within the Eurasian Economic Union
	№ 127 (31-07-18) On technological documents regulating information interaction when implemented using the integrated information system of foreign and mutual trade of the general process "Ensuring the exchange of information on the amounts of credited and distributed special, anti-dumping, countervailing duties, as well as the formation, maintenance and use of a database containing such information"
24-08-18	№ 128 (21-08-18) On technological documents regulating information interaction in the process of realization by means of the integrated information system of the Eurasian Economic Union of the general process "Ensuring the exchange of information between the customs authorities of the member states of the Eurasian Economic Union in the process of monitoring and confirming the actual export of goods outside the customs territory of the Eurasian Economic Union"
	№ 129 (21-08-18) On the establishment of rates of import customs duties of the Single Customs Tariff of the Eurasian Economic Union with respect to certain types of equipment for fish production
	№ 130 (21-08-18) On the classification of a hydraulic perforator in accordance

Publication Date	Title
	with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union
	№ 131 (21-08-18) On the classification of a submersible hammer in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union
	№ 132 (21-08-18) On the Program for the development (amendment, revision) of interstate standards containing rules and methods for research (testing) and measurements, including sampling rules necessary for the application and implementation of the requirements of the technical regulations of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TP EAЭC 039/2016) and the implementation of the conformity assessment of technical regulation facilities
	№ 133 (21-08-18) On approval of the list of products in respect of which the submission of the customs declaration is accompanied by the submission of a document on the assessment of compliance with the requirements of the technical regulations of the Eurasian Economic Union "On Requirements for Mineral Fertilizers" (TR EAES 039/2016)
	№ 134 (21-08-18) About the directory of the types of changes made to the registration dossier of a medical device
	№ 135 (21-08-18) On the classifier of types of documents to be drawn up when examining the registration dossier of a medical device
	№ 136 (21-08-18) On approval of the Rules for the implementation of the general process "The use of databases of documents issued by the authorized bodies of the member states of the Eurasian Economic Union, while regulating foreign and mutual trade, including those provided for the performance of customs operations for the purpose of confirming compliance with prohibitions and restrictions"
	№ 137 (21-08-18) On the classification of specialized food products in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union
	№ 138 (21-08-18) On amending Note 8 to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union
	№ 139 (21-08-18) On the extension of the antidumping measure in relation to rolling bearings (except needle) originating in the People's Republic of China and imported into the customs territory of the Eurasian Economic Union
28-08-18	№ 140 (21-08-18) On the fulfillment by the Russian Federation of its obligations within the framework of the functioning of the internal market of the Eurasian Economic Union
30-08-18	№ 141 (28-08-18) On the establishment in 2019 of tariff quotas for certain types of agricultural goods imported into the customs territory of the Eurasian Economic Union, as well as the volume of tariff quotas for these goods imported into the territory of the states members of the Eurasian Economic Union
	№ 142 (28-08-18) On customs declaration of goods delivered by the carrier as express freight, using a declaration for goods
	№ 143 (28-08-18) On Amending Certain Decisions of the Commission of the Customs Union and the Board of the Eurasian Economic Commission
	№ 144 (28-08-18) On Amending the Decision of the Board of the Eurasian Economic Commission of February 7, 2018 No. 25
Board Распоряжение	
03-08-18	№ 124 (31-07-18) On the introduction of changes to the plan of scientific research work of the Eurasian Economic Commission for 2018 - 2019
	№ 125 (31-07-18) On Amending the Composition of the Consultative Committee for the Agro-Industrial Complex
Board Recommendations	
03-08-18	№ 13 (31-07-18) On the selection of samples (samples) for research (testing) and measurement of food products in the application and implementation of the requirements of technical regulations of the Eurasian Economic Union
30-08-18	№ 15 (28-08-18) On introducing amendments to the Regulations on the addi-

Publication Date	Title
	tion of licensing and other similar payments for the use of intellectual property objects to the price actually paid or payable for imported goods
	№ 16 28-08-18) On the proposals of the Eurasian Economic Commission on measures aimed at reducing the debt of the general government in the Kyrgyz Republic

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

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

BELARUS

State Customs Committee 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 August 2018. 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](#) through Dec. 2016. It may be searched by tariff code, description (in Russian) or note number. After 2016, see the EEC database, above.

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
03-08-18	Order No. 1073 of the Federal Customs Service of 09.07.2018 "On the Recognition of the Order of the Federal Customs Service of Russia of February 18, 2014 No. 271 On the Reduction of the List of Documents to be Presented at the Customs Declaration of Goods" (Recorded on August 2, 1981 No. 51765)
10-08-18	Order of the Government of the Russian Federation of 08.08.2018 No. 1652-r "On the signing of the Protocol on Cooperation and Interaction of Border Agencies to the Agreement on Cooperation in the Field of Security in the Caspian Sea of November 18, 2010"
16-08-18	Decree of the Government of the Russian Federation No. 935 of August 13, 1981 "On the introduction of a temporary quantitative restriction on the import

Date of Publication	Subject
	of ozone-depleting substances into the Russian Federation in 2018"
28-08-18	Order No. 1240 of the Federal Customs Service of 08.08.2018 "On the recognition of the Order of the State Customs Committee of Russia No. 564 of 13 May 2004 on the approval of the Regulation on the organization of inspections of information systems, information technologies and their means used by participants in foreign economic activity" (Registered 08/31/2018 № 52005)
29-08-18	Order of the Federal Customs Service No. 1239 of 06.08.2018 "On the Recognition of the Order of the State Customs Committee of Russia of December 5, 2003 No. 1400" On the Approval of the Instruction on the Specifics of Customs Transactions in Relation to Goods Traversed by Rail Transport "and the Amendments thereto (Registered 08/08/2018 № 52012)
31-08-18	Order of the Federal Customs Service of 6.8.2018 number 1233 "On the Annulment of the order of the State Customs Committee of Russia August 9, 2000 № 01-99 / 928" About the customs privileges granted to persons who move from Kyrgyzstan to Russia and from Russia to Kyrgyzstan " (It was registered on August 30, 1981 № 52031)

Africa

SOUTH AFRICA

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

Date	Publication Details	Subject	Implementation Date
03-08-18	GG.41812 R.792	Imposition of provisional payment in in the form of safeguard duty on imports of other screws, fully threaded with hexagon heads, made of steel – ITAC Report No. 589 <ul style="list-style-type: none"> Notice R.792 	03-08-18 up to and including 18-02-19
	GG.41812 R.793	Amendment in Part 2 of Schedule No. 4 by the insertion of rebate items 460.15/7216.32/01.06 and 460.15/7216.33/01.06 in order to create a rebate facility for the importation of certain structural steel in the form of H and I sections classifiable in tariff subheadings 7216.32 and 7216.33 – ITAC Report No. 577 <ul style="list-style-type: none"> Notice R.793 	03-08-18
	GG.41812 R.794	Amendment in Part 1 of Schedule No. 1 by the substitution of tariff subheading 3901.40 to reduce the rate of customs duty on ethylene-alpha-olefin copolymers having a specific gravity of less than 0.94 from 10% to free – ITAC Report No. 584 <ul style="list-style-type: none"> Notice R.794 	
	GG.41818 R.798	Amendment of Part 1 of Schedule No. 1, by the substitution of tariff subheadings 1701.12, 1701.13, 1701.14, 1701.91, and 1701.99 to increase the rate of customs duty on sugar from 233.81c/kg to 419.52c/kg due to the increase in the Dollar-Based Reference Price on sugar from US\$566/ton to US\$680/ton – ITAC Report No. 588 <ul style="list-style-type: none"> Notice R.798 	
10-08-18	GG.41828 R.811	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 to exclude rebate items 460.15/7208.25/01.06 and	up to and including 10-08-18

Date	Publication Details	Subject	Implementation Date
		460.15/7208.26/01.06 in order to exclude certain hot-rolled coils from being subject to safeguard duty – ITAC Report 580 <ul style="list-style-type: none"> Notice R.811 	
	GG.41828 R.812	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 to exclude rebate items 460.15/7208.25/01.06 and 460.15/7208.26/01.06 in order to exclude certain hot-rolled coils from being subject to safeguard duty – ITAC Report 580 <ul style="list-style-type: none"> Notice R.812 	11-08-18 up to and including 10-08-19
	GG.41828 R.813	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 to exclude rebate items 460.15/7208.25/01.06 and 460.15/7208.26/01.06 in order to exclude certain hot-rolled coils from being subject to safeguard duty – ITAC Report 580 <ul style="list-style-type: none"> Notice R.813 	11-09-19 up to and including 10-08-20
	GG.41828 R.814	Amendment in Part 2 of Schedule No. 4 by the insertion of rebate item 460.15/7208.25/01.06 and 460.15/7208.26/01.06 in order to create a rebate facility on certain hot-rolled coils classifiable in tariff subheading 72.08 – ITAC Report 580 <ul style="list-style-type: none"> Notice R.814 	10-08-18
	GG.41828 R.815	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, 260.03/7225.40/01.06 and 260.03/7225.99/01.06 to exclude rebate item range 460.15/7208.5/08.05 to 460.15/7208.5/12.05; 460.15/7225.40/10.06 to 460.15/7225.40/14.06 and rebate item 460.15/7225.99/02.06 in order to exclude certain hot-rolled steel plates from being subject to safeguard duty – ITAC Report 582 <ul style="list-style-type: none"> Notice R.815 	up to and including 10-08-18
	GG.41828 R.816	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, 260.03/7225.40/01.06 and 260.03/7225.99/01.06 to exclude rebate item range 460.15/7208.5/08.05 to 460.15/7208.5/12.05; 460.15/7225.40/10.06 to 460.15/7225.40/14.06 and rebate item 460.15/7225.99/02.06 in order to exclude certain hot-rolled steel plates from being subject to safeguard duty – ITAC Report 582 <ul style="list-style-type: none"> Notice R.816 	11-08-18 up to and including 10-08-19
	GG.41828 R.817	Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, 260.03/7225.40/01.06 and 260.03/7225.99/01.06 to exclude rebate item range 460.15/7208.5/08.05 to 460.15/7208.5/12.05; 460.15/7225.40/10.06 to 460.15/7225.40/14.06 and rebate item 460.15/7225.99/02.06 in order to exclude certain hot-rolled steel plates from being subject to safeguard duty – ITAC Report 582 <ul style="list-style-type: none"> Notice R.817 	11-08-19 up to and including 10-08-20
	GG.41828 R.818	Amendment in Part 2 of Schedule No. 4 by the insertion of various rebate items applicable to tariff heading 72.08, tariff subheadings 7225.40 and 7225.99 respectively in order to create a rebate facility on certain hot-rolled steel plates – ITAC Report 582	10-08-18

Date	Publication Details	Subject	Implementation Date
		<ul style="list-style-type: none"> Notice R.818 	
	GG.41828 R.819	<p>Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.36/01.06 to 460.15/7208.37/01.06; 460.15/7208.5/13.05 to 460.15/7208.5/17.05; and 460.15/7225.40/15.06 to 460.15/7225.40/18.06 in order to exclude certain hot-rolled steel plates and hot-rolled steel coils from being subject to safeguard duty – ITAC Report 583</p> <ul style="list-style-type: none"> Notice R.819 	up to and including 10-08-18
	GG.41828 R.820	<p>Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.36/01.06 to 460.15/7208.37/01.06; 460.15/7208.5/13.05 to 460.15/7208.5/17.05; and 460.15/7225.40/15.06 to 460.15/7225.40/18.06 in order to exclude certain hot-rolled steel plates and hot-rolled steel coils from being subject to safeguard duty – ITAC Report 583</p> <ul style="list-style-type: none"> Notice R.820 	11-08-18 up to and including 10-08-19
	GG.41828 R.821	<p>Amendment in Part 3 of Schedule No. 2, by the substitution of safeguard items 260.03/72.08/01.04, and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.36/01.06 to 460.15/7208.37/01.06; 460.15/7208.5/13.05 to 460.15/7208.5/17.05; and 460.15/7225.40/15.06 to 460.15/7225.40/18.06 in order to exclude certain hot-rolled steel plates and hot-rolled steel coils from being subject to safeguard duty – ITAC Report 583</p> <ul style="list-style-type: none"> Notice R.821 	11-08-19 up to and including 10-08-20
	GG.41828 R.822	<p>Amendment in Part 2 of Schedule No. 4 by the insertion of various rebate items applicable to tariff heading 72.08 and tariff subheading 7225.40 respectively in order to create a rebate facility on certain hot-rolled steel plates and hot-rolled steel coils – ITAC Report 583</p> <ul style="list-style-type: none"> Notice R.822 	10-08-18
24-08-18	GG.41863 R.896	<p>Amendment to 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 28,17c/kg and 42,26c/kg to 64,06c/kg and 96,09c/kg respectively, in terms of the existing variable tariff formula – Minute 08/2018</p> <ul style="list-style-type: none"> Notice R.896 	24-08-18
31-08-18	GG.41871 R.916	<p>Amendment to Part 2 of Schedule No. 4 by the insertion of rebate item 460.16/8523.52.10/01.08 in order to create a temporary rebate facility on digital smart cards (excluding proximity cards and tags) classifiable in tariff subheading 8523.52.10 – ITAC Report 581</p> <ul style="list-style-type: none"> Notice R.916 	31-08-18
	GG.41871 R.913	<p>Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 and 260.03/7225.40/01.06 to exclude rebate items 460.15/7208.51/01.06 and 460.15/7225.40/19.06 in order to exclude certain hot-rolled carbon steel plates from being subject to safeguard duty – ITAC Report</p>	31-08-18 up to and including 10-08-19

Date	Publication Details	Subject	Implementation Date
		585 <ul style="list-style-type: none"> Notice R.913 	
	GG.41871 R.914	Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 and 260.03/7225.40/01.06 to exclude rebate items 460.15/7208.51/01.06 and 460.15/7225.40/19.06 in order to exclude certain hot-rolled carbon steel plates from being subject to safeguard duty – ITAC Report 585 <ul style="list-style-type: none"> Notice R.914 	11-08-19 up to and including 10-08-20
	GG.41871 R.915	Amendment to Part 2 of Schedule No. 4 by the insertion of rebate item 460.15/7208.51/01.06 and 460.15/7225.40/19.06 in order to create a rebate facility on certain hot-rolled carbon steel plates classifiable in tariff subheading 720851 and 7225.40 – ITAC Report 585 <ul style="list-style-type: none"> Notice R.915 	31-08-18

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; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; 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; USCG= US Coast Guard; USPIS=Postal Inspection Service; USDA= US Department of Agriculture; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; HKCE= Hong Kong Customs & Excise; SFO = UK Serious Fraud Office.]

Date of Release	Subject
08-01-18	New York Man Sentenced to Prison for Trafficking in Endangered Lion and Tiger Parts (DOJ, FWS, NYS)
	Business Executive Arrested on Foreign Bribery Charges in Connection With Venezuela Bribery Scheme (DOJ, ICE)
08-07-18	In the Matter of Mohawk Global Logistics Corp. f/k/a Mohawk Customs and Shipping Corp. settlement of alleged EAR violations (BIS)
	5 charged in multimillion dollar counterfeiting scheme following ICE HSI investigation (DOJ, ICE, NYPD, CBP)
08-14-18	California Man Pleads Guilty to Conspiring to Violate U.S. Sanctions Against Syria (DOJ, BIS, FBI, IRS)

Date of Release	Subject
08-15-18	Los Angeles-area man pleads guilty in scheme to violate US sanctions against Syria (DOJ, ICE, FBI, BIS, IRS)
08-16-18	33 charged in half a billion dollar smuggling scheme of counterfeit luxury goods (DOJ, ICE, state and local police, local District Attorneys)
	22 Charged With Smuggling Millions of Dollars of Counterfeit Luxury Goods From China Into the United States (DOJ, ICE, CBP, NYPS, NYSPD, local District Attorneys)
08-22-18	Former Swiss Bank Executive Pleads Guilty to Role in Billion-Dollar International Money Laundering Scheme Involving Funds Embezzled from Venezuelan State-Owned Oil Company (DOJ, ICE, CBP, UK, Italian, Spanish, Maltese authorities)
	Canadian Sentenced to 3+ Years in Prison for Conspiracy to Export Restricted Goods and Technology to Iran (DOJ, ICE)
08-27-18	Citibank, NA, [\$60,000] to Settle Alleged Antiboycott Violations under 15 C.F.R. 760.2 (BIS)
08-30-18	Colorado woman sentenced to 3 years in federal prison for illegally exporting firearms to the Dominican Republic (DOJ, ICE, ATF)

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 - Client publications list

[Click here](#) to see list of Baker McKenzie publications and alerts.

Publications, Alerts, Newsletters

The following Baker & McKenzie publications, client alerts, legal alerts, newsletters or Insight articles 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 – August 2018 {older issues}
International Commercial and Trade Client Alert: President Trump Expected to Sign the Foreign Investment Risk Review Modernization Act, Most Important Reforms to CFIUS in Thirty Years
Vietnam Tax Client Alert: Draft of amended law on tax administration
Thailand: Bangkok Tax Client Alert: Thailand's Private Trust Act is Approved by the Cabinet
Increase in the Venezuelan Financial Transactions Tax rate from 0.75% to 1%
CFIUS Reform: How Private Equity Funds Are Affected
Doing Business in the Philippines
Baker McKenzie's Response to the Call for Evidence by the House of Lords Select Committee on the Bribery Act 2010
Perú Tributario Alerta Legal: Se Establecen Nuevas Normas que Buscan Perfeccionar el Tratamiento Tributario Preferencial Aplicable a los FIRBI y FIBRA (Span. Only)

Subject
Other areas
Kazakhstan Amends its IP Legislation
Ukraine Healthcare Newsletter August 2018
The Global Employer Monthly eAlert
Medical Devices are Subject to New Notification and Registration Requirements in the Philippines
UK Pensions Update - August 2018

Webinars, Meetings, Seminars, Etc.



2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



We are very pleased to announce our 15th annual **Global Trade and Supply Chain Webinar Series** entitled, “**2018: Continuing Challenges in Global Trade**”. The series will include the latest international trade developments including the impact of the Trump presidency on trade policy, TPP and of Brexit. In addition to our usual topics of Customs and export controls/sanctions, we will also cover Human Rights, Forced Labor, and Ethical Supply Chains.

This year, we will again expand our usual program to include our **Customs Academy**, which will feature 6 “**Customs 101**” webinars (**highlighted in green** below). The Customs 101 program will be 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, CA office and Head of the Firm's Global Customs Focus Group, and **Jenny Revis**, a partner in our London office, will moderate these webinars and be joined by experts from across our global network.

All webinars will 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 miss a webinar that has already been given, wish to see it again or want to download a presentation, you may do so at [this link](#) or by clicking the blue title below which indicates the material has been posted. Webinars are usually posted approximately two weeks after the live presentation.


January 30	Human Rights, Forced Labor, and Ethical Supply Chains: Best Practices for Managing Growing Legal Obligations and Risks Speakers: Reagan Demas (DC), John Foote (DC), Francesca Richmond (London), and Christopher Burkett (Toronto)
February 27	Customs Basic: How to Classify Your Products Speakers: Jose Hoyos-Robles (Mexico City), Olof Johannesson (Stockholm), Andrew Rose (London), and Riza Buditomo (Jakarta)

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

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

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

Webinar Series Lead:

March 27	Hot Topics in US, European, and Asian Export Controls	<p>Teresa A. Gleason Head, Global Customs Focus Group (San Francisco, CA) Tel: +1 415 576 3021 teresa.gleason@bakermckenzie.com</p> <p>These webinars are all complimentary.</p> <p>REGISTER NOW</p> <p>Questions: If you have any questions regarding this webinar series, please contact:</p> <p>Sal Gonzalez Business Development Specialist Tel: +1 202 835 1661 sal.gonzalez@bakermckenzie.com</p> <p>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.</p> <p>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.</p> <p></p> <p><i>Pending</i> - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.</p>
April 24	Customs Basic: How to determine the origin of your products	
May 22	Russian and EU Customs Update	
June 26	Customs Basic: How to value your products	
July 24	Update on US "Protectionism", Brexit and TPP	
August 28	Customs Basic: What you need to know about importing into China, Russia and the Middle East	
September 25	Customs Audits and Enforcement Actions: Best Practices and Trends	
October 30	Customs Basic: What you need to know about importing into Mexico, Brazil and Argentina	
November 27	Hot Topics in US, European, and Asian Trade Sanctions	
December 18	Customs Basic: How to mitigate duties through use of customs procedures	



November 14-15, 2018 | Santa Clara, CA & Webcast

Save the Date!

Each year, Baker McKenzie trade compliance lawyers from around the world come together to present a year-end review of import and export developments. The timing of this year's event is particularly important given the developing "trade wars" initiated by the US Government with China, the EU, Canada and Mexico.

Mark your calendars for this year's two-day conference, which will be held Wednesday, November 14 through Thursday, November 15 at the Hyatt Regency in Santa Clara, California.

If you are unable to attend the conference in person, we will again offer a live webcast option. Please just indicate if you will attend in person or via webcast on your registration form.

Due to anticipated high demand, you can [register now by clicking here and completing the registration form](#). You will receive a registration confirmation email approximately six weeks prior to the event.

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

We hope you will be able to join us!

[John McKenzie](#)
Host Partner

This conference is complimentary, but registration is required.

[Add to Outlook Calendar](#)

[REGISTER NOW](#)

Questions?

Logistics & Continuing Education Credit

Liz Rittinger

Tel: +1 415 984 3853

elizabeth.rittinger@bakermckenzie.com

Programming & Materials

Jen Weiner

Tel: +1 312 861 8320

jennifer.weiner@bakermckenzie.com

CLE and CES/CCS credit will be available



Visit

www.internationaltradeupdate.com for additional information about our practice and the latest global legal developments impacting international trade.

Visit

sanctionsnews.bakermckenzie.com/ for sanctions news and updates.

Related Conferences:

London - Annual Anti-Bribery and International Trade Conference
24-27 September 2018

Contact kate.bullard@bakermckenzie.com for more information or to request an invitation.

Amsterdam - International Trade & Compliance Conference - 19-20 September 2018

Contact pouya.foroutan@bakermckenzie.com for more information or to request an invitation.



RECORDED SESSIONS FROM OUR ANNUAL YEAR-END REVIEW OF IMPORT/EXPORT DEVELOPMENTS IN SANTA CLARA, CALIFORNIA

14 November 2017 – Year-End Review of Import/Export Developments (Export Day)

AM Sessions Recording –

- Export Control Developments in the United States and European Union
- Encryption Export Controls and Cloud Computing: A Comparative Analysis
- United States Economic Sanctions Update & Russian Response to US Sanctions

PM Sessions Recording –

- Economic Sanctions: A Comparative Analysis
- Export Enforcement (panel format did not include slides)
- Export Control Developments in the Asia Pacific Region
- Arab States Boycott of Qatar and the Implications Under the United States Anti-Boycott Regulations

15 November 2017 – Year-End Review of Import/Export Developments (Import Day)

AM Sessions Recording –

- The Current International Trade Environment: Challenges to Globalization and its Impact on the Supply Chain
- Trade Policies and Initiatives Under the Trump Administration
- The NAFTA Renegotiation: A Multinational Perspective
- United States and Canadian Customs Regulatory Update

PM Sessions Recording –

- European Union Customs and Trade Developments
 - Emerging Impediments to the Import of IT Products into China
 - Latin American Trade Developments
-

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?” included 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 covered 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 Products
Speakers: Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)	
May 23	Impact on Sanctions: Trump Administration’s Effects on US, EU, and Russian Sanctions
Speakers: Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)	
June 27	Customs Basic: Determining the Origin of Your Products
Speakers: Olivia Colville (Chicago), Jessica Mutton (London), and Adriana Ibarra-Fernandez (Mexico City)	
July 25	Major Developments in Data Privacy Laws – US, Canada and EU
Speakers: Brian Hengesbaugh (Chicago), Dean Dolan (Toronto), Dyann Heward-Mills (London), Michael Egan (Washington, DC)	
August 22	Customs Basic: Reducing your Duty Liability Through the Use of Customs Procedures
Speakers: Roger van de Berg (Amsterdam), Eunkyung Kim Shin (Chicago), Manuel Padron-Castillo (Juarez), and Panya Sittisakonsin (Bangkok)	
September 19	Intellectual Property Considerations and Issues in Your Supply Chain

Speakers: Gary Shapiro (San Francisco), Lothar Determann (Palo Alto), Jochen Herr (Munich), Isabel-la 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)












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 stu-art.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/111/Add.1	08/07/2018	Not given	Footwear
 Argentina	ARG/338	08/07/2018	10/6/2018	Other footwear with outer soles and uppers of rubber or plastics (HS 6402), Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of leather (HS 6403), Footwear with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials (HS 6404), Other footwear (HS 6405) - Other footwear: (HS 64019)
 Argentina	ARG/339	08/08/2018	10/07/2018	Construction cements; Portland cement (HS 25232)
 Argentina	ARG/340	08/09/2018	10/08/2018	Steel wire ropes; Steel wire, wire ropes and link chains
 Argentina	ARG/341	08/16/2018	10/15/2018	Lamps for general lighting services; Electric filament or discharge lamps, including sealed beam lamp units and ultra-violet or infra-red lamps; Arc-lamps (HS 8539)
 Argentina	ARG/305/Add.1	08/17/2018	Not given	Lifts and lift components
 Argentina	ARG/342	08/28/2018	Not given	Furniture in general; Other furniture and parts thereof (HS 9403)
 Bahrain, Kingdom of	BHR/544	07/31/2018	09/29/2018	Paneer Cheese
 Bahrain, Kingdom of	BHR/545	07/31/2018	09/29/2018	Ricotta Cheeses







Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/732/Add.1	08/02/2018	Not given	Medicines
 Brazil	BRA/733/Add.1	08/02/2018	Not given	Medicines
 Brazil	BRA/734/Add.1	08/02/2018	Not given	Medicines
 Brazil	BRA/762/Add.1	08/02/2018	Not given	Air conditioning machines (HS 8415)
 Brazil	BRA/763/Add.1	08/02/2018	Not given	Electric transformers (HS 8504)
 Brazil	BRA/777/Add.1	08/02/2018	Not given	Specific medicines
 Brazil	BRA/779/Add.1	08/02/2018	Not given	Food and packaging
 Brazil	BRA/781/Add.1	08/02/2018	Not given	Food supplements and labelling
 Brazil	BRA/825/Add.1	08/06/2018	Not given	Residues and contaminants in products of animal origin (HS Code(s) 02; 03)
 Brazil	BRA/834	08/01/2018	Not given	Tomato (HS 0702.00.00)
 Brazil	BRA/835	08/01/2018	09/15/2018	Thermometers (HS 9025)
 Brazil	BRA/762/Add.2	08/17/2018	Not given	Air conditioning machines (HS 8415)
 Brazil	BRA/836	08/16/2018	Not given	Mineral fertilizers (HS 31)
 Brazil	BRA/826/Add.1	08/28/2018	Not given	Organic production (HS Code 01;02;03;04;05;06;07;08;09;10;11;12;13;15;16;17;18;19;20;21;22;23)
 Canada	CAN/561	07/27/2018	09/25/2018	All plant, animal and food commodities
 Canada	CAN/562	08/09/2018	Not given	Phytocannabinoids, Prescription status of medicinal ingredients for human use
 Canada	CAN/563	08/09/2018	10/03/2018	Radiocommunications
 Canada	CAN/564	08/13/2018	10/12/2018	Radiocommunications
 Canada	CAN/565	08/14/2018	10/3/2018	Radiocommunications
 Canada	CAN/566	08/14/2018	09/29/2018	Radiocommunications
 Chile	CHL/407/Add.2	07/26/2018	Not given	Food for human consumption.
 Chile	CHL/449	07/26/2018	09/24/2018	Non-refillable metal cartridges for liquefied petroleum gas (LPG), with or without valves, intended for use in portable appliances
 Chile	CHL/450	08/07/2018	10/06/2018	Electrical appliances for skin and hair care
 Chile	CHL/451	08/07/2018	10/06/2018	Portable air coolers
 Chile	CHL/452	08/09/2018	10/08/2018	Gas-fired central heating boilers
 Chile	CHL/453	08/09/2018	10/08/2018	Gas-fired central heating boilers
 Chile	CHL/454	08/13/2018	10/12/2018	High-pressure cleaners
 Chile	CHL/455	08/14/2018	10/13/2018	Condoms - Natural rubber latex male condoms, male synthetic condoms, female condoms
 Chile	CHL/456	08/15/2018	10/14/2018	Adapters for plugs
 Chile	CHL/457	08/21/2018	10/20/2018	Carbon steel bar grating, grating for flooring and steps

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 China	CHN/1279	07/30/2018	09/28/2018	General Hand-held metal detectors
 China	CHN/1280	07/30/2018	09/28/2018	Walk-through metal detector that used for metal weapon and metal contraband checking, Walk-through metal detector for other uses can refer to this standard on implementation
 China	CHN/1281	07/30/2018	09/28/2018	Micro-dose X-ray security inspection system
 China	CHN/1282	07/30/2018	09/28/2018	Micro-dose X-ray security inspection system
 China	CHN/1283	07/30/2018	09/28/2018	Micro-dose X-ray security inspection system
 China	CHN/1284	07/30/2018	09/28/2018	Micro-dose X-ray security inspection system
 China	CHN/1285	07/30/2018	09/28/2018	Micro-dose X-ray security inspection system
 Colombia	COL/196/Add.8	08/02/2018	Not given	Biological medicines
 Colombia	COL/86/Add.7	08/06/2018	Not given	Labelling requirements for made-up articles
 Colombia	COL/229/Add.1	08/14/2018	Not given	Chemicals (28.00.00)
 Costa Rica	CRI/112/Add.1	08/13/2018	Not given	Food additives
 Costa Rica	CRI/118/Add.2	08/10/2018	Not given	Biological medicines
 Costa Rica	CRI/179	08/10/2018	10/09/2018	Milk powder and cream powder
 Czech Republic	CZE/206	08/01/2018	09/30/2018	Instruments and systems measuring the flow volume of liquids other than water and of liquefied gas - dispensers for windscreen washer fluid
 Czech Republic	CZE/207	08/01/2018	09/30/2018	Instruments and systems measuring the flow volume of liquids other than water or liquefied gases - dispensers of aqueous urea solution - AdBlue
 Czech Republic	CZE/208	08/01/2018	09/30/2018	Measuring devices for determining the load per axle or wheel of rolling stock
 Czech Republic	CZE/209	08/01/2018	09/30/2018	Measuring devices for determining the load per axle of road vehicles
 Czech Republic	CZE/210	08/01/2018	09/30/2018	Fixed storage tanks used as instruments for measuring volume
 Czech Republic	CZE/211	08/01/2018	09/30/2018	Flow-through type vibrational relative gas density transducers
 Czech Republic	CZE/212	08/01/2018	09/27/2018	Instruments and systems measuring the flow volume of liquids other than water and of liquefied gas - dynamic measuring systems for liquids other than water, which are fitted to vehicles and tank-vehicles
 Czech Republic	CZE/213	08/06/2018	10/05/2018	Hygrometers for cereals and oilseeds; Measuring instruments
 Czech Republic	CZE/214	08/06/2018	10/05/2018	Pure-tone audiometers; Measuring instruments
 Czech Republic	CZE/215	08/06/2018	10/05/2018	Tendon assemblies for prestressed concrete and rock anchors; Measuring instruments
 Czech Republic	CZE/216	08/06/2018	10/05/2018	Measuring instruments and systems for measuring the flow of liquids other than water - stationary measuring systems except for dispensers; Measurement of fluid flow
 Czech Republic	CZE/217	08/06/2018	10/05/2018	Grain testers; Measuring instruments

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Czech Republic	CZE/218	08/06/2018	10/05/2018	Instruments for measuring water flow - water meters that are intended for uses other than residential, retail, and light industry; Measurement of fluid flow
 Czech Republic	CZE/219	08/06/2018	10/05/2018	Liquid transport tanks; Measuring instruments
 Czech Republic	CZE/220	08/06/2018	10/05/2018	Personal sound exposure meters; Acoustics and acoustic measurements
 Czech Republic	CZE/221	08/06/2018	10/05/2018	Measuring instruments used to monitor activity limits and concentration of effluents from nuclear facilities, nuclear raw material mining or processing facilities, radioactive waste processing plants and from the processing or application of radioactive materials, and also used to determine environmental radiation exposure due to effluents - modules for discontinuous measurement of activity or concentration by sampling that require specific test procedures; Radiation measurements
 Czech Republic	CZE/222	08/06/2018	10/05/2018	Spectrometric assemblies for analysing alpha, beta, gamma, and neutron sources or fields - alpha and gamma radiation spectrometers; Radiation measurements
 Czech Republic	CZE/223	08/06/2018	10/05/2018	Non-spectrometric activity meters and dosimeters used to monitor compliance with limits in the area of radiation protection or nuclear safety and for emergency measurement - electronic personal dosimeters for measuring gamma radiation and X-rays; Radiation measurements
 Czech Republic	CZE/224	08/06/2018	10/05/2018	Non-spectrometric activity meters and dosimeters used to monitor compliance with limits in the area of radiation protection or nuclear safety and for emergency measurement - portable surface contamination meters; Radiation measurements
 Czech Republic	CZE/225	08/06/2018	10/05/2018	Installed meters, warning assemblies, and dosimetric quantity monitors for gamma radiation and X-rays with energies from 50 keV to 1.5 MeV; Radiation measurements
 Czech Republic	CZE/226	08/06/2018	10/05/2018	Non-spectrometric activity meters and dosimeters used to monitor compliance with limits in the area of radiation protection or nuclear safety and for emergency measurement - portable dosimetric gamma radiation and X-ray meters used for purposes of radiation protection; Radiation measurements
 Ecuador	ECU/206/Add.4	08/01/2018	Not given	Oil filters, diesel and petrol filters, and intake air filters for internal combustion engines (HS 8421.23.00.10, 8421.23.00.90 and 8421.31.00.00)
 Ecuador	ECU/270/Add.3	08/01/2018	Not given	Plywood panels (HS 4412.10.00, 4412.31.00, 4412.32.00, and 4412.39.00)
 Ecuador	ECU/12/Rev.1/Add.1	08/15/2018	Not given	Ceramic products
 Ecuador	ECU/32/Add.17	08/15/2018	Not given	Motor vehicles (HS 9900)
 Ecuador	ECU/49/Add.9	08/15/2018	Not given	Buses (HS 8702.10, 8702.90, 8706.00, 8707.90)
 Ecuador	ECU/87/Rev.1	08/15/2018	Not given	Ductless air conditioners (HS 8415.10)
 Ecuador	ECU/108/Add.4	08/15/2018	Not given	Toys (HS 9503.00.10.00, 9503.00.22.00, 9503.00.22.10, 9503.00.22.90, 9503.00.28.00,

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				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/31/Rev.1	08/16/2018	Not given	Ceramic tiles (HS 6907, 6908)
 Ecuador	ECU/186/Add.4	08/16/2018	Not given	Fans with a self-contained electric motor of an output not exceeding 125W (HS 8414.51.00)
 Ecuador	ECU/81/Rev.1/Add.1	08/20/2018	Not given	Dummies/pacifiers for babies and young children
 Ecuador	ECU/81/Rev.1/Add.2	08/20/2018	Not given	Dummies/pacifiers for babies and young children
 Ecuador	ECU/240/Add.2	08/17/2018	Not given	Motor-driven kitchen appliances (HS 8509.40.10, 8509.40.90 and 8509.80.90)
 Ecuador	ECU/293/Add.2	08/17/2018	Not given	Protective footwear and safety footwear 64011000, 64019200, 64019900, 64021900, 64029100, 64029910, 64029990, 64034000, 64035100, 64035900, 64039190, 64039990, 64041900, 64051000, 64052000 and 64059000
 Ecuador	ECU/8/Add.7	08/31/2018	Not given	Lubricating oils (HS 2710)
 El Salvador	SLV/147/Add.1	08/15/2018	Not given	Food additives
 El Salvador	SLV/154/Add.1	08/15/2018	Not given	Pharmaceutical products
 El Salvador	SLV/201	08/15/2018	10/14/2018	Milk powder and cream powder
 European Union	EU/591	08/01/2018	09/30/2018	New motor vehicles and systems, components and separate technical units intended for such vehicles
 European Union	EU/592	08/14/2018	10/13/2018	Heavy-duty vehicles (commercial vehicles); transport CO2 emissions
 European Union	EU/593	08/20/2018	10/19/2018	Wine products
 European Union	EU/594	08/27/2018	10/26/2018	Power transformers
 France	FRA/188	8/23/2018	10/22/2018	Organic amendments
 Guatemala	GTM/67/Add.1	08/15/2018	Not given	Food additives (ICS 67.050)
 Guatemala	GTM/72/Add.1	08/15/2018	Not given	Pharmaceutical products
 Guatemala	GTM/96	08/15/2018	10/14/2018	Milk powder and cream powder
 Honduras	HND/69/Add.1	08/15/2018	Not given	Pharmaceutical products
 Honduras	HND/92	08/15/2018	10/14/2018	Milk powder and cream powder
 Honduras	HND/64/Add.1	08/16/2018	Not given	Food additives (ICS 67.050)
 India	IND/83	08/16/2018	10/15/2018	Indoor/ Outdoor Type Oil Immersed Distribution Transformers up to and including 33kV (HS 85042100, 85042200, 85043200, 85043300, 85043400, Indian Standards: IS 1180:2014 Part-I)
 India	IND/84	08/20/2018	10/19/2018	Cotton Bales ITC (HS 5201)
 Indonesia	IDN/117/Add.1	08/17/2018	Not given	SNI 04-6253-2003 Audio, video and similar electronic apparatus - Safety requirements, consisted in Television sets up to 42 inch screen size including the cathode ray tube (CRT)-based TVs (HS 8528.72.91; ex. 8528.72.92; ex.8528.72.99); Portable audio-video player (HS ex. 8519.81.99); Disc





Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				Player VCD (HS 8519.81.30; ex. 8521.90.19; ex.8521.90.99); Disc Player DVD (HS 8519.81.30; ex. 8521.90.19; ex.8521.90.99); Disc Player Blu-ray (HS 8519.81.30; ex. 8521.90.19; ex.8521.90.99); Radio receiver (HS 8527.91.10; ex 8527.91.90; ex 8527.92.20; 8527.99.20; ex 8527.99.90); Head unit mobil (HS ex 8527.21.00; ex 8527.29.00); Audio power amplifier (HS 8518.40.40; 8518.50.10; 8518.50.20; 8518.50.90); Active speaker (HS ex 8518.21.10; ex 8518.21.90; ex 8518.22.10; ex 8518.22.90; ex 8518.29.90); Console video game (HS 9504.50.10; 9504.50.90); Television set top box (HS ex 8528.71.11) Articles for funfair, table or parlour games, including pintables, billiards, special tables for casino games and automatic bowling alley equipment. (HS 9504), - Loudspeakers, whether or not mounted in their enclosures: (HS 85182), - Radio- Broadcast receivers not capable of operating without an external source of power, of a kind used in motor vehicles, including apparatus capable of receiving also radio-telephony or radio-telegraphy: (HS 85272), - Audio-frequency electric amplifiers (HS 851840), - Electric sound amplifier sets (HS 851850), - Other (HS 852190).
 Israel	ISR/719/Add.1	07/31/2018	Not given	Equipment for children, Soother holder, Other articles of plastics and articles of other materials of headings 39.01 to 39.14. (HS 3926), Other made up articles, including dress patterns (HS 6307)
 Israel	ISR/862/Add.2	07/31/2018	Not given	Drinking water treatment systems (HS 841981, 841989, 842121)
 Israel	ISR/904/Add.1	07/31/2018	Not given	Pasta (HS 1902)
 Israel	ISR/911/Add.1	07/31/2018	Not given	Cutlery and feeding utensils for children (HS 392410, 4419, 8215)
 Israel	ISR/931/Add.1	07/31/2018	Not given	Toys (HS 3213, 3305, 3407, 3604.90, 3926, Chapters 61 and 62, and 9501-9503)
 Israel	ISR/933/Add.1	07/31/2018	Not given	Instant coffee (HS 0901)
 Israel	ISR/949/Add.1	07/31/2018	Not given	Food starch (HS 1108, 1901)
 Israel	ISR/963/Add.1	07/31/2018	Not given	Toys (HS 95)
 Israel	ISR/964/Add.1	07/31/2018	Not given	Toys - Finger paints (HS 95, 3213)
 Israel	ISR/965/Add.1	07/31/2018	Not given	Hinged laminated doors (HS 441820)
 Israel	ISR/968/Add.1	07/31/2018	Not given	Aerials (HS 852910)
 Israel	ISR/972/Add.1	07/31/2018	Not given	Swinging fire doors (HS 441820, 730830)
 Israel	ISR/974/Add.1	07/31/2018	Not given	Bread (HS 1905)
 Israel	ISR/977/Add.1	07/31/2018	Not given	Roasted Coffee
 Israel	ISR/981/Add.1	07/31/2018	Not given	Lighting chains (HS 8512, 8513, 8539, 9405)
 Israel	ISR/997/Add.1	07/31/2018	Not given	Shelf-stable bakery products (HS 1905)
























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Israel	ISR/999/Add.1	07/31/2018	Not given	Metal wedge gate valve (HS 8481)
 Israel	ISR/1014	07/31/2018	09/29/2018	Hermetically sealed and rigid metal packing for food products (HS 7310, 7612)
 Israel	ISR/1015	07/31/2018	09/29/2018	Clay roofing tiles (HS 690510)
 Israel	ISR/1016	07/31/2018	09/29/2018	Concrete roofing tiles (HS 681099)
 Israel	ISR/1017	08/07/2018	10/06/2018	Medical syringes (HS 901831, 901832)
 Israel	ISR/1018	08/07/2018	10/06/2018	Non-alcoholic drinks (HS 2009, 2202)
 Israel	ISR/1019	08/08/2018	10/07/2018	Medical syringes (HS 90183)
 Israel	ISR/1020	08/14/2018	10/13/2018	Disposable infants' diapers (HS 9619)
 Israel	ISR/1021	08/27/2018	10/26/2018	Vacuum cleaner and water-suction cleaning appliances (HS 850910)
 Israel	ISR/1022	08/27/2018	10/26/2018	Protective gloves (HS 392620, 401511, 420329)
 Israel	ISR/1023	08/27/2018	10/26/2018	Chemicals used for treatment of water intended for human consumption (HS 283650)
 Israel	ISR/1024	08/27/2018	10/26/2018	Audio/video, information and communication technology equipment (HS 842230, 8437, 8443, 847010, 8471, 8472, 8476, 850440, 850680, 8517, 8518, 8519, 8521, 8525, 8526, 8527, 8528, 8531, 8536, 8543, 9008, 9016, 910610, 9207, 9503, 9504, 9505, 9506)
 Israel	ISR/726/Rev.1	08/28/2018	Not given	Dangerous substances and mixtures (HS 2707, 2710, 3402, 3405, 3824)
 Israel	ISR/1025	08/28/2018	10/27/2018	Dangerous chemical substances and mixtures (HS 2707, 2710, 3402, 3405, 3824)
 Jamaica	JAM/72	08/02/2018	09/22/2018	Structural Steel Shapes
 Jamaica	JAM/73	08/02/2018	09/22/2018	Structural Steel for Bridges
 Jamaica	JAM/74	08/02/2018	09/22/2018	High-Strength Low-Alloy Structural Steel
 Jamaica	JAM/75	08/02/2018	09/22/2018	High-Strength Low-Alloy Columbium-Vanadium Structural Steel
 Jamaica	JAM/76	08/02/2018	09/22/2018	High-Strength Low-Alloy Structural Steel
 Jamaica	JAM/77	08/02/2018	09/22/2018	Carbon Structural Steel
 Jamaica	JAM/78	08/02/2018	09/22/2018	Rolled Structural Steel Bars, Plates, Shapes, and Sheet Piling
 Jamaica	JAM/79	08/02/2018	09/22/2018	Structural Steel
 Japan	JPN/604	07/27/2018	Not given	Pharmaceutical products (HS 30)
 Japan	JPN/605	08/01/2018	09/30/2018	Agricultural Chemicals (Pesticides) (HS 3808)
 Japan	JPN/606	08/27/2018	Not given	Substances with probable effects on the central nervous system
 Japan	JPN/448/Add.3	08/30/2018	Not given	Food, beverages and other agricultural, forestry and fishery products (including processed products) other than alcoholic beverages and pharmaceuticals.
 Kenya	KEN/717	07/31/2018	09/09/2018	Food animals welfare






















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Kenya	KEN/718	07/31/2018	09/09/2018	Marinated meat
 Kenya	KEN/719	07/31/2018	09/09/2018	Deep fried meat
 Kenya	KEN/720	07/31/2018	09/09/2018	Hay as animal feed
 Kenya	KEN/721	07/31/2018	09/09/2018	Hay as animal feed
 Korea, Republic of	KOR/783	08/02/2018	10/01/2018	Electrical appliances, Consumer products
 Korea, Republic of	KOR/784	08/09/2018	10/08/2018	Appliances
 Korea, Republic of	KOR/785	08/14/2018	08/31/2018	Foods, specifically Potato and Foods containing potato as ingredients
 Korea, Republic of	KOR/786	08/14/2018	10/13/2018	Quasi-drugs
 Korea, Republic of	KOR/785/Add.1	08/31/2018	Not given	Foods, specifically Potato and Foods containing potato as ingredients
 Kuwait	KWT/431	07/31/2018	Not given	Paneer Cheese
 Kuwait	KWT/432	07/31/2018	Not given	Ricotta Cheeses
 Mexico	MEX/317/Add.2	07/31/2018	Not given	Solar water heaters (tariff subheading 8419.19.02)
 Mexico	MEX/362/Add.1	07/31/2018	Not given	Motor vehicles
 Mexico	MEX/364/Add.1	07/31/2018	Not given	Mobile terminal equipment (87.17.69.10)
 Mexico	MEX/341/Add.1	07/31/2018	Not given	Portable cooking appliances (tariff heading 84.38)
 Mexico	MEX/379/Add.2	08/01/2018	Not given	Onshore storage facilities for petroleum products and petroleum
 Mexico	MEX/363/Add.2	08/02/2018	Not given	Equipment to block mobile phone signals, radio-communications and the transmission of data (85432005)
 Mexico	MEX/428	08/02/2018	09/30/2018	Non-automatic weighing instruments - National tariff heading: 8423
 Mexico	MEX/336/Add.1	08/06/2018	Not given	Valves used in transportable liquefied petroleum gas (LPG) containers (tariff heading 84.81)
 Mexico	MEX/427	08/02/2018	09/22/2018	Units of measurement
 Mexico	MEX/429	08/09/2018	10/04/2018	Electrical installations
 Mexico	MEX/430	08/14/2018	10/07/2018	Demountable liquefied petroleum gas (LPG) containers (HS 731100)
 Mexico	MEX/366/Add.1	08/17/2018	Not given	Other seats (94.01.80.01)
 Mexico	MEX/431	08/17/2018	10/13/2018	Pressurized non-demountable liquefied petroleum gas (LPG) containers installed outdoors, and LPG containers installed on tanker-trucks and semi-trailers (HS 731100)
 Mexico	MEX/229/Add.4	08/27/2018	Not given	Software and electronic systems
 Mexico	MEX/336/Add.2	08/27/2018	Not given	Valves used in transportable liquefied petroleum gas (LPG) containers (tariff heading 84.81)
 Mexico	MEX/341/Add.2	08/27/2018	Not given	Portable cooking appliances (tariff heading 84.38)
 Mexico	MEX/364/Add.2	08/27/2018	Not given	Mobile terminal equipment (87.17.69.10)
 Mexico	MEX/432	08/27/2018	10/21/2018	Alcoholic beverages
 New Zealand	NZL/83	08/16/2018	10/22/2018	Single use plastic shopping bags (HS 392321)


























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Nicaragua	NIC/112/Add.1	08/15/2018	Not given	Food additives
 Nicaragua	NIC/116/Add.1	08/15/2018	Not given	Pharmaceutical products
 Nicaragua	NIC/158	08/15/2018	10/14/2018	Milk powder and cream powder
 Nigeria	NGA/5	08/30/2018	10/02/2018	Tea
 Oman	OMN/377	07/31/2018	09/29/2018	Paneer Cheese
 Oman	OMN/378	07/31/2018	09/29/2018	Ricotta Cheeses
 Oman	OMN/379	08/01/2018	09/30/2018	Bread made from wheat flour or mixed with other types of grain flour
 Panama	PAN/98	08/15/2018	10/14/2018	Food additives
 Panama	PAN/99	08/15/2018	10/14/2018	Milk powder and cream powder
 Panama	PAN/100	08/15/2018	10/14/2018	Medicines for human use
 Paraguay	PRY/104/Add.1	08/27/2018	Not given	Incandescent and Fluorescent Lamps
 Peru	PER/68/Add.1	08/02/2018	Not given	06.02.90.90 Other live plants (including their roots), cuttings and slips; mushroom spawn; 0602.10.90.00 Unrooted cuttings and slips; 0602.20.00.00 Trees, shrubs and bushes, grafted or not, of kinds which bear edible fruit or nuts; 1209.99.10.00 Seeds of fruit trees or forest trees
 Peru	PER/92/Add.1	07/31/2018	Not given	Pharmaceutical products classified under Chapter 30 of the Harmonized System or Customs Tariff
 Peru	PER/105	08/01/2018	10/28/2018	Pharmaceutical products: Biological products (HS Chapter 30; 3002.20, 3002.20.10.00, 3002.20.20.00, 3002.20.30.00, 3002.20.90.00)
 Peru	PER/106	08/28/2018	10/23/2018	Polychlorinated biphenyls (HS 2710.19.33.00; 2710.91.00.00; 3824.82.00.00; 8504.21.19.00; 8504.21.90.00; 8504.22.10.00; 8504.22.90.00; 8504.23.00.00; 8532.10.00.00; 3824.81.00.00; 3824.82.00.00; 3824.83.00.00; 3822.00.30.00)
 Qatar	QAT/543	07/31/2018	09/29/2018	Paneer Cheese
 Qatar	QAT/544	07/31/2018	09/29/2018	Ricotta Cheeses
 Rwanda	RWA/170	07/24/2018	09/22/2018	Green tea
 Rwanda	RWA/171	07/24/2018	09/22/2018	Flavoured black tea
 Rwanda	RWA/172	07/24/2018	09/22/2018	Tea, instant
 Rwanda	RWA/173	07/24/2018	09/22/2018	Fuel additives
 Rwanda	RWA/174	07/24/2018	09/22/2018	Pyrethrin and Permethrin based insecticides
 Rwanda	RWA/175	07/24/2018	09/22/2018	Antiseptics
 Rwanda	RWA/176	07/24/2018	09/22/2018	Disinfecting liquid synthetic detergents
 Rwanda	RWA/177	07/24/2018	09/22/2018	Popcorn
 Rwanda	RWA/178	07/24/2018	09/22/2018	Tea, herbal infusions
 Rwanda	RWA/179	07/24/2018	09/22/2018	Ikigage

































Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Rwanda	RWA/180	07/24/2018	09/22/2018	Chemicals for purification of water
 Rwanda	RWA/181	07/24/2018	09/22/2018	Spatial application mosquito repellents
 Saint Lucia	LCA/54	08/01/2018	09/29/2018	Labelling of prepackaged goods
 Saudi Arabia	SAU/1082	07/31/2018	09/29/2018	Paneer Cheese
 Saudi Arabia	SAU/1083	07/31/2018	09/29/2018	Ricotta Cheeses
 Slovenia	SVN/103	08/21/2018	10/20/2018	Tobacco, tobacco products
 Slovenia	SVN/104	08/21/2018	10/20/2018	Protection against fire
 South Africa	ZAF/221/Add.1	08/14/2018	Not given	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/202/Add.1	08/16/2018	Not given	Pneumatic tyres (HS 4011.10)
 South Africa	ZAF/203/Add.1	08/16/2018	Not given	Pneumatic tyres (HS 401120)
 Switzerland	CHE/232	08/06/2018	10/05/2018	Laser pointer products
 Taiwan Economy	TPKM/331	07/31/2018	09/29/2018	Water Dispensers; Other (HS 841869), - Electric instantaneous or storage water heaters and immersion heaters (HS 851610)
 Taiwan Economy	TPKM/332	07/31/2018	09/29/2018	Masks claiming protection against PM 2.5; Other (HS 630790)
 Taiwan Economy	TPKM/333	08/01/2018	09/30/2018	Weighing instruments; Volumeters
 Taiwan Economy	TPKM/225/Add.4	08/07/2018	Not given	Organic agricultural products
 Taiwan Economy	TPKM/334	08/10/2018	10/09/2018	Laser pointers; Lasers, other than laser diodes (HS 901320)
 Taiwan Economy	TPKM/321/Add.1	08/14/2018	Not given	Industrial Protective Helmets; Safety headgear (HS 650610)
 Taiwan Economy	TPKM/318/Add.1	08/20/2018	Not given	Base Station Radio Frequency Equipment
 Taiwan Economy	TPKM/319/Add.1	08/20/2018	Not given	Terminal equipment
 Taiwan Economy	TPKM/312/Rev.1/Add.1	08/24/2018	Not given	Prepackaged food containing allergenic substances
 Taiwan Economy	TPKM/334/Add.1	08/23/2018	Not given	Laser pointers; Lasers, other than laser diodes (HS 901320)
 Taiwan Economy	TPKM/318/Add.1/Corr.1	08/29/2018	Not given	Base Station Radio Frequency Equipment
 Taiwan Economy	TPKM/319/Add.1/Corr.1	08/29/2018	Not given	Terminal equipment
 Taiwan Economy	TPKM/322/Add.1	08/31/2018	Not given	Gas grills -- For gas fuel or for both gas and other fuels (HS 732111), -- For gas fuel or for both gas and other fuels (HS 732181)
 Taiwan Economy	TPKM/335	08/28/2018	10/27/2018	Railway or tramway locomotives, rolling-stock and parts thereof; railway or tramway track fixtures and fittings and parts thereof; mechanical (including




Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				electro-mechanical) traffic signalling equipment of all kinds (HS 86)
 Taiwan Economy	TPKM/336	08/28/2018	10/27/2018	Piston air compressors, fixed speed rotary air compressors and variable speed rotary air compressors; Air compressors mounted on a wheeled chassis for towing (HS 841440), - Other (HS 841480)
 Tanzania	TZA/208	07/24/2018	09/22/2018	Cold rolled steel section
 Tanzania	TZA/209	07/24/2018	09/22/2018	Steel for the reinforcement of concrete
 Tanzania	TZA/210	07/24/2018	09/22/2018	Steel for the reinforcement of concrete
 Tanzania	TZA/211	07/24/2018	09/22/2018	Steel for the reinforcement of concrete
 Tanzania	TZA/212	07/24/2018	09/22/2018	Pre-painted metal coated steel sheets and coils
 Tanzania	TZA/213	07/24/2018	09/22/2018	Mild steel nails
 Tanzania	TZA/214	07/24/2018	09/22/2018	Hot dip galvanized plain and corrugated steel sheets
 Thailand	THA/515	07/26/2018	09/24/2018	Radio communication equipment used in land mobile
 Thailand	THA/516	07/26/2018	09/24/2018	Radio communication equipment used in land mobile
 Thailand	THA/513/Add.1/Corr.1	08/08/2018	Not given	Foods
 Thailand	THA/517	08/09/2018	10/08/2018	Telecommunications terminal equipment
 Thailand	THA/518	08/09/2018	10/08/2018	Telecommunications terminal equipment
 Thailand	THA/494/Rev.1	08/13/2018	Not given	Tubes, pipes and hoses, and fittings therefor (for example, joints, elbows, flanges), of plastics (HS 3917)
 Thailand	THA/519	08/16/2018	10/15/2018	Domestic refrigerating appliances (HS 8418)
 Thailand	THA/520	08/16/2018	10/15/2018	Domestic refrigerating appliances (HS 8418)
 Thailand	THA/521	08/27/2018	10/26/2018	Cold-formed structural steel sections
 Trinidad and Tobago	TTO/119	08/16/2018	10/15/2018	Cold formed steel
 Turkey	TUR/121	08/13/2018	09/01/2018	Sugar
 Uganda	UGA/896	07/27/2018	09/25/2018	Toothpaste, Dentifrices (HS 330610)
 Uganda	UGA/542/Add.2	08/07/2018	Not given	Fresh pineapples
 Uganda	UGA/543/Add.2	08/07/2018	Not given	Avocados
 Uganda	UGA/544/Add.2	08/07/2018	Not given	Tomato products, canned tomatoes. Tomatoes prepared or preserved otherwise than by vinegar or acetic acid (HS 2002)
 Uganda	UGA/545/Add.2	08/07/2018	Not given	Tomato sauce, tomato ketchup (HS 210320)
 Uganda	UGA/546/Add.1	08/07/2018	Not given	Tomato juice (HS 200950)
 Uganda	UGA/547/Add.2	08/07/2018	Not given	Tomato paste, tomato puree
 Uganda	UGA/548/Add.2	08/07/2018	Not given	Fresh tomatoes (HS 0702)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/549/Add.2	08/07/2018	Not given	Passion fruits
 Uganda	UGA/550/Add.2	08/07/2018	Not given	Fresh mangoes (HS 0804, 080450)
 Uganda	UGA/551/Add.2	08/07/2018	Not given	Fresh potato tuber (HS 0701, 071010, 200410, 200520)
 Uganda	UGA/552/Add.2	08/07/2018	Not given	Fresh carrots (HS 0706, 070610)
 Uganda	UGA/553/Add.2	08/07/2018	Not given	Fresh sweet bananas (HS 0803, 080300)
 Uganda	UGA/554/Add.2	08/07/2018	Not given	Chilli sauce: Sauces and preparations therefor; mixed condiments and mixed seasonings; mustard flour and meal and prepared mustard (HS 2103)
 Uganda	UGA/555/Add.2	08/07/2018	Not given	Fresh onions (HS 071220)
 Uganda	UGA/593/Add.2	08/07/2018	Not given	Dairy based beverages (HS 0401, 0402)
 Uganda	UGA/612/Add.2	08/07/2018	Not given	Food grade material, Food packaging
 Uganda	UGA/613/Add.1	08/07/2018	Not given	Egg powder
 Uganda	UGA/617/Add.2	08/07/2018	Not given	Poultry feed premix; Preparations of a kind used in animal feeding (HS 2309)
 Uganda	UGA/618/Add.2	08/07/2018	Not given	Dairy cattle feed premix; Preparations of a kind used in animal feeding (HS 2309)
 Uganda	UGA/623/Add.2	08/07/2018	Not given	Pulse flour
 Uganda	UGA/624/Add.2	08/07/2018	Not given	Plant protein-based yoghurt; Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa (HS 0403)
 Uganda	UGA/627/Add.2	08/07/2018	Not given	Disinfectants (HS 380840)
 Uganda	UGA/631/Add.2	08/07/2018	Not given	Disinfectants (HS 380840)
 Uganda	UGA/897	08/08/2018	10/07/2018	Curry powder (HS 0910)
 Uganda	UGA/898	08/08/2018	10/07/2018	Spices and condiments (HS 09)
 Uganda	UGA/899	08/08/2018	10/07/2018	Vinegar (HS 22)
 Uganda	UGA/900	08/08/2018	10/07/2018	Vinegar (HS 22)
 Uganda	UGA/901	08/09/2018	10/08/2018	Ginger (HS 091010)
 Uganda	UGA/902	08/09/2018	10/08/2018	Turmeric (HS 0910)
 Uganda	UGA/903	08/09/2018	10/08/2018	Cloves (HS 0907)
 Uganda	UGA/904	08/09/2018	10/08/2018	Pilau masala (HS 2103, 09)
 Uganda	UGA/905	08/09/2018	10/08/2018	Tea masala (HS 09)
 Uganda	UGA/594/Add.2	08/13/2018	Not given	Pillows for domestic use, Synthetic fibre filled pillows for domestic use. Mattress supports; articles of bedding and similar furnishing (for example, mattresses, quilts, eiderdowns, cushions, poufs and pillows) fitted with springs or stuffed or internally

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				fitted with any material or of cellular rubber or plastics, whether or not covered (HS 9404)
 Uganda	UGA/595/Add.2	08/13/2018	Not given	Pillows for domestic use, Plumage filled pillows for domestic use. Mattress supports; articles of bedding and similar furnishing (for example, mattresses, quilts, eiderdowns, cushions, poufs and pillows) fitted with springs or stuffed or internally fitted with any material or of cellular rubber or plastics, whether or not covered (HS 9404)
 Uganda	UGA/600/Add.2	08/13/2018	Not given	Men's open shoes (HS 64)
 Uganda	UGA/601/Add.2	08/13/2018	Not given	Men's closed shoes (HS 64)
 Uganda	UGA/602/Add.2	08/13/2018	Not given	Ladies' closed shoes (HS 64)
 Uganda	UGA/607/Add.2	08/13/2018	Not given	Onshore oil and gas production operations. Petroleum gases and other gaseous hydrocarbons. (HS: 2711), -- Natural gas (HS: 271111)
 Uganda	UGA/625/Add.2	08/13/2018	Not given	Shoe polish; Polishes, creams and similar preparations for footwear or leather (HS 340510)
 Uganda	UGA/626/Add.2	08/13/2018	Not given	Disinfectants (HS 380840)
 Uganda	UGA/637/Add.2	08/13/2018	Not given	Denatured Ethanol
 Uganda	UGA/906	08/13/2018	10/12/2018	Sausages and similar products, of meat, meat offal or blood; food preparations based on these products (HS 1601)
 Uganda	UGA/428/Add.2	08/14/2018	Not given	Dried fish <i>Rastrineobola Argentea</i>
 Uganda	UGA/430/Add.2	08/14/2018	Not given	Dried and salted dried fish
 Uganda	UGA/524/Add.2	08/14/2018	Not given	Smoked fish; Smoke flavoured fish; Smoked dried fish (HS 0305)
 Uganda	UGA/525/Add.2	08/14/2018	Not given	Quick frozen prawns and shrimp
 Uganda	UGA/526/Add.2	08/14/2018	Not given	Frozen octopus
 Uganda	UGA/527/Add.2	08/14/2018	Not given	Fish sausages
 Uganda	UGA/528/Add.2	08/14/2018	Not given	Crackers from marine and freshwater fish; Crackers from crustacean and molluscan shellfish
 Uganda	UGA/529/Add.2	08/14/2018	Not given	Frozen tuna loins
 Uganda	UGA/588/Add.2	08/14/2018	Not given	Fish protein concentrate
 Uganda	UGA/589/Add.2	08/14/2018	Not given	Fried fish
 Uganda	UGA/590/Add.2	08/14/2018	Not given	Frozen lobster tails. Tunas (of the genus <i>Thunnus</i>), skipjack or stripe-bellied bonito (<i>Euthynnus</i> (<i>Katsuwonus</i>) <i>pelamis</i>), excluding livers and roes : (HS: 03023), - Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.) (HS: 030611), - Rock lobster and other sea crawfish (<i>Palinurus</i> spp., <i>Panulirus</i> spp., <i>Jasus</i> spp.) (HS: 030621), - Lobster (HS: 160530)
 Uganda	UGA/591/Add.2	08/14/2018	Not given	Tunas, canned tunas. Tunas, skipjack and bonito (<i>Sarda</i> spp.) (HS: 160414)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/603/Add.2	08/14/2018	Not given	Ladies' open shoes (HS 64)
 Uganda	UGA/604/Add.2	08/14/2018	Not given	Children's shoes (HS 64)
 Uganda	UGA/605/Add.2	08/14/2018	Not given	Children's shoes (HS 64)
 Uganda	UGA/609/Add.2	08/14/2018	Not given	Organic fertilizer. Animal or vegetable fertilisers, whether or not mixed together or chemically treated; fertilisers produced by the mixing or chemical treatment of animal or vegetable products. (HS 3101)
 Uganda	UGA/610/Add.2	08/14/2018	Not given	Inorganic foliar fertilizer (HS 31)
 Uganda	UGA/611/Add.2	08/14/2018	Not given	Magnesium sulphate fertilizer (HS 31)
 Uganda	UGA/614/Add.2	08/14/2018	Not given	Copper rod, bar and wire
 Uganda	UGA/615/Add.2	08/14/2018	Not given	Steel tubes for non-pressure purposes
 Uganda	UGA/616/Add.2	08/14/2018	Not given	Plastic cling wrap film for food contact use
 Uganda	UGA/619/Add.2	08/14/2018	Not given	Macadamia kernels; Edible fruit and nuts; peel of citrus fruit or melons (HS 08)
 Uganda	UGA/620/Add.2	08/14/2018	Not given	Roasted macadamia
 Uganda	UGA/621/Add.1	08/14/2018	Not given	Cashew kernels; Coconuts, Brazil nuts and cashew nuts, fresh or dried, whether or not shelled or peeled (HS 0801)
 Uganda	UGA/622/Add.2	08/14/2018	Not given	Roasted cashew kernels.. Coconuts, Brazil nuts and cashew nuts, fresh or dried, whether or not shelled or peeled (HS 0801)
 Uganda	UGA/628/Add.2	08/14/2018	Not given	Sodium bicarbonate - Sodium hydrogencarbonate (sodium bicarbonate) (HS 283630)
 Uganda	UGA/633/Add.2	08/14/2018	Not given	Bare foil for Food Packaging (HS 760120)
 Uganda	UGA/907	08/14/2018	10/13/2018	Caustic Soda (Sodium hydroxide); Sodium hydroxide (caustic soda) (HS 28151)
 Uganda	UGA/908	08/14/2018	10/13/2018	Sodium hydroxide; Sodium hydroxide (caustic soda) (HS 28151)
 Uganda	UGA/909	08/16/2018	10/15/2018	Unsweetened condensed milk (HS 0401)
 Uganda	UGA/910	08/16/2018	10/15/2018	Sodium hydroxide (caustic soda) (HS 28151)
 Uganda	UGA/911	08/16/2018	10/15/2018	Milk and processed milk products
 Uganda	UGA/912	08/16/2018	10/15/2018	Whipping cream; Milk and cream, not concentrated nor containing added sugar or other sweetening matter. (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter. (HS 0402)
 Uganda	UGA/913	08/20/2018	10/19/2018	Sterile surgical blades (HS 90)
 Uganda	UGA/914	08/27/2018	10/26/2018	Instant tea (HS 09)
 Uganda	UGA/915	08/27/2018	10/26/2018	Blended black tea (HS 09)
 Uganda	UGA/916	08/27/2018	10/26/2018	Green tea (HS 09)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/917	08/27/2018	10/26/2018	Flavoured black tea; Coffee, tea, mate and spices (HS 09)
 Uganda	UGA/918	08/27/2018	10/26/2018	Icing sugar; Sugars and sugar confectionery (HS 17), Sugars, chemically pure, other than sucrose, lactose, maltose, glucose and fructose; sugar ethers, sugar acetals and sugar esters, and their salts, other than products of heading 29.37, 29.38 or 29.39 (HS 2940)
 United Arab Emirates	ARE/437	07/31/2018	09/29/2018	Paneer Cheese
 United Arab Emirates	ARE/438	07/31/2018	09/29/2018	Ricotta Cheeses
 United Arab Emirates	ARE/439	08/09/2018	10/08/2018	Tobacco, tobacco products and related equipment
 United States	USA/1057/Rev.1	08/01/2018	Not given	Chemicals
 United States	USA/1339/Add.2	08/01/2018	Not given	Oxazolidine, 3,3'-methylenebis [5-methyl-
 United States	USA/521/Add.4	08/06/2018	Not given	Manufactured housing (HS 8716)
 United States	USA/1330/Add.1	08/06/2018	Not given	Grain sorghum oil
 United States	USA/1386	08/06/2018	08/31/2018	Chemical substances
 United States	USA/1386/Add.1	08/08/2018	Not given	Chemical substances
 United States	USA/552/Rev.1/ Add.6	08/15/2018	Not given	Air conditioners, heat pumps (HS 8415.10, 8418.61)
 United States	USA/1109/Add.4	08/15/2018	Not given	Fire prevention code
 United States	USA/1325/Add.3	08/14/2018	Not given	Flammable refrigerants
 United States	USA/1342/Add.1	08/15/2018	Not given	Underground storage tanks
 United States	USA/1344/Add.1	08/15/2018	Not given	Portable electric spas
 United States	USA/1347/Add.1	08/14/2018	Not given	Pools, hot tubs and spas
 United States	USA/1365/Add.1	08/15/2018	Not given	Stationary source emission standards
 United States	USA/1387	08/21/2018	10/1/2018	Natural gas transmission pipelines
 United States	USA/1388	08/21/2018	Not given	Poultry (HS 0207)
 United States	USA/1389	08/21/2018	09/17/2018	Chemical substances
 United States	USA/1390	08/21/2018	10/12/2018	Processed vegetables
 United States	USA/293/Add.8	08/27/2018	Not given	Sunscreen Drug Products (HS 3304.10-99)
 United States	USA/1061/Add.2	08/27/2018	Not given	Jewellery, precious metals, and pewter (HS 7116, 7117)
 United States	USA/1107/Add.5	08/27/2018	Not given	Building codes
 United States	USA/1310/Add.2	08/27/2018	Not given	Pork carcasses
 United States	USA/1389/Add.1	08/27/2018	Not given	Chemical substances
 United States	USA/1391	08/27/2018	10/30/2018	Nuclear power plant engineering
 United States	USA/1392	08/30/2018	09/26/2018	Chemical substances
 United States	USA/1393	08/30/2018	09/26/2018	Chemical substances
 United States	USA/1394	08/30/2018	10/23/2018	Motor vehicles
 Uruguay	URY/22	08/21/2018	Not given	All tobacco products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Viet Nam	VNM/134	08/09/2018	10/07/2018	Goods in general, safety
 Yemen	YEM/146	07/31/2018	09/29/2018	Paneer Cheese
 Yemen	YEM/147	07/31/2018	09/29/2018	Ricotta Cheeses

CBP Rulings: Downloads and Searches

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

CBP Rulings: Revocations or Modifications


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


Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
Proposed Revocations/modifications						
(P) 08-15-18	Tariff classification of certain knit stretch briefs	NY A89600	M 9817.00.96 & 6108.22.9020/6108.22.9030	HQ H297341	Not eligible for 9817.00.96	(C) 09-14-18
Revocations/Modifications						
(A) 08-15-18	Tariff classification of a knife care set	NY N245711	R 7116.20.40	HQ H293248	6815.99.20 [GRI 1, 3(c), 6]	(E) 10-15-18
	Tariff classification of a hot max soapstone holder	NY N239783	R 7116.20.40	HQ H293247	9017.20.8080 [GRI 1, 6; EN to Chap 71, 90]	

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) 2018/1207 of 27-08-18	An article made of hot rolled non-alloy steel with a coating made of nickel silver alloy.	8517 70 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 2(b) to Section XVI and by the wording of CN codes 8517 and 8517 70 00 .

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>It is presented in the shape of a round cap (diameter 2,7 cm) with slightly lowered centre, turned down into a hole, with small air gaps inside the turned down part. The cap is connected to a hollow threaded shank (diameter 0,5 cm). The total length of the article is 2,5 cm.</p> <p>The article is designed to be used as a tuning element in a specific bandpass filter (the bandpass filter is used in cellular network base stations to transmit signals of certain frequencies) filtering out the upper and lower frequencies, by screwing it into the bandpass filter chassis.</p> <p>It is an essential part in the process of tuning. In the tuning process the round cap acts as a resonator. In case of any damage to the surface of this round cap there will be a distortion of the radio frequency waves.</p> <p>See image</p>		<p>As the function of the article is not to assemble or fasten goods it cannot be classified as a screw or as a bolt. Consequently, it cannot be considered a part of general use as referred to in Note 2 to Section XV. Therefore, classification under heading 7318 is excluded.</p> <p>The article is a part of cellular network base stations within the meaning of Note 2(b) to Section XVI as it is essential for their operation, due to the article's specific design and dimensions, and cannot be used for other purposes (see case C-152/10 Unomedical ECLI:EU:C:2011:402, paragraph 29).</p> <p>Consequently, the article is to be classified under CN code 8517 70 00 as a part of an apparatus for the transmission or reception of voice, images or other data in a wireless network.</p>
<p>(EU) 2018/1208 of 27-08-18</p>	<p>A sensor based electrical analogue apparatus (so-called 'oxygen analyser') measuring approximately 240 x 220 x 200 mm and weighing approximately 4,3 kg.</p> <p>The apparatus uses coulometric technology in order to detect and measure trace oxygen and paramagnetic technology in order to accurately measure the percentage of oxygen in pure gas streams and multi-gas backgrounds. It includes an LCD monitor to display the results of the measurement. It also includes an audio and visual alarm and analogue and digital outputs and two-way serial communication.</p> <p>The apparatus is used in industrial gas process and quality control.</p>	<p>9027 10 10</p>	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 9027 , 9027 10 and 9027 10 10 .</p> <p>The apparatus has characteristics and functions of an apparatus for physical or chemical analysis (gas or smoke analysis apparatus) of heading 9027 . See also the Harmonized System Explanatory Notes (HSEN) to heading 9027 , first paragraph, point (8), which covers electrical gas or smoke analysis apparatus for determining and measuring the content of gases, used to analyse combustible or burnt gases in coke ovens, gas producers, blast furnaces, etc.</p> <p>Classification under heading 9026 as instruments or apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases is excluded as instruments and apparatus for physical or chemical analysis are more specifically covered by heading 9027 (see also the HSEN to heading 9026 , first paragraph, exclusion (d)).</p> <p>The apparatus is a composite product within the meaning of GIR 3(b) and it is to be classified according to the component that gives the product its essential character. Detecting and measuring the oxygen within a gas is considered to be the function that gives the essential character to the apparatus.</p> <p>The apparatus is therefore to be classified under</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
			CN code 9027 10 10 , as electronic gas or smoke analysis apparatus.
(EU) 2018/1209 of 27-08-18	<p>Footwear (so-called 'dancing shoe') covering the foot but not the calf, open at the vamp.</p> <p>The footwear is made of one piece of textile material sewn together at the sole and the heel counter and has a textile lining. The sole has two leather pieces sewn on, one at the ball of the foot and the other at the heel part.</p> <p>The front textile part of the sole is ruffled to create the round shape for the toes.</p> <p>The textile part of the sole between the two leather pieces is ruffled and elasticated by means of an elastic band sewn on the inside of the footwear. It serves to tighten the sole from toes to heel when dancing.</p> <p>The footwear has two pieces of cellular foam covered with textile material sewn on the inside above the leather pieces, which are slightly larger than the leather, yet smaller than the sole making contact with the ground when the footwear is in use.</p> <p>The opening of the footwear can be tightened by an elastic string.</p> <p>Two elastic bands are fixed in the quarter area in order to secure the footwear to the foot.</p> <p>When the footwear is in use (worn while standing on the ground) the part of the footwear that does not cover the sides and top of the foot and that makes contact with the ground consists of approximately 33 % leather and approximately 67 % textile materials.</p> <p>See images.</p>	6405 20 99	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 4 to Chapter 64 and by the wording of CN codes 6405 , 6405 20 and 6405 20 99 .</p> <p>The article is not excluded from Chapter 64 by virtue of Note 1 (b) to Chapter 64 because the article has parts of the outer sole sewn on. Moreover, the ruffled front part creates a round shaped relatively hard sole for the toes.</p> <p>As the material of the upper also forms part of the sole, in order to identify the demarcation between the upper and the sole, the sole is considered to be the portion of the footwear that does not cover the sides and the top of the foot (see also the identification of the upper in the Harmonised System Explanatory Notes (HSEN) to Chapter 64, General, (D)).</p> <p>The constituent material of the outer sole is the textile material, because it has the greatest surface area in contact with the ground when the shoe is in use (worn while standing on the ground) within the meaning of Note 4 to Chapter 64 (see also the HSEN to Chapter 64, General, (C)).</p> <p>The article is therefore to be classified under CN code 6405 20 99 as other footwear with uppers and outer soles of textile materials.</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
2018/C 305/04 (30-08-18)	Pg 379 CN 9401 and CN 9403	Seats (other than those of heading 9402), whether or not convertible into beds, and parts thereof – new text added after existing text Other furniture and parts thereof - new text added after existing text
2018/C 305/05 (30-08-18)	P 379 CN 9403	Other furniture and parts thereof – new text and images added after existing text to illustrate what is not covered by this heading

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-929	Certain Beverage Brewing Capsules, Components Thereof, and Products Containing the Same	(RESCISSION PROCEEDING) Commission Determination to Institute a Rescission Proceeding; Temporary Rescission of the Remedial Orders; Termination of the Proceeding
337-TA-943	Certain Wireless Headsets	(REMAND) Commission Determination Not to Review an Initial Determination Granting a Joint Motion to Terminate the Investigation as to Respondent GN Netcom A/S Based on a Settlement Agreement; Termination of the Investigation
337-TA-1063	Certain X-Ray Breast Imaging Devices and Components Thereof	Notice of Request for Statements on the Public Interest
337-TA-1081	Certain LED Lighting Devices, LED Power Supplies, and Components Thereof	Commission Determination to Amend the Notice of Investigation to Delete an Erroneously Included Respondent
337-TA-1098	Certain Subsea Telecommunication Systems and Components Thereof	Commission Determination Not to Review an Initial Determination Granting a Motion for Leave to Amend the Complaint and Notice of Investigation to Reflect a Corporate Name Change
337-TA-1105	Certain Programmable Logic Controller (PLCs), Components Thereof, and Products Containing Same	Commission Determination Not to Review an Initial Determination Granting A Motion of Non-Party North Coast to Intervene
337-TA-1108	Certain Jump Rope Systems	Commission Determination Not to Review an Initial Determination Finding Sole Respondent in Default; Request for Written Submissions on Remedy, Bonding, and the Public Interest
337-TA-1109	Certain Clidinium Bromide and Products Containing Same	Commission Decision Not to Review an Initial Determination Granting Complainants' Unopposed Motion to Terminate the Investigation Based on the Withdrawal of the Amended Complaint; Termination of the Investigation
337-TA-1012	Certain Magnetic Data Storage Tapes and Cartridges Containing the Same	(CONSOLIDATED MODIFICATION AND ENFORCEMENT PROCEEDING) Notice of Institution of Modification Proceeding
337-TA-1050	Certain Dental Ceramics, Products Thereof, and Methods of Making the Same	Notice of Request for Statements on the Public Interest
337-TA-1044	Certain Graphics Systems, Components	Commission Final Determination Finding a Violation; Issuance of a

Inv. №	Commodity	Action
	Thereof, and Consumer Products Containing the Same	Limited Exclusion Order and Cease and Desist Orders; Denial of Motion To Amend; and Termination of the Investigation
337-TA-1058	Certain Magnetic Tape Cartridges and Components Thereof	Notice of Request for Statements on the Public Interest
337-TA-1059	Certain Digital Cameras, Software, and Components Thereof	Notice of Request for Statements on the Public Interest
337-TA-1101	Certain Fuel Pump Assemblies Having Vapor Separators and Components Thereof	Commission Determination Not to Review an Initial Determination Finding Sole Respondent in Default; Request for Written Submissions on Remedy, Bonding, and the Public Interest
337-TA-1126	Certain Water Filters and Components Thereof	Institution of an investigation based on an amended complaint filed on behalf of Electrolux Home Products, Inc. and KX Technologies, LLC alleging patent infringement
337-TA-1127	Certain Microperforated Packaging Containing Fresh Produce (II)	Institution of an investigation based on a complaint filed on behalf of Windham Packaging, LLC alleging patent infringement
337-TA-1128	Certain Lithography Machines and Systems and Components Thereof (I)	Institution of an investigation based on a complaint filed on behalf of Carl Zeiss SMT GmbH alleging patent infringement
337-TA-1129	Certain Lithography Machines and Systems and Components Thereof (II)	Institution of an investigation based on a complaint filed on behalf of Carl Zeiss SMT GmbH 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 3330	Certain Motorized Vehicles and Components Thereof	FCA US LLC
DN 3331	Certain Beverage Dispensing Systems and Components Thereof	Heineken International B.V., Heineken Supply Chain B.V., and Heineken USA Inc.
DN 3333	Certain Wireless Mesh Networking Products and Related Components Thereof	Sipco LLC

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
A-580-839	Polyester Staple Fiber From S. Korea	Rescission of ADD Administrative Review; 2017-2018
C-469-818	Ripe Olives From Spain	Amended Final Affirmative CVD Determination and CVD Order
A-469-817	Ripe Olives From Spain	ADD Order
A-570-064	Stainless Steel Flanges From China	ADD Order


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

Case №	Merchandise/Country	Action
C-570-087	Steel Propane Cylinders From China	Postponement of Preliminary Determination in the CVD Investigation
A-533-840	Certain Frozen Warmwater Shrimp From India	Initiation and Preliminary Results of ADD Changed Circumstances Review
A-580-878 C-580-879 A-583-856	Certain Corrosion-Resistant Steel Products From S. Korea and Taiwan	Initiation of Anti-Circumvention Inquiries on the ADD and CVD Orders
A-580-881 C-580-882	Certain Cold-Rolled Steel Flat Products From S. Korea	Initiation of Anti-Circumvention Inquiries on the ADD and CVD Orders
A-570-042	Stainless Steel Sheet and Strip From China	Rescission of ADD Administrative Review; 2016-2018
A-580-878	Certain Corrosion-Resistant Steel Products From S. Korea	Notice of Court Decision Not in Harmony with Final Determination of Investigation and Notice of Amended Final Results
A-570-075	Certain Plastic Decorative Ribbon From China	Preliminary Determination of Sales at LTFV
A-570-073	Common Alloy Aluminum Sheet From China	Amended Preliminary Affirmative Determination of Sales at LTFV
A-552-802	Certain Frozen Warmwater Shrimp From Vietnam	Partial Rescission of ADD Administrative Review; 2017-2018
C-475-819	Certain Pasta From Italy	Preliminary Results of CVD Administrative Review and Partial Rescission; 2016
A-557-816	Certain Steel Nails From Malaysia	Preliminary Results and Partial Rescission of ADD Administrative Review; 2016-2017
C-122-862	Certain Uncoated Groundwood Paper From Canada	Final Affirmative CVD Determination
A-122-861	Certain Uncoated Groundwood Paper From Canada	Final Determination of Sales at LTFV
A-560-828	Certain Uncoated Paper From Indonesia	Final Results of ADD Administrative Review; 2015-2017
A-570-992	Monosodium Glutamate From China	Preliminary Results of the ADD Administrative Review; 2016-2017
A-580-878	Corrosion-Resistant Steel Products From S. Korea	Preliminary Results of ADD Administrative Review; 2016-2017
A-533-824	Polyethylene Terephthalate Film, Sheet, and Strip From India	Preliminary Results and Partial Rescission of ADD Administrative Review; 2016-2017
C-533-864	Certain Corrosion-Resistant Steel Products From India	Preliminary Results of the CVD Administrative Review; 2015-2016
C-580-879	Certain Corrosion-Resistant Steel Products From S. Korea	Preliminary Results of CVD Administrative Review, Rescission of Review, in Part, and Intent To Rescind, in Part; 2015-16
A-570-900	Diamond Sawblades and Parts Thereof From China	Preliminary Results of ADD Administrative Review; 2016-2017
A-583-854	Certain Steel Nails From Taiwan	Preliminary Results of ADD Administrative Review and Partial Rescission of Administrative Review; 2016-2017
C-533-825	Polyethylene Terephthalate Film, Sheet, and Strip From India	Preliminary Results and Partial Rescission of CVD Administrative Review; 2016
A-583-856	Certain Corrosion-Resistant Steel Products From Taiwan	Preliminary Results of ADD Administrative Review and Partial Rescission of ADD Administrative Review; 2016-2017
A-580-876	Welded Line Pipe From the S. Korea	Amended Final Results of ADD Administrative Review; 2015-2016
A-533-863	Certain Corrosion-Resistant Steel Products From India	Preliminary Results of ADD Administrative Review; 2016-2017
A-475-818	Certain Pasta From Italy	Preliminary Results of ADD Administrative Review; 2016-2017
A-583-837	Polyethylene Terephthalate Film, Sheet, and Strip From Taiwan	Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017
A-469-817	Ripe Olives From Spain	Notice of Correction to ADD Order
A-471-807	Certain Uncoated Paper From Portugal	Final Results of ADD Administrative Review; 2015-2017
C-552-824	Laminated Woven Sacks From Vietnam	Preliminary Affirmative CVD Determination and Alignment of Final


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

Case №	Merchandise/Country	Action
		Determination With Final ADD Determination
A-570-075 C-570-076	Certain Plastic Decorative Ribbon From China	Postponement of Final Determination of Sales at LTFV
A-565-801	Stainless Steel Butt-Weld Pipe Fittings From the Philippines	Initiation of ADD Changed Circumstances Review
C-489-825	Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes From Turkey	Preliminary Results of CVD Administrative Review; 2016
A-570-985	Xanthan Gum From China	Preliminary Results of the ADD Administrative Review, and Preliminary Determination of No Shipments; 2016-2017
A-533-843	Certain Lined Paper Products From India	Notice of Partial Rescission of ADD Administrative Review; 2016-2017
A-580-895 A-583-861	Low Melt Polyester Staple Fiber From S. Korea and Taiwan	ADD Orders
A-570-970	Multilayered Wood Flooring From China	Notice of Court Decision Not in Harmony with Final Rescission of the ADD New Shipper Review
C-533-878	Stainless Steel Flanges From India	Final Affirmative CVD Determination and Final Affirmative Determination of Critical Circumstances
A-533-877	Stainless Steel Flanges From India	Final Affirmative Determination of Sales at LTFV and Final Affirmative Critical Circumstance Determination
C-533-839	Carbazole Violet Pigment 23 from India	Rescission of CVD Administrative Review; 2016
A-570-979 C-570-980	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China	Preliminary Results of Changed Circumstances Reviews, and Consideration of Revocation of the AD and CVD Orders, in Part
C-522-813	Steel Wire Garment Hangers From Vietnam	Continuation of CVD Order
A-570-082	Steel Wheels From China	Postponement of Preliminary Determination in the LTFV Investigation
C-533-870	Certain Pneumatic Off-the-Road Tires From India	Rescission of CVD Administrative Review; 2016-2017
A-570-928	Uncovered Innerspring Units From China	Preliminary Affirmative Determination of Circumvention of the ADD Order
A-533-883 A-588-878 A-549-837	Glycine From India, Japan, and Thailand	Postponement of Preliminary Determinations in the LTFV Investigations
A-570-929	Small Diameter Graphite Electrodes From China	Notice of Rescission of ADD Administrative Review; 2017-2018
C-570-048	Certain Carbon and Alloy Steel Cut-to-Length Plate From China	Amended Final Results of CVD Expedited Review
A-201-820	Fresh Tomatoes From Mexico	Preliminary Results of the Five-Year Sunset Review of the 2013 Suspension Agreement
A-484-803	Large Diameter Welded Pipe From Greece	Preliminary Determination of Sales at LTFV and Postponement of Final Determination
A-570-077	Large Diameter Welded Pipe From China	Preliminary Determination of Sales at LTFV
A-489-833	Large Diameter Welded Pipe From Turkey	Preliminary Determination of Sales at LTFV and Postponement of Final Determination
A-122-863	Large Diameter Welded Pipe From Canada	Preliminary Determination of Sales at LTFV, Postponement of Final Determination, and Extension of Provisional Measures
A-580-897	Large Diameter Welded Pipe From S. Korea	Preliminary Determination of Sales at LTFV and Postponement of Final Determination
A-533-881	Large Diameter Welded Pipe From India	Preliminary Determination of Sales at LTFV
A-570-983 C-570-984	Drawn Stainless Steel Sinks From China	Continuation of AD and CVD Orders
C-570-089	Steel Racks From China	Postponement of Preliminary Determination in CVD Investigation


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

Case №	Merchandise/Country	Action
A-570-084	Certain Quartz Surface Products From China	Postponement of Preliminary Determination in the LTFV Investigation
A-570-970	Multilayered Wood Flooring From China	Amendment to Notice of Court Decision Not in Harmony with the Second Amended Final Determination and Amendment to Notice of Third Amended Final Determination of the ADD Investigation
A-570-881	Malleable Cast Iron Pipe Fittings From China	Notice of Court Decision Not in Harmony with Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision
C-570-063	Cast Iron Soil Pipe Fittings From China	CVD Order
A-570-079	Cast Iron Soil Pipe Fittings From China	Preliminary Affirmative Determination of Sales at LTFV and Postponement of Final Determination
A-570-062	Cast Iron Soil Pipe Fittings From China	Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order
C-570-083	Certain Steel Wheels From China	Preliminary Affirmative CVD Determination and Alignment of Final Determination with Final ADD Determination


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
701-TA-365-366 731-TA-734-735	Certain Pasta From Italy and Turkey	(Fourth Review) Institution of Five-Year Reviews
731-TA-1378-1379	Low Melt Polyester Staple Fiber From Korea and Taiwan	(Final) Determinations that an industry in the United States is materially injured by reason of imports that have been found by Commerce to be sold in the United States at LTFV
731-TA-1380	Tapered Roller Bearings From Korea	(Final) Determination that an industry in the United States is not materially injured or threatened with material injury by reason of imports that have been found by Commerce to be sold in the United States at LTFV
701-TA-608 731-TA-1420	Steel Racks From China	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are alleged to be sold in the United States at LTFV and to be subsidized by the government of China
701-TA-609 731-TA-1421	Steel Trailer Wheels From China	(Preliminary) Institution of ADD and CVD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-489 731-TA-1201	Drawn Stainless Steel Sinks from China	(Review) Determination 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.
701-TA-583 731-TA-1381	Cast Iron Soil Pipe Fittings From China	(Final) Determinations that an industry in the United States is materially injured by reason of imports that have been found by Commerce to be sold in the United States at LTFV and to be subsidized by the government of China. The Commission also determines that an industry in the United States is not materially injured or threatened with material injury by reason of imports of drain bodies from China that are sold in the United States at LTFV and subsidized by the government of China.
701-TA-592 731-TA-1400	Plastic Decorative Ribbon From China	(Final) Scheduling of the final phase of CVD and ADD investigations.



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
RR-2017-004	Hot-Rolled Carbon Steel Plate Originating in or Exported From China	Order and Reasons Issued



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
OCTG2 2018 UO02	Certain Oil Country Tubular Goods (OCTG) exported to Canada from Indonesia	Notice of Initiation of Normal Value Review (Goods exported by PT Citra Tubindo Tbk. (Citra Tubindo))
CSWP3 2018 IN	Certain Carbon Steel Welded Pipe from Pakistan, the Philippines, Turkey and Vietnam.	Initiation of an Investigation – Statement of Reasons
COR 2018 IN	Certain Corrosion-Resistant Steel Sheet from China, Chinese Taipei), India and S. Korea	Initiation of an Investigation – Statement of Reasons
SR 2018 IN	<i>Dumping and Subsidizing</i> : Certain Sucker Rods from China	Notice of Preliminary Determinations
CRS 2018 IN	<i>Dumping and Subsidizing</i> : Certain Cold-Rolled Steel In Coils or Cut Lengths from China, South Korea and Vietnam	Notice of Preliminary Determinations
GB2 2018 IN	Certain 54-Inch Gypsum Board From the US, imported into Canada for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories	Termination of Investigation. CITT determined that the evidence does not disclose a reasonable indication that the dumping has caused injury or retardation or is threatening to cause injury to the domestic industry
UWM 2018 ER	Certain Unitized Wall Modules Originating in or Exported From China	Notice of Initiation of Expiry Review Investigation



NAFTA Panels

Ref. Number	Merchandise/Country	Action
US: USA-CDA-2015-1904-01	Supercalendered Paper from Canada	CVD dispute has been terminated and the panelists were discharged
CA: USA-CDA-2015-1904-01	Supercalendered paper from Canada	Completion of Panel Review



Mexico - Ministry of Economy

Ref. №	Merchandise/Country	Action
EC 10/18	Short Fiber Polyester Originating in S. Korea, regardless of the country of export	Commencement of the review of ADD
EC 06/18	Cold-Rolled Sheets Originating in S. Korea, regardless of the country of export	Resolution declaring the commencement of the examination of the validity of the commitments assumed by certain exporters
EC 08/17	Chicken Legs and Thighs Originating in the United States of America, regardless of the country of export.	Resolution reviewing the effectiveness of the AD measures
EA 05/18	Aluminum Foil Spools Originating in China, regardless of the country of export	Resolution accepting petition and initiating an AD investigation



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2018/1121	Biodiesel originating in the USA	Amending Commission Implementing Regulation (EU) 2015/1518 imposing a definitive ADD following an expiry review
2018/C 284/08	Mixtures of urea and ammonium nitrate originating in Russia, Trinidad and Tobago and the USA	Notice of initiation of an AD proceeding
(EU) 2018/1193	Silicon originating in Bosnia and Herzegovina and Brazil	Commission Implementing Decision terminating the AD



Australian Anti-Dumping Commission

Ref. Number	Merchandise/Country	Action
2018/136	Hot Rolled Coil Steel From Taiwan #454	Longer period for the decision of the Minister
2018/135	Pineapple Fruit, Consumer From Thailand #455	Longer period for the decision of the Minister
2018/134	Steel Pallett Racking From China and Malaysia #441	Further Extension of time to publish Statement of Essential Facts and Final Report
2018/132	Aluminium Extrusions From Malaysia #490	Initiation of a review of anti-dumping measures
2018/131	Grinding Balls From China #491	Initiation of an Accelerated Review
2018/130	Various	Monthly Status Report - July 2018
2018/129	Pineapple Fruit From Thailand #477	Extension of time to publish Statement of Essential Facts and Final Report
2018/128		Introduction of Model Control Codes
2018/127	Aluminium Extrusion From China #EX0068	Initiation of an Exemption Inquiry
2018/124	Aluminium Road Wheels From China #464	Extension of time to Statement of Essential Facts and Final Report
2018/123	Aluminium Extrusions From China #485	Termination of Accelerated Review #485
2018/117	Grinding Balls From China #476	Findings in relation to an Accelerated Review of Anti-Dumping Measures
2018/116	Resealable Can End Closures From Malaysia #474	Findings in relation to an Accelerated Review
2018/112	Steel Reinforcing Bar From Korea and Thailand #486/489	Initiation of a Review of Anti-Dumping Measures
2018/109	Steel Reinforcing Bar From Thailand #472	Findings in relation to an Accelerated Review
2018/108	Steel Reinforcing Bar From Thailand #471	Findings in relation to an Accelerated Review



New Zealand Ministry of Business, Innovation and Employment

Date	Merchandise/Country	Action
July 2018	Hollow Steel Sections from China and Malaysia	Provisional Dumping Measures imposed
July 2018	Hollow Steel Sections from China	MBIE concludes that provisional measures are not necessary to prevent material injury during the remaining period of investigation.



China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
40, 2018	Halogenated Butyl Rubber Originating in the United States, the European Union and Singapore	Final Ruling of the AD Investigation



China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
65, 2018	White Feather Broilers Originating in Brazil	Extension of the AD Investigation for 6 months
60, 2018	Bisphenol A Originating in Japan, South Korea, Singapore and Taiwan	Final Review of AD Measures
67, 2018	N-Butanol Originating in Taiwan, Malaysia and the United States	Preliminary Ruling on the AD Investigation
62, 2018	Stainless Steel Billets and Stainless Steel Hot Rolled Sheets/Ropes Originating in the European Union, Japan, Korea and Indonesia	Initiation of AD Investigation



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
38/2018-Cus (ADD) 02-08-18	Methylene Chloride originating in or exported from European Union and United State of America	Continues imposition of definitive Anti-dumping Duty (ADD) up to and inclusive of 20 October, 2019
39/2018-Cus (ADD) 20-08-18	Paracetamol originating in or exported from China PR	Continues imposition of definitive ADD up to and inclusive of 26 April, 2019
40/2018-Cus (ADD) 20-08-18	Ofloxacin originating in or exported from China PR	Notification No. 8/2018-Cus (ADD) dated 15 March, 2018 imposing ADD amended to provide Tariff items covered in Product Under Consideration
41/2018-Cus (ADD) 24-08-18	Jute Products originating in or exported from Bangladesh and Nepal	Provisional assessment of M/s. Natore Jute Mills, Bangladesh (Producer) and M/s PNP Jute Trading LLC, USA (Exporter/ Trader) until completion of New Shipper Review
42/2018-Cus (ADD) 24-08-18	Jute Products originating in or exported from Bangladesh and Nepal	Provisional assessment of M/s Aziz Fibres Limited, Bangladesh (Producer/ Exporter) until completion of New Shipper Review



Government of India Ministry of Commerce and industry (Department of Commerce)

Notification №	Merchandise/Country	Action
INITIATIONS		
6/22/2018- DGAD 09-08-18	Welded Stainless Steel Pipes and Tubes originating in or exported from China PR and Vietnam	Initiates Countervailing duty/ Anti-subsidy Investigation
6/18/2018- DGAD 10-08-18	Saccharin originating in the People's Republic of China	Initiates Countervailing duty/ Anti-subsidy Investigation
7/31/2018-DGTR 10-08-18	Aluminium Alloy Road Wheels (ARWs) originating in or exported from China PR, Korea RP and Thailand	Initiates Sunset Review Investigation
6/21/2018- DGTR 14-08-18	Fluoroelastomers (FKM) originating in or exported from China PR	Initiates Countervailing duty/ Anti-subsidy Investigation
6/23/2018-DGTR 14-08-18	High Speed Steel of Non Cobalt Grade from Brazil, China PR and Germany	Initiates Anti-dumping investigation
06/19/2018-DGAD 27-08-18	Atrazine Technical originating in or exported from China PR	Initiates Countervailing duty/ Anti-subsidy Investigation
ORAL HEARINGS		
6/13/2018-DGAD 03-08-18	Saccharin originated in or exported from Indonesia	Schedules oral hearing on 11 September, 2018 in Anti-dumping Investigation


Government of India Ministry of Commerce and industry (Department of Commerce)

Notification No	Merchandise/Country	Action
7/14/2018-DGAD 06-08-18	O-Acid originating in or exported from China PR	Schedules oral hearing on 24 August, 2018 in Anti-circumvention Investigation
7/3/2018-DGAD 06-08-18	Jute Sacking Bags/Sacking Cloth originated in or exported from Bangladesh	Schedules oral hearing on 28 August, 2018 in Anti-circumvention Investigation
7/22/2018-DGAD 06-08-18	4, 4 Diamino Stilbene 2, 2 Disulphonic Acid (DASDA) originating in or exported from China PR	Schedules oral hearing on 12 September, 2018 in Sunset Review Investigation
07/16/2018-DGAD 06-08-18	Paracetamol originating in or exported from China PR	Schedules oral hearing on 29 August, 2018 in Sunset Review Investigation
14/20/2016-DGAD 07-08-18	Normal Butanol (NBA) originating in or exported from Saudi Arabia	Schedules oral hearing on 13 August, 2018 in Anti-dumping Investigation
6/8/2018-DGAD 07-08-18	New Pneumatic Tyres for Buses and Lorries originating in or exported from China PR	Schedules oral hearing on 28 August, 2018 in Countervailing Duty/Anti-subsidy Investigation
7/20/2018-DGAD 20-08-18	Nonyl Phenol originating in or exported from Chinese Taipei	Schedules oral hearing on September 5, 2018 in Sunset Review Investigation
14/20/2015-DGAD 24-08-18	Linear Alkyl Benzene originating in or exported from Iran, Qatar and China PR	Schedules oral hearing on 30 August, 2018 for change in name request in Anti-dumping Investigation
7/26/2018-DGAD 27-08-18	Acetone originating in or exported from European Union, Singapore, South Africa and United States of America	Schedules oral hearing on September 18, 2018 in second Sunset Review Investigation
FINAL FINDINGS		
7/16/2017-DGAD 01-08-18	Caustic Soda originating in or exported from Saudi Arabia and USA	Final Finding issued in Third Sunset Review Investigation
14/6/2016-DGAD 02-08-18	Ofloxacin originating in or exported from China PR	Corrigendum issued modifying Final Finding
14/33/2016-DGAD 06-08-18	Nylon Filament Yarn (Multi Filament) originating in or exported from European Union and Vietnam	Final Finding issued in Anti-dumping Investigation
7/13/2018-DGAD 08-08-18	Graphite Electrodes of all diameters originating in or exported from China PR	Final Finding issued in Mid-Term Review Investigation
7/1/2018-DGAD 09-08-18	Flat Base Steel Wheels from China PR	Final Finding issued in Sunset Review Investigation
OTHERS		
07/22/2018-DGAD 01-08-18	4, 4 Diamino Stilbene 2, 2 Disulphonic Acid (DASDA) originating in or exported from China PR	Extends time granted for submission of questionnaire in Sunset Review Investigation
14/20/2015-DGAD 06-08-18	Linear Alkyl Benzene originating in or exported from Iran, Qatar and China PR	Change in name request by M/s Qatar and Petrochemical Marketing and Distribution Company (Muntajat) Q.J.S.C to Muntajat Q.P.J.S.C in Anti-dumping Investigation


Brazil Ministry of Industry, Foreign Trade and Services

Reference	Merchandise/Country	Action
CAMEX № 53	Nitrile rubber, originating in South Korea and France	Imposes a definitive ADD, for a period of up to five years
CAMEX № 56	Colorless float glass with a thickness of 2 mm to 19 mm originating in Saudi	Apply definitive ADD to specific companies (one name changed)



Reference	Merchandise/Country	Action
	Arabia, China, Egypt, UAE, the USA and Mexico	



Editor, *International Trade Compliance Update*

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

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Opportunity to Request Administrative Review

In an August 7, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with August anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Germany: Seamless Line and Pressure Pipe	A-428-820	8/1/17 - 7/31/18
Sodium Nitrite	A-428-841	8/1/17 - 7/31/18
India: Finished Carbon Steel Flanges	A-533-871	2/8/17 - 7/31/18
Italy: Finished Carbon Steel Flanges	A-475-835	2/8/17 - 7/31/18
Japan: Brass Sheet & Strip	A-588-704	8/1/17 - 7/31/18
Tin Mill Products	A-588-854	8/1/17 - 7/31/18
Malaysia: Polyethylene Retail Carrier Bags	A-557-813	8/1/17 - 7/31/18
Mexico: Light-Walled Rectangular Pipe and Tube	A-201-836	8/1/17 - 7/31/18
R of Korea: Dioctyl Terephthalate (Dotp)	A-580-889	2/3/17 - 7/31/18
Large Power Transformers	A-580-867	8/1/17 - 7/31/18
Light-Walled Rectangular Pipe and Tube	A-580-859	8/1/17 - 7/31/18
SR of Vietnam: Frozen Fish Fillets	A-552-801	8/1/17 - 7/31/18
Thailand: Polyethylene Retail Carrier Bags	A-549-821	8/1/17 - 7/31/18
The PR of China: Hydrofluorocarbon Blends	A-570-028	8/1/17 - 7/31/18
Floor-Standing, Metal-Top Ironing Tables and Parts Thereof	A-570-888	8/1/17 - 7/31/18
Laminated Woven Sacks	A-570-916	8/1/17 - 7/31/18
Light-Walled Rectangular Pipe and Tube	A-570-914	8/1/17 - 7/31/18
Passenger Vehicle and Light Truck Tires	A-570-016	8/1/17 - 7/31/18
Petroleum Wax Candles	A-570-504	8/1/17 - 7/31/18
Polyethylene Retail Carrier Bags	A-570-886	8/1/17 - 7/31/18
Sodium Nitrite	A-570-925	8/1/17 - 7/31/18
Steel Nail	A-570-909	8/1/17 - 7/31/18
Sulfanilic Acid	A-570-815	8/1/17 - 7/31/18
Tetrahydrofurfuryl Alcohol	A-570-887	8/1/17 - 7/31/18
Tow-Behind Lawn Groomers and Parts Thereof	A-570-939	8/1/17 - 7/31/18
Ukraine: Silicomanganese	A-823-805	8/1/17 - 7/31/18
Countervailing Duty Proceedings		
India: Finished Carbon Steel Flanges	C-533-872	11/29/16- 12/31/17
R of Korea: Stainless Steel Sheet and Strip in Coils	C-580-835	1/1/17 - 12/31/17
The PR of China: Laminated Woven Sacks	C-570-917	1/1/17 - 12/31/17
Light-Walled Rectangular Pipe and Tube	C-570-915	1/1/17 - 12/31/17
Passenger Vehicle and Light Truck Tires	C-570-017	1/1/17 - 12/31/17
Sodium Nitrite	C-570-926	1/1/17 - 12/31/17
Suspension Agreements		
None		

Requested Reviews

In an August 10, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews

of various antidumping and countervailing duty orders and findings with June anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Belgium: Carbon and Alloy Steel Cut-To-Length Plate	A-423-812	11/14/16-4/30/18
Germany: Carbon and Alloy Steel Cut-To-Length Plate	A-428-844	11/14/16-4/30/18
S. Korea: Carbon and Alloy Steel Cut-To-Length Plate	A-580-887	11/14/16-4/30/18
Spain: Finished Carbon Steel Flanges	A-469-815	2/8/17-5/31/18
Chlorinated Isocyanurates	A-469-814	6/1/17-5/31/18
PR of China: Aluminum Extrusions	A-570-967	5/1/17-4/30/18
Chlorinated Isocyanurates	A-570-898	6/1/17-5/31/18
Polyester Staple Fiber	A-570-905	6/1/17-5/31/18
Silicon Metal	A-570-806	6/1/17-5/31/18
Tapered Roller Bearings	A-570-601	6/1/17-5/31/18
Countervailing Duty Proceedings		
S Korea: Carbon and Alloy Steel Cut-To-Length Plate	C-580-888	4/4/17-12/31/17
PR of China: High Pressure Steel Cylinders	C-570-978	1/1/17-12/31/17
Suspension Agreements		
None		

Initiation of Sunset Reviews

In an August 1, 2018, *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-475-818	731-TA-734	Italy	Certain Pasta (4 th Review)
C-475-819	701-TA-365	Italy	Certain Pasta (4 th Review)
A-489-805	731-TA-735	Turkey	Certain Pasta (4 th Review)
C-489-806	701-TA-366	Turkey	Certain Pasta (4 th Review)

Advance Notification of Sunset Reviews

In an August 1, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for September 2018.

AD/CVD Proceedings - Merchandise/Country	Case No.
Silicomanganese from India	A-533-823 (3 rd Review)
Welded Large Diameter Line Pipe from Japan	A-588-857 (3 rd Review)
Silicomanganese from Kazakhstan	A-834-807 (3 rd Review)
Silicomanganese from Venezuela	A-307-820 (3 rd Review)
No Sunset Review of countervailing duty orders is scheduled for initiation in September 2018	
No Sunset Review of suspended investigations is scheduled for initiation in September 2018.	



Mattias Hedwall
Global Chair
International Commercial & Trade

International Commercial & Trade Leadership Team

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