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2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



Please see our [Webinars, Meetings, Seminars](#) section for the schedule of webinars in the **2018 Global Trade and Supply Chain Webinar Series - Continuing Challenges in Global Trade**, contacts and information on how to register for one or more of these complimentary webinars, as well as information on other events. In addition, there are links to video recordings of past webinars and registration information for the [2018 Year-End Review in Santa Clara](#) and links to the video recordings of the [2017 Year-End Review in Santa Clara](#).

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2018 Year-End Review of Import/Export Developments



Nov. 14-15, 2018 – Santa Clara & Webcast

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To see how **BREXIT** (the UK exiting the EU) may affect your business, visit <http://brexit.bakermckenzie.com/>

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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.

World Trade Organization (WTO)

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

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Trade Policy Review: Chinese Taipei

The fourth review of the trade policies and practices of Chinese Taipei (Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu) took place on 12 and 14 September 2018. The basis for the review was a [report by the WTO Secretariat](#) and a [report by Chinese Taipei](#).

Bahamas reactivates WTO accession process

On 21 September 2018, the WTO [announced](#) that The Bahamas had committed to reactivating and accelerating its WTO accession process after six years of impasse. The third meeting of the Working Party on the Accession of The Bahamas, was held on 21 September. The Bahamas intends to secure WTO membership by the end of 2019. The WTO said that The Bahamas is the last nation in the Americas still outside the 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
DS566	Russian Federation - Additional Duties on Certain Products from the United States - Request for consultations by the United States	29-08-18

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
DS316	European Communities — Measures Affecting Trade in Large Civil Aircraft (Complainant: US)	Panel established	27-08-18
DS458 DS467	Australia — Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging Complainants: Cuba, Indonesia	Panel report adopted	
DS490 DS496	Indonesia — Safeguard on Certain Iron or Steel Products Complainants: Chinese Taipei, Vietnam	Panel reports as amended by Appellate Body adopted	
DS483	China - Anti-Dumping Measures on Imports of Cellulose Pulp from Canada - Recourse to article 21.5 of the DSU by Canada	Canada requests consultations on compliance	12-09-18
DS471	United States — Certain Methodologies and their Application to Anti-Dumping Proceedings involving China (Complainant: China)	Chinese request retaliation against US	21-09-18
DS476	European Union and its Member States — Certain Measures Relating to the Energy Sector (Complainant – Russia)	EU files an appeal	

Proposals regarding Appellate Body Appointments

On 13 September, 2018 India, along with other Member-States, submitted to the Dispute Settlement Body (DSB) revision of proposal regarding filling vacancies in the WTO Appellate Body, circulated vide [Notification No. WT/DSB/W/609/Rev.5](#) (dated 14 September, 2018).

TBT Notifications

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

World Customs Organization (WCO)

Announcements and news releases [dd-mm-yy]

Date	Title
04-09-18	SACU region successfully finalizes Preferred Trader Programme (PTP) training packages
	WCO mission to strengthen Liberia Revenue Authority's Valuation and Classification infrastructure
05-09-18	The first Sub-Regional Workshop on Special Customs Zones /Free Zones takes place in the Dominican Republic
	West African Experts Consolidate the ECOWAS Customs Training Curriculum
06-09-18	First regional workshop bringing Customs and Police together to combat wildlife crime
07-09-18	Countries from West and Central Africa define a regional risk management strategy
10-09-18	WCO and UPU support Indonesia Customs and Post with the exchange of Advance Electronic Data
11-09-18	WCO shares its view on air cargo security and ecommerce at the Air Cargo Development Forum
	Five Revenue Authorities in East Africa Launch a new Program to Raise a Pool of Regional Experts on PCA
12-09-18	WCO Participates in the UNODC's 9th Meeting of the Open-ended Intergovernmental Working Group on the Prevention of Corruption
	LMD Retreat in The Former Yugoslav Republic of Macedonia builds strong executive team
	Swaziland Revenue Authority joins the Mercator Programme
13-09-18	Burkina Faso Customs progresses towards the effective establishment of an advance rulings mechanism
14-09-18	Five Revenue Authorities in East Africa Launch a new Program to Raise a Pool of Regional Experts on PCA
17-09-18	WCO Working Group on the Comprehensive Review of the RKC holds its First Meeting
18-09-18	Support for humanitarian aid: WCO successfully concludes the innovative C-RED project
19-09-18	WCO Progresses with Review of Picard Professional Standards
20-09-18	WCO supports the General Secretariat of the Andean Community to enhance community transit
	Cambodia representatives from the World Customs Organizations Asia Pacific Security Project
	WCO hands over Raman Spectrometers to Philippines Bureau of Customs Strategic Trade Control Enforcement Workshop in Peru
21-09-18	WCO supports enhancing AEO validation techniques in Nigeria

Date	Title
	WCO publishes PICARD Conference Agenda
24-09-18	2018-2019 WCO-Japan Career Development Programme Commences
25-09-18	African Union Directors General of Customs support creating an African market and tackling integrity issues
	Opening of the WCO's 76th Fellowship Programme
27-09-18	Guinea Conakry's strong commitment to the WCO C-RED Project
	Spotlight on the WCO C-RED Sub Regional Workshop in Conakry
	Customs-Police cooperation highlighted at Europol meeting
	International maritime enforcement operation "Sports Bag-2"
28-09-18	State Revenue Committee of Kazakhstan benefits from a WCO Customs Risk Analysis and Profiling Workshop

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
26-09-18	2018/71 Nineteenth meeting of the Conference of the Parties

The Americas - North America

CANADA

Canada, US reach agreement on revised NAFTA terms (USMCA)

On September 30, 2018, Global Affairs Canada [posted](#) the following *Joint Statement from United States Trade Representative Robert Lighthizer and Canadian Foreign Affairs Minister Chrystia Freeland*:

"Today, Canada and the United States reached an agreement, alongside Mexico, on a new, modernized trade agreement for the 21st Century: the United States-Mexico-Canada Agreement (USMCA). USMCA will give our workers, farmers, ranchers and businesses a high-standard trade agreement that will result in freer markets, fairer trade and robust economic growth in our region. It will strengthen the middle class, and create good, well-paying jobs and new opportunities for the nearly half billion people who call North America home.

"We look forward to further deepening our close economic ties when this new agreement enters into force.

"We would like to thank Mexican Economy Secretary Ildefonso Guajardo for his close collaboration over the past 13 months."

Readers are reminded that NAFTA remains in place unless and until all three Parties approve it domestically and agree on an entry into force date. The transitional provisions from NAFTA to the USMCA were not in the [text](#) released on September 30. [See our future *Updates* for any additional material on the US-MCA.]

Global Affairs publishes Notice of intent to conduct impact assessments of the Canada-Mercosur FTA negotiations

On September 15, 2018, Global Affairs Canada published in the *Canada Gazette* a Notice of intent to conduct impact assessments of the Canada-Mercosur Free

Trade Agreement negotiations that were launched on March 9, 2018 with Mercosur countries (Argentina, Brazil, Paraguay and Uruguay).

As part of its Trade Diversification Agenda, the Government of Canada is expanding its impact assessment (IA) process for the negotiation of an FTA with Mercosur. As indicated in the [news release](#), the IAs for the Canada Mercosur FTA will include environment, labour, and gender, and will be used to inform these negotiations.

All interested parties are invited to provide comments by October 14, 2018, on any likely and significant impacts and opportunities that the Canada-Mercosur FTA may have on the environment, labour, and gender in Canada. Email comments may be sent to PTAConsultationsPCP@international.gc.ca.

Canada opens consultation on a possible FTA with ASEAN

On September 1, 2018, the [Canada Gazette](#) published a notice from Global Affairs Canada stating that the Government of Canada is committed to fostering and strengthening Canada's economic ties with its Asia-Pacific partners, including the 10 member states of the Association of Southeast Asian Nations (ASEAN) [Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand, and Vietnam] and is seeking the views of interested Canadian stakeholders on the scope of potential negotiations toward a possible free trade agreement (FTA) with ASEAN. Expanding and diversifying Canada's trade with large, emerging markets such as ASEAN is a priority for the Government of Canada and contributes to Canada's trade diversification strategy. The Government of Canada's approach is one that puts the interests of Canadians and opportunities for the middle class, women, youth and Indigenous people front and centre.

More information on the Government's consultations on a potential Canada-ASEAN FTA can be found on the [Global Affairs Canada: Consulting Canadians on a Possible Canada-ASEAN Free Trade Agreement website](#). All interested parties are invited to submit their views by October 16, 2018. Please be advised that any information received as a result of this consultation will be considered public information, unless explicitly requested otherwise.

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
09-01-18	ENVIRONMENT: Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to the substance ethane, 1-2-dimethoxy-, also known as monoglyme or ethylene glycol dimethyl ether (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of four Furan Compounds Group substances specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of seven ethylene glycol ether 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)

Publication Date	Title
	GLOBAL AFFAIRS CANADA: Consultations on a possible free trade agreement with the Association of Southeast Asian Nations (N)
09-15-18	ENVIRONMENT/HEALTH: Publication after screening assessment of two substances in the Nitro Musks Group — ethanone, 1-[4-(1,1-dimethylethyl)-2,6-dimethyl-3,5-dinitrophenyl]- (musk ketone), CAS RN 81-14-1, and benzene, 1-(1,1-dimethylethyl)-3,5-dimethyl-2,4,6-trinitro- (musk xylene), CAS RN 81-15-2 — specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	ENVIRONMENT/HEALTH: Publication after screening assessment of 11 antimony-containing substances specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	GLOBAL AFFAIRS CANADA: Notice of intent to conduct impact assessments of the Canada-Mercosur Free Trade Agreement negotiations (N)
	HEALTH: Interim Order Respecting Epinephrine Auto-injectors pursuant to the Food and Drugs Act
09-22--18	ENVIRONMENT: Significant New Activity Notice No. 19443 pursuant to Section 85 of the Canadian Environmental Protection Act, 1999 (N)
09-29-18	ENVIRONMENT/HEALTH: Publication of final decision after screening assessment of six substances in the Acrylates and Methacrylates Group specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)
	HEALTH: Proposed Regulations Amending the Pest Control Products Regulations (Labelling) pursuant to the Pest Control Products Act (PR)

CBSA advance rulings

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

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

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Title
09-10-18	D6-2-3	(Revised) Refund of Duties
09-19-18	D19-12-1	(Revised) Import Vehicles
09-20-18	D2-5-13	(New) International to Domestic Connections Process
	D9-1-17	(Revised) Canada Border Services Agency's Determination Procedures for Obscenity and Hate Propaganda
09-26-18	D2-5-12	Telephone Reporting for General Aviation and Private Boats

Antidumping and countervailing duty cases

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

MEXICO

Agreement reached on revised NAFTA agreement (USMCA)

On September 30, 2018, Canada and the United States announced (US-Canada Joint Statement under [CANADA, above](#) or [UNITED STATES, below](#)) that they had reached agreement on the revised terms previously agreed to between the US and Mexico and separate provisions regarding trade between the US and Canada. The revised agreement will be known as the *United States-Mexico-Canada Agreement* (USMCA).

The Mexican government has posted Spanish summaries of the completed agreement and the English text [here](#).

Diario Oficial

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

Publication Date	Title
09-04-18	ECONOMY: Official Mexican Norm NOM-205-SCFI-2017, Children's products- Operation of high chairs for the safety of the infant-Specifications and test methods.
09-12-18	ECONOMY: Acuerdo modifying the Acuerdo by which the Ministry of Economy issues rules and criteria of a general nature in matters of Foreign Trade
09-19-18	HACIENDA: Call for certification in matters of prevention of operations with re-sources of illegal origin and financing of terrorism
	HACIENDA: Acuerdo that reforms the Guidelines for the Granting of Permits, Appropriations and Authorizations in the Area of Special Economic Zones
09-20-18	HACIENDA: Second Resolution of Amendments to the General Rules of Foreign Trade for 2018 and annexes 1, 1-A, 4, 6, 610, 21, 22, 27 and 29 Section II) (Sec. III) .
09-27-18	ECONOMY: Modification to numeral 3.12 of the Official Mexican Standard NOM-160-SCFI-2014, Commercial Practices - Normative elements for the commercialization of new vehicles. Published on September 2, 2014.

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
09-04-18	Proclamation 9776 of August 29, 2018 Adjusting Imports of Aluminum Into the United States
	Proclamation 9777 of August 29, 2018 Adjusting Imports of Steel Into the United States
09-05-18	Notice of August 31, 2018 - Notice of Intention To Enter Into a Trade Agreement
09-12-18	Presidential Determination No. 2018-11 of September 10, 2018 Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act
	Notice of September 10, 2018 Continuation of the National Emergency With Respect to Certain Terrorist Attacks
09-14-18	Executive Order 13848 of September 12, 2018 - Imposing Certain Sanctions in the Event of Foreign Interference In a United States Election
09-20-18	Memorandum of August 23, 2018 Modernizing the Monetary Reimbursement Model for the Delivery of Goods Through the International Postal System and Enhancing the Security and Safety of International Mail
	Notice of September 19, 2018 - Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism
09-21-18	Executive Order 13849 - Authorizing The Implementation of Certain Sanctions Set Forth in the Countering America's Adversaries Through Sanctions Act

Canada and US reach agreement on revised NAFTA terms

On September 30, 2018, the US Trade Representative [posted](#) the following Joint Statement on the USTR website:

JOINT STATEMENT FROM UNITED STATES TRADE REPRESENTATIVE ROBERT LIGHTHIZER AND CANADIAN FOREIGN AFFAIRS MINISTER CHRYSIA FREELAND

Today, Canada and the United States reached an agreement, alongside Mexico, on a new, modernized trade agreement for the 21st Century: the United States-Mexico-Canada Agreement (USMCA). USMCA will give our workers, farmers, ranchers and businesses a high-standard trade agreement that will result in freer markets, fairer trade and robust economic growth in our region. It will strengthen the middle class, and create good, well-paying jobs and new opportunities for the nearly half billion people who call North America home.

We look forward to further deepening our close economic ties when this new agreement enters into force.

We would like to thank Mexican Economy Secretary Ildefonso Guajardo for his close collaboration over the past 13 months.

The text of the agreement is now posted on the USTR [website here](#).

What is next?

Under Trade Promotion Authority (TPA) which allows a trade agreement to be voted up or down by both houses of Congress without amendments, there are several steps:

- Advisory Committee reports must be submitted 30 days after notification of intention to sign. USTR has [posted the Advisory Committee reports](#) on its website, several may have to be revised to account for Canada's addition and any US-Canada provisions;
- The Agreement must be signed by the Parties;
- A list of the required changes in law will be due 60 days after the Agreement is signed;

- An International Trade Commission report which assesses the Agreement's potential economic impact is due 105 days after the Agreement is signed;
- The final text of the implementing legislation and the Statement of Administrative Action (SAA) are due 30 days prior to the implementing legislation being formally introduced;
- Although not required by TPA, House and Senate committees may hold "mock markups" to facilitate drafting of the legislation prior to its formal introduction;
- The House Ways and Means Committee and the Senate Finance Committee may take up to 45 days in session to report the implementing bill back to the House or Senate floor. If they do not do so, the bill is considered automatically discharged to the floor;
- The Implementation bill is a revenue bill and must be passed by the House and then the Senate. There is limited debate and amendments are not allowed in either House;
- If both Houses approve, the implementing legislation is sent to the President for signature after which it becomes law. It will be implemented by a Proclamation, after notification that the other Parties are ready and agreement on an entry into force date;
- During the above period, executive agencies and departments, like US Customs and Border Protection and the US Department of Agriculture, will be reviewing the Agreement and (the draft or final) implementing legislation to determine what regulatory or organizational changes are necessary to implement the Agreement, and publish notices of proposed rulemaking or, in many cases, interim final rules that will be effective when the Agreement enters into force. The ITC will be preparing a new version of the *Harmonized Tariff Schedule of the United States* (HTSUS) to incorporate the new duty rates, special program indicators (SPIs) and rules of origin.

Previously, on August 31, 2018, President Trump had notified Congress of his intention to enter into a trade agreement with Mexico—"and with Canada if it is willing," in a timely manner, to meet the high standards for free, fair, and reciprocal trade contained therein. The [notice](#) was published in the *Federal Register* on September 5, 2018.

Readers are reminded that NAFTA remains in place unless and until all three Parties approve the USMCA domestically and agree on an entry into force date. The transitional provisions from NAFTA to the USMCA were not in the text released on September 30. [See our future *Updates* for any additional material on the USMCA.]

US-Korea FTA outcomes announced

On September 24, 2018, President Trump announced that he and South Korean President Moon signed a document "pledging that our countries will take the additional necessary steps to implement the new United States-Korea trade agreement" at the United Nations in New York. Although President Trump referred to "the new United States Korea trade agreement," President Moon referred to "amendments and modifications to improve the existing agreement." The actual document signed was short:

JOINT STATEMENT ON THE UNITED STATES-KOREA FREE TRADE AGREEMENT

We, the Presidents of the United States of America and the Republic of Korea, hereby reaffirm our close alliance and the importance of maintaining strong, mutually beneficial trade and economic ties between our peoples.

We welcome the successful conclusion of negotiations between our governments that have resulted in amendments and modifications to improve the United States-Korea Free Trade Agreement.

With today's signing of our newly concluded agreement, we pledge to direct our officials to move forward with additional steps, as required in our respective countries, to bring the updated agreement into force as soon as practicable.

We furthermore welcome this achievement as tangible evidence of the strength of the relationship between our two countries.

DONALD J. TRUMP

MOON JAE-IN

President of the United States of America
September 24, 2018
New York, New York
United States of America

President of the Republic of Korea

The agreement takes the form of [Protocols](#) between the two countries amending KORUS and the Exchange of Letters dated February 10, 2011 and accompanying exchanges of letters and a Joint Committee Interpretation.

The Office of the US Trade Representative announced the following negotiated outcomes for the US-Korea FTA (KORUS):

- **U.S. Truck Tariffs:** Korea will extend the phase out of the 25% U.S. tariff on trucks until 2041, or a total of 30 years following the implementation of the KORUS FTA in 2012. (*currently scheduled to phase out by 2021*).
- **Growing U.S. Auto Exports:** Exports of U.S. motor vehicles to Korea will be improved through the following steps:
 - **Greater Access for U.S. Exports:** Korea will double the number of U.S. automobile exports, to 50,000 cars per manufacturer per year that can meet U.S. safety standards (in lieu of Korean standards) and enter the Korean market without further modification.
 - **Harmonization of Testing Requirements:** U.S. gasoline engine vehicle exports will be able to show compliance with Korea's emission standards using the same tests they conduct to show compliance with U.S. regulations, without additional or duplicative testing for the Korean market.
 - **Recognition of U.S. Standards for Auto Parts:** Korea will recognize U.S. standards for auto parts necessary to service U.S. vehicles, and reduce labeling burdens for parts.
 - **Improvements to CAFE Standards:** Korea will expand the amount of "eco-credits" available to help meet fuel economy and greenhouse gas requirements under the regulations currently in force, while also ensuring that fuel economy targets in future regulations will be set taking U.S. regulations into account and will continue to include more lenient targets for manufacturers that sell small volumes of cars in Korea.
- **Customs Improvement:** Korea will address long-standing concerns with onerous and costly verification procedures through agreement on principles for conducting verification of origin of exports under KORUS and establish a working group to monitor and address future issues that arise.
- **Pharmaceutical Reimbursements:** Within 2018, Korea will amend its Premium Pricing Policy for Global Innovative Drugs to make it consistent with Korea's commitments under KORUS to ensure non-discriminatory and fair treatment for U.S. pharmaceutical exports.

[See Fact Sheet here](#). It should be noted that the modifications and amendments to KORUS were reached in March 2018 and do not appear to have changed since then. (See [Outcomes](#) announced in March here). The September 24 Presi-

dential announcement confirms that the legal texts and Administration approvals have now been completed. For the United States, modifications to the US tariff schedule will undergo consultation and layover procedures provided under the implementing act for the KORUS Agreement, which include a 60-day consultation period with Congress. Separate agreements (outside of KORUS) on currency manipulation and exemptions from sec. 232 steel tariff were also reached.

President announces List 3 of tariffs on Chinese goods

President Trump announced on September 17, 2018 that the United States would be moving ahead to impose additional duties on a further \$200 billion worth of Chinese-origin imports (referred to as 'List 3'). According to the announcement, **the additional duties will start at 10%** and run through the end of the year. If the matter has not been resolved satisfactorily by then, **the rate will be increased to 25% on January 1, 2019**. The additional duties will become effective next Monday, September 24, 2018. A copy of the statement is [available here](#).

The additional duties will apply to Chinese-origin goods classified in the tariff subheadings included on the final list. This list has been [posted on the USTR website here](#). It is expected to be officially published by USTR in the *Federal Register* shortly. The list contains 5,745 full or partial lines of the original 6,031 tariff lines that were on a proposed list of Chinese imports announced on July 10, 2018. Changes to the proposed list were made after USTR and the interagency Section 301 Committee sought and received comments over a six-week period and testimony during a six-day public hearing in August. There are two parts to List 3. All products that are classified in the 8-digit subheadings of the *Harmonized Tariff Schedule of the United States* (HTS) that are listed in Part 1 are covered by the action. Products that are listed in Part 2 are partially covered by the action.

As the final List 3 is now posted, it is widely expected that China will retaliate by imposing additional duties on a list of U.S.-origin products worth approximately \$60 billion. It is also being reported that China may decline any invitation issued by the United States to begin negotiations until after the midterm elections and/or may engage other levers domestically to squeeze U.S. companies doing business in China.

If China does retaliate, the President's statement says that the Administration "will immediately pursue phase three, which is tariffs on approximately \$267 billion of additional imports." This would be List 4 and it would cover all of the remaining imports from China.

This is the latest (and undoubtedly not the last) salvo in the on-going trade war between the United States and China. Unfortunately, it is hard to view this salvo as being effective. Rather than force the parties to the table, an additional 10% duty is arguably offset by the declining value of the yuan (which is down high single-digit percentages in a year) and is likely going to be viewed as a sign of wavering resolve from a president in a contentious midterm election year. In short, today's announcement will likely prolong the trade war, rather than help bring it to a speedy conclusion (which, in all fairness, may be the plan after all – if the war drags on long enough, companies will start to leave the war zone . . .).

If you have any questions about the Section 301 duties (or China's retaliation), please contact [Ted Murphy](#) or any member of the US Customs practice with whom you normally work.

[For Chinese response, [see CHINA section below](#)]

House re-passes and President signs Miscellaneous Trade Bill

On September 4, 2018, the US House of Representatives passed the [Miscellaneous Trade Bill Act](#) (H.R. 4318) under suspension of the rules. The House had previously passed the bill (402-0), but the Senate passed the bill on a voice vote with minor amendments, requiring the House to take it up again. The President signed the MTB on September 13, and it is now Public Law 115-239.

All companies should review the list of products included in the MTB. The provisions are not (supposed to be) company-specific. Stated differently, any company that imports an article covered by a MTB description can claim the duty benefit (even if you were not the proponent of the provision). Also, keep in mind that the MTB only impacts the Column 1, General rates of duty for covered articles (i.e., the Most Favored Nation/Normal Trade Relations rates). The MTB does not change or otherwise impact Section 232 or Section 301 duties; those still apply.

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

President Trump issues new Executive Order imposing sanctions in the event of foreign interference in a United States election

On September 12, 2018, President Trump issued a new [Executive Order](#), “Imposing Certain Sanctions in the Event of Foreign Interference in a United States Election” (the “Order”). The Order authorizes the designation as Specially Designated Nationals (“SDNs”) of parties that engage in foreign interference in US elections. While the Order provides the authorization and criteria for such designations, it does not designate any additional parties as SDNs at this time. The Order also requires additional review of the nature and extent of any foreign interference in each US federal election, including the upcoming midterm Congressional elections. Although it is not targeting any particular country or government, the Order comes as the US Congress debates [additional sanctions](#) on Russia’s largest banks and energy companies and the purchase of Russian sovereign debt in response to alleged Russian interference in the 2016 US elections.

New Designation Authorization

The most significant provision of the Order authorizes the designation as SDNs of any persons found to have engaged in, sponsored, concealed, or otherwise been complicit in foreign interference in a United States federal election. Parties that support such activities or SDNs designated under this Order, as well as parties owned or controlled by or acting on behalf of such SDNs, can also be designated under the Order. US Persons (i.e., entities organized under US laws and their non-US branches; individuals and entities physically located in the United States; and US citizens and permanent resident aliens, wherever located or employed) would be prohibited from engaging in virtually any transactions with SDNs designated under this Order.

“Foreign interference” is defined to include any covert, fraudulent, deceptive, or unlawful actions or attempted actions of a foreign government, or of any person acting as an agent of or on behalf of a foreign government, undertaken with the purpose or effect of influencing, undermining confidence in, or altering the result or reported result of, the election, or undermining public confidence in election

processes or institutions. No parties were designated in the Order, and it is unclear if or when such designations might occur.

New Post-Election Review Process

The Order also creates a new process for reviewing US federal elections to identify and potentially respond to instances of foreign interference. The process begins with an assessment by the Director of National Intelligence (“DNI”) of whether any foreign government acted with the intent or purpose of interfering in that election and the nature of such interference. This assessment must be completed within 45 days of each US federal election. After receiving this assessment, the Attorney General and Secretary of Homeland Security are required to deliver a report regarding any foreign interference to the President and other senior officials. This report must be issued within 45 days of receiving the DNI’s assessment.

Upon receiving the assessment and report (i.e., up to 90 days after each US federal election), the Secretary of the Treasury may designate parties as SDNs pursuant to the Order’s new designation authorizations as described above. In addition, the Secretaries of State and the Treasury are required to prepare recommendations for the President in response to any foreign interference. These recommendations should include proposed sanctions against the largest business entities in a country found to have interfered in a US election, including at least one entity from the financial services, defense, energy, technology, and transportation sectors in that country. The Order contemplates a menu of potential sanctions that the President could, but is not required to, then impose against those entities.

Finally, although the Order only applies directly to US federal elections (i.e., those for federal office), it does provide that information indicating foreign interference in a state, tribal, or local election may be included in the required reports or reported through independent reports. The Order, however, does not specifically provide for sanctions in response to such interference. Such interference could presumably be the focus of a separate executive order or other actions if found.

For additional information, please contact the authors, [Bart M. McMillan](#), [Joseph A. Schoorl](#), [Lloyd Grove](#), or any member of the US Outbound trade practice with whom you normally work

President continues national emergencies

On September 10, 2018, the President signed [Presidential Determination No. 2018–11 of September 10, 2018 Continuation of the Exercise of Certain Authorities Under the Trading With the Enemy Act](#), which continues the exercises of *Trading With the Enemy Act* authorities with respect to Cuba until September 14, 2019, as implemented by the *Cuban Assets Control Regulations*, 31 C.F.R. part 515.

Also on September 10, 2018, the President signed [Notice of September 10, 2018 Continuation of the National Emergency With Respect to Certain Terrorist Attacks](#) which continues for an additional year the national emergency originally declared on September 14, 2001, in Proclamation 7463, with respect to the terrorist attacks of September 11, 2001, and the continuing and immediate threat of further attacks on the United States.

On September 19, 2018, the President signed [Notice of September 19, 2018 - Continuation of the National Emergency With Respect to Persons Who Commit, Threaten To Commit, or Support Terrorism](#) which continues for an additional year the national emergency originally declared on September 23, 2001, by Executive Order 13224 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks against United States nationals or the United States. The emergency is being extended because the actions of persons who commit, threaten to commit, or support terrorism continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

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

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 insert-

ing 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.

USTR issues FY 2019 TRQ allocations for refined and specialty sugar and sugar-containing products

On September 25, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [document](#) providing notice of the Fiscal Year (FY) 2019 (Oct. 1, 2018 through Sept. 30, 2019) in-quota quantity of the tariff-rate quotas for imports of certain sugars, syrups and molasses (also known as refined sugar), specialty sugar, and sugar-containing products.

On June 29, 2018, the Secretary of Agriculture announced the establishment of the in-quota quantity for the FY 2019 refined sugar TRQ at 192,000 metric tons raw value (MTRV) for which the sucrose content, by weight in the dry state, must have a polarimeter reading of 99.5 degrees or more. This amount includes the minimum quantity to which the United States is committed under the WTO Agreement - 22,000 MTRV, of which 1,656 MTRV is reserved for specialty sugar - and an additional 170,000 MTRV for specialty sugars. The U.S. Trade Representative is allocating 10,300 MTRV of refined sugar to Canada, 2,954 MTRV to

Mexico, and 7,090 MTRV of refined sugar to be administered on a first-come, first-served basis.

Imports of all specialty sugar will be administered on a first-come, first-served basis in five tranches. The Secretary has announced that the total in-quota quantity of specialty sugar will be the 1,656 MTRV included in the WTO minimum plus an additional 170,000 MTRV. The first tranche of 1,656 MTRV will open October 1, 2018. All types of specialty sugars are eligible for entry under this tranche. The second tranche of 50,000 MTRV will open on October 10, 2018. The third tranche of 50,000 MTRV each will open on January 23, 2019. The fourth and fifth tranches, both of 35,000 MTRV, will open on April 17, 2019 and July 17, 2019, respectively. The second, third, fourth, and fifth tranches will be reserved for organic sugar and other specialty sugars not currently produced commercially in the United States or reasonably available from domestic sources.

With respect to the in-quota quantity of 64,709 metric tons (conversion factor: 1 metric ton = 1.10231125 short tons) of the TRQ for imports of certain sugar-containing products maintained under Additional U.S. Note 8 to Chapter 17 of the HTS, the U.S. Trade Representative is allocating 59,250 metric tons to Canada. The remainder, 5,459 metric tons, of the in-quota quantity is available for other countries on a first-come, first-served basis. Refined and specialty sugar and sugar-containing products for FY 2019 TRQs may enter the United States as of October 1, 2018.

USTR modifies List 3 to sec. 301 actions

On September 28, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice of modification and amendment](#) of action to the September 21 notice (“September 21st Notice”), which adopted a supplemental action in this 301 investigation by imposing additional duties on goods of China classified in subheadings of the *Harmonized Tariff Schedule of the United States* (HTSUS) listed in Annex A of that notice. Pursuant to Presidential Proclamation 9771 of July 30, 2018, certain HTSUS subheadings covered by the supplemental action will be modified as of October 1, 2018. This notice conforms the September 21 supplemental action to the HTSUS modifications in the Presidential Proclamation and amends the prior action taken in the investigation by removing certain subheadings of the HTSUS listed in Annex A to the September 21st Notice.

The HTSUS modifications in Proclamation 9771 include certain subheadings in chapter 44 of the HTSUS covered by the action in the September 21st Notice. Paragraph A of the Annex to this notice makes the appropriate conforming amendments to the supplemental action set out in the September 21st Notice. In particular, 14 subheadings in chapter 44 deleted by Proclamation 9771 are accordingly deleted from Annex A of the September 21st Notice, and are replaced by the corresponding 38 new subheadings in chapter 44 of the HTSUS that were added by Proclamation 9771. These changes to the September 21 action are effective on October 1, 2018.

Paragraph B of the Annex to this notice corrects a typographical error in the fourth paragraph of U.S. Note 20(a) to subchapter III of chapter 99, as set out in Annex C of the notice published at 83 Fed. Reg. 40823 (August 16, 2018).

To account fully for the extensive public comments and testimony previously provided in response to the *Federal Register* notices seeking public comments (83

Fed. Reg. 33608, 83 Fed. Reg. 38760), USTR has determined to further modify the action being taken in the investigation. Paragraph C of the Annex to this notice removes subheadings 0304.81.10 and 0304.81.50 from the list of subheadings of the HTSUS subject to the additional duties set forth in Annex A of the September 21st Notice, 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 September 24, 2018.

USTR modifies sec. 301 action to impose additional duties (List 3)

On September 21, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice of modification of action](#) imposing additional duties on products of China classified in the subheadings of the *Harmonized Tariff Schedule of the United States* (HTSUS) set out in Annex A to the notice (List 3). The rate of additional duty is initially 10 percent ad valorem. On January 1, 2019, the rate of additional duty will increase to 25 percent ad valorem. USTR had originally identified 6,031 tariff lines for the third tranche. Based on comments received from the public pursuant to an earlier *Federal Register* notice and six days of hearings conducted by USTR [transcripts are on www.regulations.gov under docket number USTR–2018–0026], the list has been reduced to 5,745 full and partial tariff subheadings with an approximate annual trade value of \$200 billion.

In order to implement this determination, effective September 24, 2018, subchapter III of chapter 99 of the HTSUS is modified by Annex A and Annex B of the notice. Products of China that are provided for in new HTSUS headings as established by Annex A to the notice that are entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 am eastern daylight time on September 24, 2018, shall be subject to an additional duty of 10 percent ad valorem. As provided in Annex B, the rate of additional duty shall increase to 25 percent for goods that are entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 am eastern standard time on January 1, 2019.

Any product listed in Annex A, 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 that is admitted into a US foreign trade zone on or after 12:01 am eastern daylight time on September 24, 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 valorem rates of duty or quantitative limitations related to the classification under the applicable HTSUS subheading.

USTR excludes particular products from the solar products safeguards

On September 19, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice](#) [Docket Number USTR-2018-0001] stating that USTR has determined that particular products should be excluded from the safeguard measure applied to certain solar products and is modifying subchapter III of chapter 99 of the *Harmonized Tariff Schedule of the United States* (HTS) as set forth in the Annex of the notice to implement these exclusions.

The modifications to U.S. note 18 to subchapter III of chapter 99 of the HTS set forth in the Annex to the notice are applicable with respect to articles entered, or

withdrawn from a warehouse for consumption, on or after 12:01 am EST, on September 19, 2018.

USTR announces procedures to consider exclusion requests from section 301 tariffs and seeks comments

On September 18, 2018, the Office of the US Trade Representative (USTR) published in the *Federal Register* a [notice and request for comments](#) [Docket Number USTR-2018-0032] establishing procedures by which US stakeholders may request that particular products classified within a tariff subheading covered by the additional action announced on August 16, 2018 (83 Fed. Reg. 40823) be excluded from the additional duties. This notice sets out the specific procedures and criteria related to requests for product exclusions, and opens up a docket for the receipt of exclusion requests. USTR must receive all requests to exclude a particular product by December 18, 2018. Responses to a request for exclusion of a particular product are due 14 days after the request is posted in docket number USTR-2018-0032 on www.regulations.gov. Any replies to responses to an exclusion request are due the later of 7 days after the close of the 14 day response period, or 7 days after the posting of a response.

USTR invites interested persons, including trade associations, to submit requests for exclusion from the additional duties of a particular product classified within an HTSUS subheading set out in Annex A of the notice published at 83 Fed. Reg. 40823 (August 16, 2018). As explained in more detail in the notice, each request specifically must identify a particular product, and provide supporting data and the rationale for the requested exclusion. USTR will evaluate each request on a case-by-case basis, taking into account whether the exclusion would undermine the objective of the Section 301 investigation. Any exclusion will be effective starting from the August 23, 2018 effective date of the additional duties, and extending for one year after the publication of the exclusion determination in the *Federal Register*. In other words, an exclusion, if granted, will apply retroactively to the August 23 date of the imposition of the additional duties. USTR will periodically announce decisions on pending requests.

IPEC seeks comments on development of the Joint Strategic Plan on Intellectual Property Enforcement

On September 13, 2018, the Office of the U.S. Intellectual Property Enforcement Coordinator (IPEC), Executive Office of the President (EOP), Office of Management and Budget, published in the *Federal Register* a [request for written submissions](#) from the public with respect to development of the *Joint Strategic Plan on Intellectual Property Enforcement* (Joint Strategic Plan). The Federal Government is starting the process to develop a new 3- year Joint Strategic Plan. By committing to common goals, the US Government will more effectively and efficiently promote and protect US intellectual property. In this request for comments, the EOP, IPEC invites public input and participation in shaping the Administration's intellectual property enforcement strategy.

The IPEC) is charged with developing, with certain Federal departments and agencies, the Administration's Joint Strategic Plan for submission to Congress every three years. The previous 3-year Joint Strategic Plans were issued in 2010, 2013, and 2016. To assist IPEC and Federal agencies in preparation of the fourth 3-year plan, IPEC requests input and recommendations from the public for improving the US Government's intellectual property enforcement efforts, along the lines of this Administration's four-part strategic approach, described in greater

detail in the *Federal Register* document. Submissions must be received on or before November 13, 2018, at 5 p.m.

USTR releases outcome of KORUS talks

On September 3, 2018, the Office of the US Trade Representative (USTR) [published the agreed outcomes](#) from the US-Korea Free Trade Agreement (KORUS) amendment and modification negotiations. These outcomes include amendments and modifications to KORUS as well as additional agreements and understandings to improve implementation of the trade pact.

The publication of the text of the agreed outcomes follows the completion in mid-August of US domestic consultation procedures. Korea will now initiate the next step in its own domestic procedures, which is to open for public comment the provisional Korean translations of the outcomes to amend the KORUS Agreement. Once complete and translations are certified by both governments, the documents may then be finalized for signature, to be followed by further procedures in both countries as needed to bring the outcomes into force.

USTR prepared the [following summary](#):

1. Process for KORUS Amendments and Modifications

- As directed by the President and with authority provided under the terms of KORUS, the US Trade Representative has worked to resolve issues through the Joint Committee process under the Agreement.
- In July 2017, Ambassador Lighthizer initiated trade discussions with Korea, leading to special sessions of the KORUS Joint Committee in 2017 and further negotiations for KORUS amendments and modifications in 2018.
- Once completed, the amendments and modifications to KORUS will undergo the United States' and Korea's respective domestic review procedures. For the United States, modifications to the US tariff schedule will undergo consultation and layover procedures provided under the implementing act for the KORUS Agreement, which include a 60-day consultation period with Congress.

2. Key New KORUS FTA Outcomes

- In these discussions, the United States achieved steps to improve the large trade deficit in industrial goods and to address KORUS implementation concerns that have hindered US export growth.
 - **US Truck Tariffs:** Korea will extend the phase out of the 25% US tariff on trucks until 2041, or a total of 30 years following the implementation of the KORUS FTA in 2012. (*currently scheduled to phase out by 2021*).
 - **Growing US Auto Exports:** Exports of US motor vehicles to Korea will be improved through the following steps:
 - **Greater Access for US Exports:** Korea will double the number of US automobile exports, to 50,000 cars per manufacturer per year, that can meet US safety standards (in lieu of Korean standards) and enter the Korean market without further modification.
 - **Harmonization of Testing Requirements:** US gasoline engine vehicle exports will be able to show compliance with Korea's emission standards using the same tests they conduct to show compliance with US regulations, without additional or duplicative testing for the Korean market.

- **Recognition of US Standards for Auto Parts:** Korea will recognize US standards for auto parts necessary to service US vehicles, and reduce labeling burdens for parts.
- **Improvements to CAFE Standards:** Korea will expand the amount of “eco-credits” available to help meet fuel economy and greenhouse gas requirements under the regulations currently in force, while also ensuring that fuel economy targets in future regulations will be set taking US regulations into account and will continue to include more lenient targets for small volume manufacturers.
- **Customs Improvement:** Korea will address long-standing concerns with onerous and costly verification procedures through agreement on principles for conducting verification of origin of exports under KORUS and establish a working group to monitor and address future issues that arise.
- **Pharmaceutical Reimbursements:** Within 2018, Korea will amend its Premium Pricing Policy for Global Innovative Drugs to make it consistent with Korea’s commitments under KORUS to ensure non-discriminatory and fair treatment for US pharmaceutical exports.

3. Currency Agreement

- The US Department of the Treasury is leading discussions on currency with Korea’s Ministry of Strategy and Finance.
- An agreement (memorandum of understanding) is being finalized on robust provisions to prohibit competitive devaluation and exchange rate manipulation in order to promote a level playing field for trade and investment. Strong commitments on transparency and accountability are included in the provisions.

4. Outcomes For Section 232 Exemption For Korea

- The President’s action under Section 232 of the Trade Expansion Act of 1962, as amended, is designed to protect US national security given the massive and persistent global excess capacity for steel and aluminum and the threatened impairment of US national security from imports of such products.
- As the President’s proclamations state, the United States is willing to work with any country with which we have a security relationship to find alternative ways to address the threatened impairment of the national security caused by imports of steel and aluminum. The United States has a strong and enduring security relationship with Korea.
- US negotiations with Korea have resulted in a satisfactory alternative for addressing US national security concerns with respect to steel imports.
- Korean imports of steel products into the United States will be subject to a product-specific quota equivalent to 70% of the average annual import volume of such products during the period of 2015-17. This will result in a significant reduction in Korean steel shipments to the United States.

USTR also released the text of the [Protocol Between The Government of the United States of America and the Government of the Republic of Korea Amending the Free Trade Agreement Between the United States of America and The Republic of Korea](#) and related protocols and side letters.

ITC issues 11th Revision to the HTSUS

The US International Trade Commission has issued [Revision 11](#) to the Harmonized Tariff Schedule of the United States. Revision 11 includes:

- Changes needed to implement the recent exemptions from absolute quotas on steel from Argentina, Brazil and South Korea and aluminum from Argentina (Effective Aug. 30, 2018);
- Changes to the US Bahrain FTA rules of origin (Effective Sept. 1, 2018); and
- Modified subheading 9705.00.0085 (Effective July 1, 2018)

ITC investigations

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

Investigation. No. and title	Requested by:
Inv. 332-569 U.S. SME Exports: Trade-Related Barriers Affecting Exports of U.S. Small- and Medium-Sized Enterprises to the United Kingdom; Institution of Investigation and Scheduling of Hearing (I/H)	USTR
Inv. 332-565 American Manufacturing Competitiveness Act: Effects of Temporary Duty Suspensions and Reductions on the U.S. Economy Proposed Information Collection; Comment Request; and MTB Effects Questionnaire (I/H/N)	

BIS seeks approval of procedures for submitting requests for exclusions and objections to exclusions the section 232 tariffs on steel and aluminum

On September 28, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [notice](#) [OMB Control No: 0694-0139] requesting comments on procedures for submitting request for exclusions from the Section 232 National Security adjustments of imports of steel and aluminum.

BIS also published a [notice](#) [OMB Control No. 0694-0138] requesting comments on the procedures for submitting requests for objections from the section 232 National Security adjustments of imports of steel and aluminum.

Comments for both information collection proposals are due on November 27, 2018.

Commerce extends comment period for 232 Uranium investigation

On September 10, 2018, the Bureau of Industry and Security (BIS), Commerce, published in the *Federal Register* a [notice](#) changing the comment deadline for the section 232 national security investigation of imports of uranium. On July 25, 2018, the Bureau of Industry and Security (BIS) published the Notice of Inquiry for Public Comments on Section 232 National Security Investigation of Imports of Uranium. The July 25 notice specified that the Secretary of Commerce initiated an investigation to determine the effects on the national security of imports of uranium. This investigation has been initiated under section 232 of the Trade Expansion Act of 1962, as amended. The July 25 notice invited interested parties to submit written comments, data, analyses, or other information pertinent to the investigation to the Department of Commerce's Bureau of Industry and Security. The deadline for the written comments was September 10, 2018. Today's notice changes the comment deadline to September 25, 2018.

Commerce revises interim rule on sec. 232 exclusion requests and objections and seeks comments

On September 11, 2018, the Bureau of Industry and Security (BIS), Commerce, published in the *Federal Register* an [interim final rule](#) [Docket No.: 180227217–8217–02] which revises the procedures for submitting and objecting to exclusion requests from the section 232 steel and aluminum tariffs.

Proclamations 9704 and 9705 (“the Proclamations”) authorized the Secretary of Commerce (the “Secretary”) to grant exclusions from the duties if the Secretary determines the steel or aluminum article for which the exclusion is requested is not “produced in the United States in a sufficient and reasonably available amount or of a satisfactory quality” or should be excluded “based upon specific national security considerations.” On March 19, 2018, Commerce issued an interim final rule (the “March 19 rule”), setting forth the requirements a directly affected party located in the United States must satisfy when submitting exclusion requests. The March 19 rule also set forth the requirements that US parties must meet when submitting objections to exclusion requests. The March 19 rule amended the *National Security Industrial Base Regulations* to add two new supplements. The rule published on September 11, by BIS, on behalf of the Secretary, revises the two supplements added by the March 19 rule. The revisions are informed by the comments received in response to the March 19 rule and Commerce’s experience with managing the exclusion and objection process. Commerce understands the importance of having a transparent, fair and efficient exclusion and objection process. The publication of this rule should make significant improvements in all three respects, but due to the scope of this new process, BIS is publishing this rule as an interim final rule with request for comments. This interim final rule is effective September 11, 2018. Comments on the interim final rule must be received by BIS no later than November 13, 2018.

Commerce proposes procedures for expedited relief from sec. 232 quotas

On September 11, 2018, the Bureau of Industry and Security (BIS), Commerce, published in the *Federal Register* a [request for comments](#) on the information collection and procedures for requests for exclusions described in clause 2 of Proclamation 9777 to allow for exclusion requests for countries subject to quantitative limitations. Commerce will create an exclusion process for clause 2 by posting the newly created form on the Commerce website. Requesters will complete this form and send the form, the required certification, and any needed attachments to Commerce at a special [email address](#). Commerce states that the posting of this exclusion procedure on the Commerce website will fulfill the Presidential directive included in the most recent Proclamation, as well as the earlier Proclamations that directed the Secretary of Commerce to create an exclusion process to ensure users of steel in the United States would continue to have access to the steel that they may need. All exclusion requests under clause 2 must be in electronic form, but may be submitted at any time. However, exclusion requests requested under clause 2 if granted will only be valid till March 31, 2019.

CBP discontinues Customs Broker Importer Self-Assessment Pre-Certification test

On September 21, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) announcing CBP’s intention to discontinue the *Customs Broker Importer Self-Assessment Pre-Certification* (Broker ISA PC) test and not to move forward with a permanent Broker ISA PC program. On April

17, 2013, CBP announced a test allowing customs brokers to pre-certify importers for participation in the Importer Self-Assessment (ISA) program. The Broker ISA PC test was intended to leverage customs brokers' relationships with importers to facilitate and promote importer participation in the ISA program. Unfortunately, there was minimal importer participation in the test; thus, CBP has determined that it is not effective to continue with the Broker ISA PC test.

CBP extends import restrictions on Cambodian archaeological materials

On September 19, 2018, CBP published in the *Federal Register* a [final rule](#) [CBP Dec. 18-11] that amends the CBP regulations to reflect an extension of import restrictions on certain archaeological material from Cambodia. The restrictions, which were originally imposed by CBP Dec.03-28, and last extended by CBP Dec. 13-15, were due to expire on September 19, 2018. The Acting Under Secretary for Public Diplomacy and Public Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, these import restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to reflect this further extension through September 19, 2023. These restrictions are being extended pursuant to determinations of the US Department of State made under the terms of the *Convention on Cultural Property Implementation Act*. CBP Dec. 08-40 contains the amended Designated List of archaeological material from Cambodia to which the restrictions apply.

CBP sets next COAC meeting

On September 10, 2018, CBP published in the *Federal Register* a [notice](#) [Docket No. USCBP–2018–0034] announcing The Commercial Customs Operations Advisory Committee (COAC) will hold its quarterly meeting on Wednesday, October 3, 2018 (1 pm to 5pm) in Washington, DC. The meeting will be open to the public. Please note that the meeting may close early if the committee has completed its business. For detail regarding the location, pre-registration and webcast requirements, please see the *Federal Register* notice.

Agenda

The Designated Federal Officer will announce how the COAC subcommittees will be re-organized to align with CBP's trade strategic priorities and outline how the current and future COAC activities will be structured within each subcommittee. The COAC will hear from the current subcommittees on the topics listed below and then will review, deliberate, provide observations, and formulate recommendations on how to proceed:

1. **The Trusted Trader Subcommittee** will present an update on CTPAT Minimum Security Criteria work and its socialization period. The subcommittee will also provide an update on the Forced Labor Strategy for CTPAT Trade Compliance and the CBP lead will report on the progress of the Trusted Trader Pilot.
2. **The Trade Enforcement & Revenue Collection (TERC) Subcommittee** will provide necessary updates from the Anti-Dumping and Countervailing Duty, Bond, Forced Labor and Intellectual Property Rights Working Groups.
3. **The COAC Trade Modernization Subcommittee** will discuss the ECommerce Working Group's progress in addressing CBP's strategic plan regarding e-commerce threats and opportunities to both the government and trade and in light of the World Customs Organization's global framework. The Regulatory Reform Working Group will provide an overview of work accomplished in reviewing the regulations contained in Title 19 of the Code of Federal Regulations to reduce regulatory burdens and costs. The Foreign Trade Zone Working Group will present recommendations regarding the updating of 19 CFR part 146, the Foreign Trade Zone Regulations. They will

also discuss a proposed revision to 19 CFR part 146 that began in 2015 and was referred to the working group for further input.

4. **The Global Supply Chain Subcommittee** will provide a status update on the following work group activities: Piloting the use of the Automated Commercial Environment (ACE) to electronically report and manage petroleum moving in-bond via pipeline; the Emerging Technologies Working Group's work on NAFTA/ CAFTA and the Intellectual Property Rights Blockchain Proof of Concept projects; and the In-bond Working Group's review of the draft Automated In-Bond Business Process document; as well as potential automation, visibility, system issues and policy/regulatory updates.

Meeting materials are available on the [CBP website here](#).

Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
09-10-18	Accreditation and Approval of Intertek USA, Inc. (Gonzalez, LA) as a Commercial Gauger and Laboratory (N)
	Accreditation and Approval of Inspectorate America Corporation (Savannah, GA), as a Commercial Gauger and Laboratory (N)
	Accreditation and Approval of Bennett Testing Service, Inc. (Rahway, NJ), as a Commercial Gauger and Laboratory (N)
09-17-18	Accreditation and Approval of Thionville Surveying Company, Inc., (Harahan, LA) as a Commercial Gauger and Laboratory (N)
09-19-18	Agency Information Collection Activities: Application for Foreign-Trade Zone Admission and/or Status Designation, and Application for Foreign-Trade Zone Activity Permit [OMB Control No. 1651-0029] (N) [CBP Forms 214, 214A, 214B, 214C, and 216]
09-24-18	Agency Information Collection Activities: Entry and Manifest of Merchandise Free of Duty, Carrier's Certificate and Release [OMB Control No. 1651-0013] (N) [CBP Form 7523]
09-27-18	Agency Information Collection Activities: Customs Declaration [OMB Control No. 1651-0009] (N) [CBP Form 6059B]
	Agency Information Collection Activities: General Declaration [OMB Control No. 1651-0002] (N) [CBP Form 7507]

CBP issues final determinations in procurement cases

CBP has published in the *Federal Register* the following determinations concerning the country of origin of merchandise for purposes of US Government procurement under the *Trade Agreements Act*. A copy of the final determination may be reviewed by clicking on the ruling number. Any party-at-interest may seek judicial review of the final determination within 30 days of the date of publication in the *Federal Register*.

F.R. Date	Ruling Reference (Date Issued) and Product	Country of Origin
09-04-18	HQ H299717 (Aug. 27, 2018) Visionary Advanced 2 Dietary Supplement Tablets	United States

“Lever-Rule” application(s) filed or granted

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

tin indicating that the referenced trademark is entitled to “Lever-rule” protection with respect to those physically and materially different goods. [Shown as “Approved” below]

Customs Bulletin Date	Applicant	Products Covered by the Application	Trademark
09-12-18	Kimberly-Clark Worldwide, Inc. APPROVED	Baby wipes manufactured in England, intended for sale in the UK and in Europe	“HUGGIES” US TM REG. No. 1,679,795 CBP RECORDATION No. TMK 12-00132

CBP publications and fact sheets

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

- [Fish and Wildlife AESTIR updates](#)
- [Updated Export Manifest Appendix I](#)
- [ACE DIS Implementation Guide](#) (Sept. 2018)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CBP updates instructions on sec. 301 imports

On September 21, 2018, CBP issued [CSMS # 18-000554](#), and on September 28, 2018, CBP issued [CSMS #18-000575](#) which update information and instructions regarding imports from China subject to the sec. 301 tariffs to cover the “third list,” published by USTR in the *Federal Register* on [September 21](#) and the September 28, 2018, Notice of Amendment of Action. A text combining the two messages is shown below:

UPDATE: Section 301 Trade Remedies Assessed on China; 3rd List of Products Subject to 301.

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. See Federal Register 83 FR 40823 (August 16, 2018).

On September 21, 2018, the USTR published a Notice of Modification of Action providing for the imposition of additional import duties on a third list of Chinese products. The September 21, 2018 list of products covered by the Section 301 remedy, which comprises over 5,700 full and partial eight-digit Harmonized Tariff Schedule of the United States (HTSUS) subheadings, which can be found in Annex A to the USTR’s September 21, 2018 Notice. See Federal Register Notice 83 FR 47974. On September 28, 2018, [Notice of Amendment of Action](#) announcing

- a technical modification to the tariff classification of the goods covered by the September 21, 2018 list of products as a result of changes to the Harmonized

Tariff System nomenclature for Chapter 44 that will take effect on October 1, 2018; and

- the removal of two subheadings from the imports covered by the Section 301 duties. See Federal Register Notice 83 Fed. Reg. 49153 (September 28, 2018).

GUIDANCE:

New Subheadings in Chapter 44, HTSUS

Effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 AM eastern daylight time on October 1, 2018, U.S. Note 20(f) to Subchapter III of Chapter 99 will be modified by deleting 14 eight-digit HTSUS subheadings of Chapter 44, and adding 38 new corresponding eight digit HTSUS subheadings of Chapter 44. These modifications are due to changes in the Harmonized Tariff System nomenclature for Chapter 44.

The subheadings that will be deleted are: 4401.10.00, 4401.39.40, 4403.10.00, 4403.20.00, 4403.92.00, 4403.99.00, 4406.10.00, 4406.90.00, 4407.10.01, 4407.99.01, 4412.32.06, 4412.32.26, 4412.32.32, and 4412.32.57.

The subheadings that will be added are: 4401.11.00, 4401.12.00, 4401.39.41, 4401.40.00, 4403.11.00, 4403.12.00, 4403.21.00, 4403.22.00, 4403.23.00, 4403.24.00, 4403.25.00, 4403.26.00, 4403.93.00, 4403.94.00, 4403.95.00, 4403.96.00, 4403.97.00, 4403.98.00, 4403.99.01, 4406.11.00, 4406.12.00, 4406.91.00, 4406.92.00, 4407.11.00, 4407.12.00, 4407.19.05, 4407.19.06, 4407.19.10, 4407.96.00, 4407.97.00, 4407.99.02, 4412.33.06, 4412.33.26, 4412.33.32, 4412.33.57, 4412.34.26, 4412.34.32, and 4412.34.57.

Removal of Subheadings in Chapter 3, HTSUS

Per Section C of the Annex to the September 28, 2018 Notice of Modification of Action, effective with respect to goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 AM eastern daylight time on September 24, 2018, U.S. Note 20(f) to Subchapter III of Chapter 99 will be modified by deleting two eight digit HTSUS subheadings of Chapter 3.

The subheadings that will be deleted are: 0304.81.10 and 0304.81.50.

The removal of the two subheadings in Chapter 3 from the Section 301 remedy is retroactive to September 24, 2018. Consequently, any importer of goods classified in subheadings 0304.81.10 or 0304.84.50 in which Section 301 duties were assessed on or after that date can request a refund of the additional duties. Importers may file a post summary correction to request a refund of Section 301 duties assessed on goods classified in subheadings 0304.81.10 or 0304.84.50,

Products Covered by the September 21, 2018 List for the Section 301 Action

The additional import duties for Chinese goods covered by the September 21, 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 September 24, 2018.

Any article classified in a subheading covered by the September 21 list that is a product of China is subject to a 10% ad valorem duty rate, in addition to the general (Column 1) rate of duty for that particular subheading.

There are two special tariff numbers that will apply to goods covered by the September 21, 2018 list, 9903.88.03 and 9903.88.04. Heading 9903.88.03 covers all subheadings listed in U.S. note 20(f) to Subchapter III to Chapter 99 (5,734 eight-digit HTSUS subheadings); heading 9903.88.04 covers all subheadings listed in U.S. note 20(g) to Subchapter III to Chapter 99 (11 eight-digit HTSUS subheadings with partial exceptions at the 10-digit level).

In addition to reporting the Chapter 1-97 HTSUS classification of the imported merchandise, importers shall also report the relevant 9903.88.03 or 9903.88.04 special tariff number for goods subject to the additional duty assessment of 10% ad valorem as a result of the Section 301 trade remedy.

9903.88.03: 10% ad valorem additional duty for articles the product of China,... as enumerated in U.S. note 20(f) to Subchapter III to Chapter 99.

9903.88.04: 10% ad valorem additional duty for articles the product of China,... as enumerated in U.S. note 20(g) to Subchapter III to Chapter 99.

Please note that in accordance with Annex B to the September 21, 2018 notice of action, effective 12:01 AM Eastern Standard Time on January 1, 2019, the additional rates of duty imposed by headings 9903.88.03 and 9903.88.04 will increase to 25% ad valorem.

The product descriptions provided in Annex C to the September 21, 2018 notice of action are provided for informational purposes only, and are not legally controlling. The provisions of the relevant HTSUS subheadings listed in Annex A are controlling for the purpose of determining whether a good is subject to the Section 301 remedy.

New Statistical Reporting Number for Subheading 8517.62.00, HTSUS U.S. note 20(g)(2) to Subchapter III to Chapter 99 indicates that heading 9903.88.04 applies to articles classified in subheading 8517.62.00, except for machines provided for in statistical reporting number 8517.62.0090. 8517.62.0090 is a new statistical reporting number that will be added to the HTSUS on or before September 24, 2018. For more information, see https://www.usitc.gov/tariff_affairs.htm

Products Covered by the June 20, 2018 and August 16, 2018 Lists for the Section 301 Action

The instructions for goods covered by the June 20, 2018 and August 16, 2018 lists remain unchanged.

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.

The additional import duties for Chinese goods covered by the August 16, 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 August 23, 2018.

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

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 additional duties imposed by headings 9903.88.01 through 9903.88.04 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.

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, 9903.88.02, 9903.88.03, or 9903.88.04, 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 9903.88.01/02/03/04 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 9903.88.01/02/03/04, 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, or the additional 10 percent ad valorem rate imposed by heading 9903.88.03 and 9903.88.04.

DRAWBACK

Section 301 duties are eligible for duty drawback.

REMINDER ON FOREIGN TRADE ZONE PROCEDURES

As indicated in the USTR's September 21, 2018 Notice of Modification of Action, any product listed in Annex A, except any product that is eligible for admission under 'domestic status' as defined in 19 CFR 146.43, which is subject to the additional duty imposed by this determination, and that is admitted into a U.S. foreign trade zone on or after 12:01 A.M. eastern daylight time on September 24, 2018, only may be admitted as 'privileged foreign status' as defined in 19 CFR 146.41. Such products will be subject upon entry for consumption to any ad valorem rates of duty or quantitative limitations related to the classification under the applicable HTSUS subheading.

REMINDER ON IMMEDIATE TRANSPORTATION IN BOND ENTRIES

Pursuant to the September 21, 2018 Notice of Modification of Action, duties are due on goods that are entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 AM eastern daylight time on September 24, 2018.

For such entries covered by an entry for immediate transportation, and with a country of origin of China, and an HTSUS classification covered by Annex A to the September 21 notice (as amended), such entries shall be subject to the duty rates in effect when the immediate transportation entry was accepted at the port of original importation, pursuant to 19 CFR 141.69(b), which states:

Merchandise which is not subject to a quantitative or tariff-rate quota and which is covered by an entry for immediate transportation made at the port of original importation, if entered for consumption at the port designated by the consignee or his agent in such transportation entry without having been taken into custody by the port director for general order under section 490, Tariff Act of 1930, as amended (19 U.S.C. 1490), shall be subject to the rates in effect when the immediate transportation entry was accepted at the port of original importation.

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); the August 16, 2018 Notice of Action Pursuant to Section 301, 83 FR 40823 (August 16, 2018); and the September 21, 2018 Notice of Modification of Action Pursuant to Section 301, 83 FR 47974; ; and the September 28, 2018 Notice of Amendment of Action, 83 FR 49153 (September 28, 2018).

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

CSMS messages

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

Date	CSMS#	Title
09-04-18	18-000513	Updated Drawback Trade Issue Tracker Document
	18-000514	Drawback Trade Issue Tracker Document Attached
	18-000515	Updated Export Manifest Appendix I
	18-000516	FDA New and End-dated CDRH Product Codes
09-05-18	18-000518	FDA Scheduled Maintenance Sat., Sept 8,2018 at 10PM EDT to Sunday, Sept 9,2018 at 1AM EDT
09-06-18	18-000519	Prod Date Deferred: ACE CQ Query changes to output WN1 records for Air waybills
	18-000520	Initiation of Antidumping Duty Investigation: Steel Wheels 12 to 16.5 Inches from China
	18-000521	Fish and Wildlife AESTIR updates
	18-000522	Updated Export Manifest Appendix I
09-07-18	18-000523	Updated ABI Software Vendors List
	18-000525	ACE Reports Upgrade to Business Objects 4.2 Service Pack (SP) 5
09-11-18	18-000526	Possible Vessel Diversions Due to Hurricane Florence
09-12-18	18-000527	Reminder of upcoming COM-to-CBP doc category changes in DIS
	18-000529	ACE PRODUCTION Entry Summary related Deployment, Thurs, Sept 12, 2018 at 5:00am ET
	18-000530	ACE CERTIFICATION deployment, Thurs Sept 13, 2018 @0530 ET
09-13-18	18-000531	Information about NMFS SIM program updates
	18-000532	Harmonized System Update (HSU) 1813 created on August 22, 2018
	18-000533	Local Closure for Port 1601 (Charleston) on Thursday, 9/13 and Friday, 9/14
	18-000534	Local Closure for Port 1501 (Wilmington) on Thursday, 9/13 and Friday, 9/14, 2018
	18-000535	Local Closure for Port 1511 (Morehead City) on Thursday, 9/13 and Friday, 9/14, 2018
	18-000538	Local Closure for Port 1401 (Norfolk-Newport News) on September 14, 2018
	18-000539	ACE Cargo Release and Entry Summary Responses have Resumed Processing
09-14-18	18-000540	FWS guidance on diverted shipments due to Hurricane Florence port closures
	18-000541	Entry Summary Error 691 - "LIC/CERT/PERM NUMBER UNKNOWN"
	18-000543	Absolute Quota Hourly Processing
	18-000544	Updated DIS Implementation Guide
09-17-18	18-000545	Updated ACE Reports Information Notice
09-18-18	18-000548	Harmonized System Update (1814) created on September 17, 2018
	18-000549	FDA New CFSAN Product Codes Taro
09-19-18	18-000550	ACE Development – Deployment Schedule posted to CBP.gov/ACE
	18-000552	FDA Scheduled Maintenance Saturday, Sept 22,2018 10PM EDT to Sunday, Sept 23,2018 1AM EDT

Date	CSMS#	Title
09-21-18	18-000554	Update: Section 301 Trade Remedies Assessed on China; 3rd List of Products Subject to 301
	18-000555	Import Restrictions on Certain Mexican Fish and Fish Products
	18-000557	Local Resumption of Operations for Port 1501 (Wilmington)
	18-000558	Use Internet Explorer version 11 for ACE Reports
09-22-18	18-000559	Harmonized System Update (HSU) 1815 created on September 21, 2018
09-24-18	18-000561	Client Representative Division Follow-up Webinar – Next Steps for Restructuring
	18-000562	Resolved- Entry Summary Error 691 - "LIC/CERT/PERM NUMBER UNKNOWN"
09-26-18	18-000564	Delay in processing FDA entries
	18-000565	FDA processing issues resolved, normal processing resumed
09-27-18	18-000566	Delay Processing FDA entries
	18-000567	FDA ITACS Planned Maintenance
	18-000568	Voiding Inactive Importers of Record
	18-000569	ACE Drawback CERTIFICATION deployment, this morning, Sept 27, 2018
	18-000570	Delays Processing FDA Entries & Contingency Plan
	18-000571	FDA ITACS Planned Maintenance Postponed
	18-000572	Update: Delays Processing FDA Entries & Contingency Plan
09-28-18	18-000573	Delays in Processing FDA entries
	18-000575	UPDATE: Section 301 Trade Remedies Assessed on China; 3rd List of Products Subject to 301
	18-000576	FDA Processing Time is back to Normal

Foreign Trade Zones

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

F.R. Date	Document
09-04-18	Foreign-Trade Zone 127-West Columbia, South Carolina; Notification of Proposed Production Activity; Constantia Blythewood, LLC; (Flexible Packaging and Engineered Industrial Films); Blythewood, South Carolina [B-53-2018]
09-05-18	Foreign-Trade Zone 37-Orange County, New York; Authorization of Production Activity; Takasago International Corp. (U.S.A.), (Fragrances), Harriman, New York [B-28-2018]
	Foreign-Trade Zone 75-Phoenix, Arizona; Notification of Proposed Production Activity; Microchip Technology, Inc. (Semiconductor Devices and Related Products); Chandler and Tempe, Arizona [B-54-2018]
09-07-18	Foreign-Trade Zone 207 – Richmond, Virginia; Notification of Proposed Production Activity; Kaiser Aluminum Fabricated Products, LLC (Aluminum Extrusions) Richmond, Virginia [B-55-2018]
09-11-18	Proposed Foreign-Trade Zone-Lufkin, Texas, Under Alternative Site Framework [B-56-2018]
09-12-18	Reorganization and Expansion of Foreign-Trade Zone 135 Under Alternative Site Framework; Palm Beach, Florida [Order No. 2059]
	Reorganization of Foreign-Trade Zone 158 Under Alternative Site Framework; Vicksburg/Jackson, Mississippi [Order No. 2060]
	Reorganization of Foreign-Trade Zone 105 Under Alternative Site Framework Providence, Rhode Island [Order No. 2057]
	Reorganization of Foreign-Trade Zone 179 Under Alternative Site Framework, Madawaska, Maine [Order No. 2061]
	Approval of Subzone Status; Driftwood LNG, LLC, Sulphur, Louisiana [Order No. 2058]
09-18-18	Foreign-Trade Zone 230 – Piedmont Triad Area, North Carolina; Authorization of Production Activity; Deere-Hitachi Construction Machinery Corp. (Forestry

F.R. Date	Document
	Machinery, and Forestry Machinery and Hydraulic Excavator Frames/Booms/Arms Kernersville, North Carolina [B-32-2018]
	Foreign-Trade Zone (FTZ) 149 – Freeport, Texas Notification of Proposed Production Activity; DSM Nutritional Products, LLC (Vinylol) Freeport, Texas [B-57-2018]
	Foreign-Trade Zone 7 – Mayaguez, Puerto Rico; Authorization of Production Activity; Lilly del Caribe (Pharmaceutical Products) Carolina, Puerto Rico [B-30-2018]
09-19-18	Approval of Expansion of Subzone 76A; ASML US, LLC; Wilton and Bethel, Connecticut [S-96-2018]
	Foreign-Trade Zone (FTZ) 44 – Trenton, New Jersey; Notification of Proposed Production Activity; International Flavors & Fragrances, Inc. (Flavor and Fragrance Products); Hazlet, New Jersey [B-58-2018]
09-26-18	Foreign-Trade Zone 126 – Reno, Nevada; Authorization of Production Activity; Tesla, Inc. (Lithium-Ion Batteries, Electric Motors, and Stationary Energy Storage Systems); Sparks and McCarran, Nevada [B-35-2018]

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

AGENCIES: BIS = BUREAU OF INDUSTRY AND SECURITY; CENSUS= US CENSUS BUREAU; 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
09-06-18	ITA: President's Advisory Council on Doing Business in Africa (N/H)
09-07-18	ITA: Renewal of the Civil Nuclear Trade Advisory Committee and Solicitation of Nominations for Membership
09-11-18	BIS: National Defense Stockpile Market Impact Committee Request for Public Comments on the Potential Market Impact of the Proposed Fiscal Year 2020 Annual Materials Plan [Docket No. 170802716–7716–01] (N/RFC)
09-14-18	BIS: Proposed Information Collection; Comment Request; License Transfer and Duplicate License Services (N)
09-18-18	CENSUS: Proposed Information Collection; Comment Request; Automated Export System Program (N)
09-21-18	STATE: Certification Pursuant to Section 7041 (t)(2)(A) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 [Public Notice: 10553] (N)
09-25-18	ITA: Calendar of June 2018 Approved International Trade Administration Trade Missions (N)
	ITA: Environmental Technologies Trade Advisory Committee (ETTAC), Notice of Reestablishment and Solicitation of Nominations for Membership (N)
	State: United States-Panama Environmental Affairs Council and Environmental Cooperation Commission [Public Notice 10565] (N) [Panama City, Oct. 3]

CRS issues report on US export control system and Export Control Reform Initiative

On August 9, 2018, the Congressional Research Service issued its updated report on the [US Export Control System and the Export Control Reform Initiative](#) (R41916).

US Government sanctions Chinese entity for engaging in transactions with Russian defense sector under CAATSA Section 231 List, clarifies CBW Act waiver, and extends expiration of General Licenses related to RUSAL and EN+ Group

In September, the US Government took several significant steps related to the US sanctions against Russia sanctions. This included imposing sanctions pursuant to Section 231 of the *Countering America's Adversaries Act* ("CAATSA") for the first time and expanding the list of persons and entities identified as being part of the Russian defense or intelligence sectors under CAATSA Section 231. The US Government also clarified the scope of a sanctions waiver impacting foreign subsidiaries in Russia under the *Chemical and Biological Weapons Control and Warfare Elimination Act of 1991* (the "CBW Act"). Finally, the US Government extended the expiration dates for several general licenses related to United Company RUSAL PLC ("RUSAL") and EN+ Group PLC ("EN+ Group").

Imposition of Sanctions Pursuant to CAATSA Section 231

On September 20, 2018, the Secretary of State [imposed sanctions](#) on the Chinese entity Equipment Development Department ("EDD") and its director, Li Shangfu, for engaging in "significant transactions" with Rosoboronexport, an entity listed on the [CAATSA Section 231\(d\) Defense and Intelligence Sectors of the Government of the Russian Federation \("Section 231 Lists"\)](#). As described in our prior blog posts [here](#) and [here](#), CAATSA Section 231 requires the imposition of sanctions against persons or entities (including US and non-US persons) who engage in "significant transactions" with parties who are part of, or operate for or on behalf of, the defense or intelligence sectors of Russia and are identified on the Section 231 Lists.

The transactions between Rosoboronexport and EDD involved the transfer of ten Su-35 combat aircraft and S-400 surface-to-air missile system-related equipment from Russia to China. The sanctions, which were selected from a menu of 12 possible sanctions in CAATSA Section 235, consisted of the following measures to be imposed on EDD:

- a denial of export licenses;
- a prohibition on foreign exchange transactions under United States jurisdiction;
- a prohibition on transactions with the United States financial system;
- designation on the List of Specially Designated Nationals and Blocked Persons ("SDN List"); and
- the imposition of sanctions on an EDD's director Li Shangfu, which include a prohibition on foreign exchange transactions under United States jurisdiction, a prohibition on transactions with the United States financial system, designation on the SDN List, and a visa ban.

This effectively cuts off EDD and Mr. Shangfu from doing business in the United States. In addition, non-US persons who deal with EDD or Mr. Shangfu may themselves risk being added to the SDN List. After the sanctions were announced, China's Ministry of Foreign Affairs reportedly summoned the US Ambassador to China to protest their imposition.

The action taken against EDD and Li Shangfu followed the issuance of a [new executive order](#) delegating the implementation of the menu of sanctions set forth in CAATSA and the *Ukraine Freedom Support Act of 2014*, as amended, to the

Secretary of the Treasury, the Secretary of State, and the heads of relevant departments and agencies. The sanctions imposed against EDD and Li Shangfu represent the first time the US Government has imposed sanctions under CAATSA Section 231 and reflects an evolution in the US Government's implementation of that provision. In January 2018, the State Department announced that the imposition of sanctions under Section 231 was not necessary because of the provision's deterrent effect. More recently, the State Department [indicated](#) that, although CAATSA Section 231 continued to have a real deterrent effect behind-the-scenes, the time would likely come when the US Government would have "no choice" but to impose sanctions under CAATSA Section 231. [Statements](#) made concurrently with the imposition of sanctions against EDD and Li Shangfu indicate that the State Department felt it "necessary" to impose sanctions against these parties.

In addition to imposing sanctions against EDD and Li Shangfu, the Secretary of State also added 33 additional persons and entities to the Section 231 Lists for being a part of, or operating for or on behalf of, the defense or intelligence sectors of Russia, which increases the number of persons identified on the Section 231 Lists to 72. The additions to the Section 231 Lists can be reviewed [here](#). US and non-US persons who engage in "significant transactions" with parties on the Section 231 Lists are at risk of themselves being sanctioned.

Clarification of a CBW Act Waiver Impacting Foreign Subsidiaries in Russia

On September 19, 2018, the State Department made a [correction](#) that clarified the scope of a waiver previously issued in connection with the sanctions imposed on Russia under CBW Act on August 27, 2018. We have described those sanctions in a prior [blog post](#).

One of the five sanctions imposed was a prohibition on all exports to Russia of national security-sensitive goods and technology, subject to certain waivers. One of those waivers was for "Exports and reexports of goods or technology pursuant to new licenses for exports and reexports to wholly-owned U.S. subsidiaries in Russia, provided that such licenses shall be issued on a case-by-case basis, consistent with export licensing policy for Russia prior to enactment of these sanctions." The correction broadens the scope of the waiver to encompass "wholly-owned U.S. *and other foreign* subsidiaries in Russia" (emphasis added).

Extension of the Expiration Date for General Licenses Related to RUSAL and EN+ Group

On September 21, 2018, the Office of Foreign Assets Control reissued several general licenses related to RUSAL and EN+ Group with extended expiration dates. The extensions are as follows:

- General License 13C, authorizing certain transactions necessary to divest or transfer debt, equity, or other holdings in EN+ Group PLC, GAZ Group, and RUSAL, was reissued as [General License 13D](#) and now expires on November 12, 2018 rather than on October 23, 2018 for transactions involving RUSAL and EN+ Group (the expiration date with respect to the GAZ Group, October 23, 2016, remains unchanged).
- General License 14, authorizing certain activities necessary to maintenance or wind down of operations or existing contracts with RUSAL, was reissued as [General License 14A](#) and now expires on November 12, 2018 rather than on October 23, 2018.

- General License 16, authorizing certain activities necessary to maintenance or wind down of operations or existing contracts EN+ Group or JSC EuroSibEnerg, was reissued as [General License 16A](#) and now expires on November 12, 2018 rather than on October 23, 2018.

Please see our prior blog posts on these general licenses [here](#) and [here](#).

If you have any questions, please contact the authors [Kerry B. Contini](#), [Inessa Owens](#), [Daniel Andreeff](#) or any member of the US Outbound Trade group with whom you normally work.

BIS seeks comments on effectiveness of licensing procedures for agricultural commodities to Cuba

On September 17, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [request for comments](#) [Docket No. 180821787–8787–01] on the effectiveness of its licensing procedures as defined in the *Export Administration Regulations* for the export of agricultural commodities to Cuba. BIS will include a description of these comments in its biennial report to the Congress, as required by the *Trade Sanctions Reform and Export Enhancement Act of 2000*, as amended (TSRA). Comments must be received by October 17, 2018.

BIS amends Entity List

On September 4, 2018, BIS published in the *Federal Register* a [final rule](#) [Docket No. 180718671–8671–01] that amends the *Export Administration Regulations* (EAR) by adding fifteen entities under seventeen entries to the Entity List. These fifteen entities have been determined by the US Government to be acting contrary to the national security or foreign policy interests of the United States and will be listed on the Entity List under the destinations of the People's Republic of China, Hong Kong, Pakistan, Russia, Saudi Arabia, Turkey, the United Arab Emirates and the United Kingdom. This final rule also modifies two entries on the entity list: One entry under the destination of Hong Kong and one entry under the destination of Russia. Lastly, this final rule removes one entity under the destination of Greece from the Entity List. The removal is the result of a request for removal BIS received pursuant to the EAR and a review of information provided in the removal request.

On September 12, 2018, BIS published in the *Federal Register* a [correction](#) to the above final rule regarding Russia and Hong Kong. On September 13, 2018, BIS published another [correction](#) because an error of omission left out one Pakistani entity from an amendatory instruction. The September 13 correction clarifies that instruction.

On September 26, 2018, BIS published in the *Federal Register* a [final rule](#) [Docket No. 180910826-8826-01] that amends the *Export Administration Regulations* (EAR) by adding fourteen entities to the Entity List. These fourteen entities have been determined by the US Government to be acting contrary to the national security or foreign policy interests of the United States and will be listed on the Entity List under the destinations of Belarus, Iran, Russia, and Singapore. The rule also modifies one entry on the Entity List under the destination of the United Arab Emirates. Lastly, the rule removes one entity under the destination of Hong Kong from the Entity List. The removal is made in connection with a request for removal BIS received pursuant to the EAR and a review of information provided in that request.

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

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

F.R. Date	Applicable orders
09-04-18	BIS: Addition of Certain Entities to the Entity List, Revision of Entries on the Entity List and Removal of Certain Entities From the Entity List [Docket No. 180718671–8671–01] (FR) [09-12-18 correction]
09-06-18	STATE: In the Matter of the Designation of Jama'at Nusrat al-Islam wal-Muslimin (JNIM), aka Jamaat Nosrat al-Islam wal-Mouslimin, aka Group for the Support of Islam and Muslims, aka Group to Support Islam and Muslims, aka GSIM, aka GNIM, aka Nusrat al-Islam wal-Muslimeen, as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act, as Amended [Public Notice: 10530] (N)
	STATE: In the Matter of the Designation of Jama'at Nusrat al-Islam wal-Muslimin (JNIM), aka Jamaat Nosrat al-Islam walMouslimin, aka Group for the Support of Islam and Muslims, aka Group to Support Islam and Muslims, aka GSIM, aka GNIM, aka Nusrat al-Islam walMuslimeen, as a Specially Designated Global Terrorist [Public Notice: 10532] (N)
09-10-18	OFAC: Notice of OFAC Sanctions Actions (N) [3 individuals]
	OFAC: Notice of OFAC Sanctions Actions (N) [4 individuals, 2 entities]
09-12-18	OFAC: Notice of OFAC Sanctions Action (N) [1 individual's data updated]
	OFAC: Notice of OFAC Sanctions Actions (N) [4 individuals]
	OFAC: Notice of OFAC Sanctions Action (N) [1 individual]
	OFAC: Notice of OFAC Sanctions Actions (N) [1 individual, 1 entity]
	OFAC: Notice of OFAC Sanctions Actions (N) [4 individuals, 5 entities]
09-19-18	OFAC: Notice of OFAC Sanctions Actions (N) [1 individual, 2 entities]
09-21-18	OFAC: Notice of OFAC Sanctions Action (N) [1 individual]
	OFAC: Notice of OFAC Sanctions Action (N) [1 individual]
09-26-18	BIS: Addition of Certain Entities to the Entity List, Revision of an Entry on the Entity List and Removal of an Entity from the Entity List [Docket No. 180910826-8826-01] (FR)

FTC Commissioners call for tougher enforcement of “Made in USA” standard

On September 12, 2018, Federal Trade (FTC) Commissioner Slaughter, joined by Commissioner Simons [announced](#) enforcement actions targeting companies and an individual who the FTC alleges falsely claimed their products were made in the U.S.A. in violation of Section 5 of the FTC Act. In that announcement, the Commissioners stated:

We write separately to highlight the possibility that the FTC can further maximize its enforcement reach, in all areas, through strategic use of additional remedies. For example, in the U.S.-origin claim context, there may be cases in which consumers paid a clear premium for a product marketed as “Made in the U.S.A.” or made their purchasing decision in part based on perceived quality, safety, health or environmental benefits tied to a U.S.-origin claim. In such instances, additional remedies such as monetary relief or notice to consumers may be warranted. Requiring law violators to provide notice to consumers identifying the deceptive claim can help mitigate individual consumer injury—an informed consumer would have the option to seek a refund, or, at the very least, stop using the product.

The Commission has already begun a broad review of whether we are using every available remedy as effectively as possible to fairly and efficiently pursue vigorous en-

forcement of our consumer protection and competition laws. If we find that there are new or infrequently applied remedies that we should be seeking more often, the Commission will act accordingly— and, where appropriate, signal to the public how we intend to approach enforcement. In our view, a thoughtful review and forward-looking plan is a more effective and efficient use of Commission resources than re-opening and re-litigating the cases before us today.

FTC and CPSC Federal Register documents

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

F.R. Date	Subject
09-10-18	FTC: Rescission of Guides for the Nursery Industry (PR)
09-18-18	FTC: Energy Labeling Rule [16 C.F.R. Part 305] C.F.R. Correction
09-24-18	CPSC: Revisions to Safety Standard for Portable Hook-On Chairs [Docket No. CPSC-2015-0016] (FR)
	FTC: Test Procedures and Labeling Standards for Recycled Oil (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
09-04-18	Food for Human Consumption; Export Certificates; Food and Drug Administration Food Safety Modernization Act of 2011; Certification Fees [Docket No. FDA-2018-N-2700] (N)
09-07-18	Policy Regarding Quantitative Labeling of Dietary Supplements Containing Live Microbials; Draft Guidance for Industry; Availability [Docket No. FDA-2011-D-0376] (N)
09-12-18	Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food [Docket No. FDA-2011-N-0920] (FR/W)
09-17-18	Determination of Status as a Qualified Facility Under the Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human and Animal Food Rules; Guidance for Industry; Availability [Docket No. FDA-2016-D-1164] (N)
09-18-18	Listing of Color Additives Subject to Certification; D&C Black No. 4; Confirmation of Effective Date [Docket No. FDA-2017-C-0935] (FR)
09-20-18	Product Identifier Requirements Under the Drug Supply Chain Security Act—Compliance Policy; Guidance for Industry; Availability [Docket No. FDA-2017-D-2232] (N)
	Product Identifiers Under the Drug Supply Chain Security Act Questions and Answers; Draft Guidance for Industry; Availability [Docket No. FDA-2018-D-3175] (N)
	Food Additives Permitted for Direct Addition to Food for Human Consumption; Vitamin D3 [Docket No. FDA-2017-F-3717] (FR)
09-25-18	Listing of Color Additives Subject to Certification; D&C Yellow No. 8 [Docket No. FDA-2017-C-2902] (FR)
09-28-18	Label Requirement for Food That Has Been Refused Admission Into the United States [Docket No. FDA-2007-N-0465] (PR/W)
	Use of the Names of Dairy Foods in the Labeling of Plant-Based Products [Docket No. FDA-2018-N-3522] (N/RFC)

APHIS and other USDA notices issued

During the past month, the Animal and Plant Health Inspection Service (APHIS) and other US Department of Agriculture (USDA) agencies issued the following

Federal Register notices during the past month which may be of interest to international traders. [USDA=Office of the Secretary, FAS=Foreign Agricultural Service, AMS=Agricultural Marketing Service, FSIS=Food Safety Inspection Service]:

F.R. Date	Subject
09-06-18	US CODEX OFFICE: Codex Alimentarius Commission: Meeting of the Codex Committee on Food Import and Export Inspection and Certification Systems (CCFICS) [Docket No. FSIS-2018-0035] (N/H/RFC)
09-13-18	APHIS: Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables [Docket No. APHIS-2010-0082] (FR)
09-19-18	FSIS: Eligibility of Thailand to Export Siluriformes Fish and Fish Products to the United States [Docket No. FSIS-2018-0031] (PR)
	FSIS: Eligibility of the People's Republic of China to Export Siluriformes Fish and Fish Products to the United States [Docket No. FSIS-2018-0030] (PR)
	FSIS: Eligibility of the Socialist Republic of Vietnam to Export Siluriformes Fish and Fish Products to the United States [Docket No. FSIS-2018-0029] (PR)
09-20-18	US CODEX OFFICE: Codex Alimentarius Commission: Meeting of the Codex Committee on Nutrition and Foods for Special Dietary Uses (CCNFSDU) (N/H/RFC) [Nov. 6, 2018]
	US CODEX OFFICE: Codex Alimentarius Commission: Meeting of the Codex Committee on Food Hygiene (CCFH) (N/H/RFC) [Oct. 9, 2018]
09-24-18	APHIS: Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Amendments to the Select Agent and Toxin Regulations; Technical Amendment [Docket No. APHIS-2009-0070] (FR)
09-25-18	COMMODITY CREDIT CORPORATION / FARM SERVICE AGENCY: Notice of Funds Availability (NOFA); Market Facilitation Program (MFP) Payments to Producers (N)

FAS GAIN reports

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

- Argentina - [Government Reshuffles Cabinet and Introduces New Export Taxes](#)
- China - [China Implements Supplemental Imports Tariffs on U.S. Products](#)
- EAEU - [Eurasian Economic Commission Announces 2019 TRQs](#)
- Iceland - [Exporter Guide](#)
- Indonesia - [Indonesia Concludes Negotiations on FTA with Australia](#)
- Japan - [Japan Revising Elements of National GI Law](#)
- Japan - [Revises Aluminum Ammonium Sulfate and Aluminum Potassium Sulfate](#)
- Japan - [Revises B-Galactosidase and Fructosyl Transferase Specifications](#)
- Mexico - [Mexico Announces Extension of Duty Free Import Quota on Coffee](#)
- Mexico - [Mexico Announces Maximum Sugar Export Quota to the United States](#)
- Morocco - [Animal Identification and Traceability Requirements](#)
- Morocco - [Animal Identification and Traceability Requirements](#)
- Morocco - [BSE Countermeasures](#)
- Morocco - [BSE Import Prohibitions](#)
- Morocco - [Code of Procedures for Animal Feeds and Additives](#)

- Morocco – [FAIRS Subject: Technical Regulation on Seed Potatoes](#)
- Morocco - [Food Additive Requirements](#)
- Morocco - [Food Safety Decree](#)
- Morocco - [Hygienic and Sanitary Conditions on Egg Processors](#)
- Morocco - [Sanitary Decree for the Importation of Animals and Animal Products](#)
- Morocco - [Sanitary Measures of Importation of Animals and Animal Products](#)
- Morocco - [Technical Requirements for Imported Bovine Semen](#)
- Morocco - [Technical Requirements for Imported Cattle-Sheep-Goats-Horses](#)
- Philippines - [Philippine Rice Tariffication Update](#)
- Philippines - [Philippine Rice Tariffication Update](#)
- Russia - [Russia Lifts Restrictions on Poultry Transit to Kazakhstan](#)
- Ukraine - [Amendments to Phytosanitary Legislation](#)

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
09-05-18	MILLENNIUM CHALLENGE CORPORATION: Report on Countries That Are Candidates for Millennium Challenge Account Eligibility in Fiscal Year 2019 and Countries That Would Be Candidates but for Legal Prohibitions [MCC FR 18-11] (N)
09-11-18	ENERGY: Energy Conservation Program: Energy Conservation Standards for Dedicated-Purpose Pool Pump Motors, Notice of Request for Direct Final Rule [EERE-2017-BT-STD-0048] (N/RFC)
	ENVIRONMENTAL PROTECTION AGENCY (EPA): Cloquintocet-mexyl; Pesticide Tolerances [EPA-HQ-OPP-2017-0591; FRL-9980-90] (FR)
	EPA: Spiromesifen; Pesticide Tolerances [EPA-HQ-OPP-2017-0505; FRL-9982-21] (FR)
09-12-18	EPA: 2-Propenoic Acid, 2-methyl-, 2-oxiranylmethyl ester, polymer With butyl 2-propenoate, ethenylbenzene and 2-ethylhexyl 2-propenoate; Tolerance Exemption [EPA-HQ-OPP-2018-0263; FRL-9982-72] (FR)
	EPA: Certain New Chemicals or Significant New Uses; Statements of Findings for April to July 2018 [EPA-HQ-OPPT-2018-0097; FRL-9983-06] (N)
	EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2018-0576; FRL-9982-39] (N)
09-13-18	EPA: Metschnikowia Fructicola Strain NRRLY-27328; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0705; FRL-9982-22] (FR)
	EPA: Afidopyropen; Pesticide Tolerances [EPA-HQ-OPP-2016-0416; FRL-9976-65] (FR)
	EPA: Bacteriophage Active Against Xanthomonas citri subsp. citri; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0703; FRL-9983-10] (FR)
	EPA: Pepino Mosaic Virus, Strain CH2, Isolate 1906; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0525; FRL-9983-31] (FR)
09-17-18	EPA: Bacteriophage Active Against Erwinia amylovora; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0702; FRL-9983-18] (FR)
	ENERGY: Energy Conservation Program: Request for Information on the Emerging Smart Technology Appliance and Equipment Market (N/RFI)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0567; FRL-9983-59] (PR)
09-18-18	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0567; FRL-9983-14] (FR)
09-18-18	EPA: Beauveria bassiana strain PPRI 5339; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0608; FRL-9983-67] (FR)
09-21-18	ENERGY: Energy Conservation Program: Test Procedures for Integrated Light-

F.R. Date	Subject
	Emitting Diode Lamps [EERE-2016-BT-TP-0037] (FR)
09-24-18	GENERAL SERVICES ADMINISTRATION (GSA): Notice of Availability and Announcement of Public Meeting for the Draft Supplemental Environmental Impact Statement for the San Ysidro Land Port of Entry Improvements Project, San Ysidro, California [Notice-PBS-2018-10; Docket No. 2018-0002; Sequence No. 26] (N/H)
09-26-18	EPA / NATIONAL HIGHWAY TRAFFIC SAFETY ADM. (NHTSA): The Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule for Model Years 2021-2026 Passenger Cars and Light Trucks; Extension of Comment Period [NHTSA-2018-0067; EPA-HQ-OAR-2018-0283; FRL-9984-62-OAR; NHTSA-2017-0069] (PR/E)
	EPA: Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2017-0366; FRL-9983-72] (FR/W)
	EPA: 2-Propenoic acid, 2-methyl-, polymer with butyl 2-methyl-2-propenoate, butyl 2-propenoate, N-(1,1-dimethyl-3-oxobutyl)-2-propenamide, ethenylbenzene, 2-ethylhexyl 2-propenoate and methyl 2-methyl-2-propenoate; Tolerance Exemption [EPA-HQ-OPP-2018-0268; FRL-9983-23] (FR)
	EPA: 2-Propenoic acid, polymer with butyl 2-propenoate, ethenylbenzene and (1-methylethenyl) benzene, ammonium salt; Tolerance Exemption [EPA-HQ-OPP-2018-0264; FRL-9983-22] (FR)
09-28-18	EPA: Maltodextrin-vinyl pyrrolidinone copolymer; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0289; FRL-9983-05] (FR)
	DRUG ENFORCEMENT ADMINISTRATION (DEA): Schedules of Controlled Substances: Placement in Schedule V of Certain FDA Approved Drugs Containing Cannabidiol; Corresponding Change to Permit Requirements [Docket No. DEA-486] (Final Order)
	NATIONAL MARINE FISHERIES SERVICE (NMFS), NATIONAL OCEANIC AND ATMOSPHERIC ADMIN. (NOAA): Endangered and Threatened Wildlife and Plants; Final Rule to List the Chambered Nautilus as Threatened Under the Endangered Species Act [Docket No. 160614518-8790-03] (FR)

Antidumping and countervailing duty cases

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

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.]

How can businesses begin to prepare for Certificate of Origin Verifications under the CPTPP?

With the ratification of the *Comprehensive and Progressive Agreement for the Trans-Pacific Partnership* (CPTPP) by Mexico, Japan and Singapore, and the expectation that other parties will follow, we anticipate the agreement will enter into force by early next year. Although the CPTPP differs from the *Trans-Pacific Partnership* (TPP) due to the suspension of 22 provisions, most chapters of the new agreement remain untouched. One of those is Chapter 3: Rules of Origin and Origin Procedures,

As we get closer to entry into force, businesses should prepare to take advantage of the reduced tariffs and take steps to prepare for the new origin procedures. Under the CPTPP, the certificate of origin requirements are less onerous, do not require a specific form, require fewer data elements, and allow for self-certification. Many businesses will find this to be good news, and the simplified

process is likely to facilitate trade among the eleven parties to the agreement. However, in order to substantiate the claims, businesses should start preparing for the new requirements and put in place procedures, including recordkeeping requirements, to provide sufficient support for preferential duty claims made under the CPTPP.

Self-certification and verification requirements

The rules of origin under the CPTPP differ from the usual origin procedures that are utilized in the Asia Pacific region under the existing ASEAN agreements. For duty preference claims, the ASEAN agreements most often require a government-issued certificate of origin. Under the CPTPP, importers, exporters and producers may “self-certify” or have the importer, exporter or producer sign the certificate of origin.

Additionally, the CPTPP self-certified certificate requires fewer data elements than what is typically required under the ASEAN agreements. Below is a chart that compares the data elements of the ASEAN Trade in Goods Agreement (ATIGA) Form D to the CPTPP list of minimum data elements found in Chapter 2, Annex 3-B.

With the benefit of self-certification and fewer data elements comes some additional risk and exposure. This is because the CPTPP also provides for certificate of origin verification procedures, similar to an audit. So while the self-certification may be much more efficient and streamlined, businesses will have to ensure internal compliance procedures are in place to verify preferential claims and maintain sufficient records.

CPTPP: Annex 3-B (Minimum Data Requirements)	ATIGA: Form D
Importer, Exporter or Producer Certification of Origin	Whole of Form D
Certifier Details	Certification
Exporter Details (Producer/Importer if known)	Exporter’s details: business name, address (including country)
Description and HS Tariff Classification of the Good	Number and type of packages, description of goods (including quantity where appropriate and HS number of the FOB importing country)
Origin Criterion	Origin criterion (see Overleaf Notes)
Blanket Period	-
Authorised Signature and Date	Declaration of the exporter
-	Consignee details: business name, address (including country)
-	Means of transport and route
-	Preferential Treatment Indication: For Official Use
-	Item number
-	Marks and numbers on packages
-	Gross weight or other quantity and value (FOB)
-	Number and date of Invoices

What to expect under the CPTPP and lessons from KORUS

Article 3.27 of Chapter 3 states that an importing party may “conduct a verification of any claim for preferential tariff treatment by one or more of the following”:

- a written request for information from the importer of the good
- a written request for information from the exporter or producer of the good
- a verification visit to the premises of the exporter or producer of the good
- and other procedures as may be decided by the importing party and the party where the exporter or producer is located. [There are additional verification procedures for textile and apparel.]

The verification provisions provide for broad authority for requests for information as well as on site visits of the importer, exporter and producer. The language is very similar to the text of the Korea-United States Free Trade Agreement (KORUS). And, under KORUS, we know the preferential duty claims often attract rigorous verification. We may see similar verification activity under the CPTPP, especially in countries that count on customs duty as a significant source of government revenue.

How can business prepare?

To prepare for potentially broad verifications, we recommend that businesses do the following:

- ensure that supply contracts with importers, exporters and producers include language addressing certificate of origin signature requirements, such as clauses that require the counterparty to accurately provide the minimum data elements as well as sufficient documentation to support compliance with the country of origin requirements;
- conduct due diligence on importers, exporters and producers to ensure that the certifying parties maintain adequate manufacturing documents and production records;
- ensure that the exporter or producer can and will produce all information relied on for the certification;
- ensure importers maintain records for the claims; and
- when an importer certifies, ensure the importer maintains sufficient documentation to demonstrate country of origin.

Stay tuned for additional blog posts on how you can prepare for the CPTPP. For additional information, please contact the authors, [Fred Burke](#), [Jon Cowley](#), or [Kana Itabashi](#). This article first appeared on our [Trade Crossroads blog](#) on September 5, 2018.

AUSTRALIA

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
05-09-18	TC 18-34
06-09-18	Acts of Parliament assented to - Act No. 88 to 94 of 2018 <ul style="list-style-type: none"> • No. 88 of 2018—An Act to amend the <i>Biosecurity Act 2015</i>, and for other purposes. (<i>Biosecurity Legislation Amendment (Miscellaneous Measures) Act 2018</i>).

Date	Matter
	<ul style="list-style-type: none"> No. 89 of 2018—An Act to amend the <i>Customs Act 1901</i>, and for related purposes. (<i>Customs Amendment (Illicit Tobacco Offences) Act 2018</i>). No. 91 of 2018—An Act to amend the <i>Primary Industries Levies and Charges Collection Act 1991</i>, and for related purposes. (<i>Primary Industries Levies and Charges Collection Amendment Act 2018</i>).
12-09-18	TC 18-35
13-09-18	Notice of Rates of Exchange - 11/09/2018
19-09-18	TC 18-36
20-09-18	Notice of Rates of Exchange - 18/09/2018
26-09-18	TC 18-37
	Acts of Parliament assented to - Act No. 98 to 109 of 2018 <ul style="list-style-type: none"> No. 98 of 2018—An Act to amend the <i>Criminal Code Act 1995</i>, and for related purposes. (<i>Criminal Code Amendment (Food Contamination) Act 2018</i>). No. 108 of 2018—An Act to amend the <i>Imported Food Control Act 1992</i>, and for related purposes. (<i>Imported Food Control Amendment Act 2018</i>).
27-09-18	Acts of Parliament assented to - Act No. 110 to 117 of 2018 <ul style="list-style-type: none"> No. 112 of 2018—An Act to amend the <i>Customs Act 1901</i>, and for related purposes. (<i>Customs Amendment (Pacific Agreement on Closer Economic Relations Plus Implementation) Act 2018</i>). No. 113 of 2018—An Act to amend the <i>Customs Tariff Act 1995</i>, and for related purposes. (<i>Customs Tariff Amendment (Pacific Agreement on Closer Economic Relations Plus Implementation) Act 2018</i>). No. 114 of 2018—An Act to amend the <i>Customs Tariff Act 1995</i>, and for related purposes. (<i>Customs Tariff Amendment (Incorporation of Proposals) Act 2018</i>).

Australian Tariff Precedents

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

Antidumping and countervailing duty cases

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

CHINA (INCLUDING HONG KONG SAR)

China will impose tariffs on US\$60 million in US origin goods

On September 18, 2018, the Ministry of Finance [announced](#) that Office of the Customs Tariff Commission of the State Council decided to impose additional tariffs of 5% or 10% on 5,207 tax items and about 60 billion US dollars of goods originating in the United States starting from 12:01 on September 24, 2018. If the US insists on further increasing the tariff rate, the Chinese side will respond accordingly and the relevant matters will be announced separately.

The Chinese side reiterated that the purpose of implementing the above-mentioned tariff increase measures is to curb the escalation of trade frictions. It is a forced response to US unilateralism and trade protectionism. China hopes that the US side will stop trade frictions. China and the United States will adopt equality, integrity and pragmatism. Dialogue, mutual respect, and jointly safeguard the

overall interests of bilateral economic and trade relations of mutual benefit and win-win, jointly safeguard the principle of free trade and the multilateral trading system, and jointly promote the prosperity and development of the world economy.

China had released a [retaliation list on August 3](#) which listed the products in 4 annexes but with 4 different duty rates (25%, 20%, 10% and 5%). Another listing with revised duty rates is expected.

MOFCOM and GAC notices

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

Date	Series and №	Subject
09-07-18	GAC Ann. 115, 2018	Announcement on the publication of the 2018 commodity classification administrative rulings (attachment)
09-14-18	GAC Ann. 116, 2018	Announcement on the Mutual Recognition of the Implementation of the China-Israel Customs Certified Operator (AEO)
	GAC Ann. 117, 2018	Announcement on the cessation of the use of the original customs electronic tax payment system
09-17-18	GAC Ann. 118, 2018	Announcement on Quarantine Requirements for Imported Potato Fields in the United Kingdom
09-18-18	Tariff Commission № 8, 2018	Imposition of additional tariffs of % or 10% on US origin goods from 09- 24-18
09-21-18	GAC Ann. 119, 2018	Announcement on matters related to upgrading the new express clearance management system
09-25-18	GAC Ann. 120, 2018	On the Customs Supervision of the Transfer of Goods in and Out of the Sea On the Customs Supervision of the Transfer of Goods in and Out of the Sea)
09-28-18	GAC Ann. 121, 2018	On the online platform upgrade of customs administrative approval
09-29-18	MOFCOM 71, 2018	Regulations and Declaration Procedures for Ferroalloy Export Licenses for 2019
	MOFCOM 72, 2018	2019 Crude Oil Non-State Trading Import Allowance, Application Conditions and Application Procedures
	MOFCOM 73, 2018	2019 Total Import Tariff Quota for Fertilizers, Distribution Principles and Related Procedures

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
21-09-18	TRA CR 1006/19 United Nations Sanctions (ISIL and Al-Qaida) Regulation (L.N. 157 of 2018).

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 submits Semi-Annual Report on Countervailing Duty Actions

In pursuance of Article 25.11 of the *Agreement on Subsidies and Countervailing Measures*, India notifies the Committee on Subsidies and Countervailing Measures regarding countervailing duty actions for period from 1 January, 2018 to 30 June, 2018, reproduced vide [Notification No. G/SCM/N/334/IND](#) (dated 12 September, 2018).

Proposals regarding Appellate Body Appointments

On 13 September, 2018 India, along with other Member-States, submitted to the Dispute Settlement Body (DSB) revision of proposal regarding filling vacancies in the WTO Appellate Body, circulated vide [Notification No. WT/DSB/W/609/Rev.5](#) (dated 14 September, 2018).

Introduction of Harmonized System Changes into WTO Schedules of Tariff Concessions

India, along with other Member-States, in pursuance of Articles IV:2 and IX:3 of the *Marrakesh Agreement establishing the World Trade Organization* (WTO Agreement) granted waiver from application of provisions of Article II of GATT 1994, to implement Harmonised System 2012 changes, until 31 December, 2019, subject to specified conditions, circulated vide [Notification No. G/C/W/758](#) (dated 17 September, 2018) by the Council for Trade in Goods.

Subsequently, implementation of Harmonised System 2017 changes extended until 31 December, 2019, for India, along with other Member-States, subject to specified conditions, circulated vide [Notification No. G/C/W/759](#) (dated 18 September, 2018) by the Council for Trade in Goods.

India notifies Programmes in respect of Fisheries Sector

On 30 August, 2018, India notified the Committee on Subsidies and Countervailing Measures in pursuance of Article XVI:1 of the *General Agreement on Tariffs and Trade, 1994* and Article 25 of the *Agreement on Subsidies and Countervailing Measures*, regarding programmes granted or maintained in respect of fisheries sector by the Central Government as well as various State Governments and the Union Territories for Financial Years 2016-17 to 2017-18 including information on fisheries subsidies schemes for financial year 2014-15 and/or 2015-16 for few State Governments/ Union Territories, circulated vide [Notification Nos. G/SCM/N/284/IND/Suppl.2 | G/SCM/N/315/IND](#) (dated 18 September, 2018).

Other CBIC and DGFT notifications, circulars and instructions

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

Date	Series and No	Subject
CBIC Non-Tariff Notifications		
06-09-18	77/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
14-09-18	78/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
	79/2018-Cus (NT)	Customs Tariff (Determination of Origin of Goods under the Comprehensive Economic Cooperation Agreement between the Republic of India and Republic of Singapore)

Date	Series and No	Subject
		Rules, 2005 amended
19-09-18	80/2018-Cus (NT)	Exchange rate notification providing conversion rate of South African Rand to INR
20-09-18	81/2018-Cus (NT)	Exchange rate notification providing conversion rate of foreign currencies to INR
24-09-18	82/2018-Cus (NT)	All India Rates (AIRs) of Duty Drawback on Gold Jewellery, Silver Jewellery and Silver Articles amended
28-09-18	83/2018-Cus (NT)	Exchange rate notification providing conversion rate of South African Rand to INR
	84/2018-Cus (NT)	Tariff Notification regarding fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
CBIC Tariff Notifications		
11-09-18	60/2018-Cus	Re-import of specified goods for repair and reconditioning without payment of Basic Customs Duty (BCD) subject to specified conditions
14-09-18	61/2018-Cus	Amendment as per changes in second protocol amending India Singapore Comprehensive Economic Cooperation Agreement
17-09-18	62/2018-Cus	Implementation of retaliatory duties against the USA delayed till 2 November, 2018
18-09-18	63/2018-Cus	Notification granting exemption to goods imported into India against duty credit scrip under Merchandise Exports from India Scheme (MEIS) amended to align with amendment in Foreign Trade Policy
24-09-18	65/2018-Cus	Exemption from Integrated Goods and Services Tax (IGST) and Compensation Cess to goods imported by EOUs extended up to 31 March, 2019
26-09-18	66/2018-Cus	Exemption from Integrated Goods and Service Tax (IGST) and Compensation Cess to goods imported against Advance Authorisation / EPCG authorizations extended up to 31 March, 2019
	67/2018-Cus	First Schedule of the Customs Tariff Act, 1975 amended
	68/2018-Cus	Effective rate of Basic Customs Duty (BCD) on cut and polished coloured gem stones, diamonds including lab grown diamonds -semi-processed, half-cut or broken, Non-industrial diamonds including lab grown diamonds other than rough diamonds, increased
	69/2018-Cus	Entry No. 18 of Notification 57/2017- Cus dated 30 June, 2017 substituted to provide effective rate of Basic Customs Duty (BCD) on all goods other than speakers and parts of cellular mobile phones i.e. microphone, wired headset and receiver
	70/2018-Cus	Effective rate of Basic Customs Duty (BCD) on Aviation Turbine Fuel increased from Nil to 5%
28-09-18	71/2018-Cus	Notification No. 25/2002-Cus dated 1 March, 2002 granting exemption to capital goods used by IT/ Electronics industry amended
	72/2018-Cus	Import Duty on parts/ components used in manufacturing of specified textile machinery reduced to Nil
CBIC Circulars		
05-09-18	31/2018-Customs	24x7 clearance available at M/s Adani Kattupalli Sea port in Chennai, Tamil Nadu for specified imports
17-09-18	32/2018-Customs	Addition of locations for export of cargo in containers and closed bodied trucks from ICDs/ CFSs through Land Customs Stations
19-09-18	33/2018-Customs	Cost Accountants authorised to sign certificates for exporters claim of Integrated Goods and Services Tax refund
28-09-18	34/2018-Customs	Date for mandatory Radio Frequency Identification (RFID) sealing in case of movement of goods from Customs bond-

Date	Series and No	Subject
		ed Warehouses extended until 1 November, 2018
CBIC Instructions		
13-09-18	14/2018-Customs	Finalisation of provisional assessments and Safeguard Duty on import of solar cells to be assessed and collected
DGFT Notifications		
17-09-18	33/2015-2020	Import policy of Long Pepper revised from Restricted to Free and non-application of Minimum Import Price (MIP) on Long Pepper
25-09-18	34/2015-2020	Appendix 3 to Schedule 2 of ITC (HS) Classification of Export and Import Items, 2018 [SCOMET List] amended to allow export of remnant of chemicals falling under Category 1A thereof by Officials of Organisation for the Prohibition of Chemical Weapons (OPCW) after testing/analysis, subject to specified conditions
26-09-18	35/2015-2020	Exemption from Integrated Goods and Services Tax (IGST) and Compensation Cess to goods imported against Advance Authorisation / EPCG authorizations/ EOU extended up to 31 March, 2019
27-09-18	36/2015-2020	Value limit of INR 5,00,000 applicable only to courier exports and value limit no longer applicable to exports through post
28-09-18	37/2015-2020	Import policy to restrict import of Peas till 31 December, 2018
	38/2015-2020	Import policy amended to allow import of Petcoke Free for Graphite Electrode Industry, in addition to existing four industries i.e. Cement, Lime Kiln, Calcium Carbide and Gasi-fication
DGFT Public Notices		
04-09-18	33/2015-2020	Procedure prescribed for export of SCOMET items for repair/replacement purposes
	34/2015-2020	Procedure prescribed for export of SCOMET items for display / exhibition / tenders / Request for Proposal (RFP) / Request for Quotation (RFQ) / Notice Inviting Tender (NIT)
	35/2015-2020	Preferential quota of sugar (raw and/or white) for export to EU under CXL quota notified for October, 2018 to 30 September, 2019
	36/2015-2020	Appendices & Aayat Niryaaat Forms relating to EOUs amended to align with GST implementation
	37/2015-2020	Appendices & Aayat Niryaaat Forms relating to Deemed Exports amended to align with GST implementation
13-09-18	38/2015-2020	Allocation of preferential export of raw sugar to the USA under TRQ for 1 October, 2018 to 30 September, 2019 notified as 8424 MTs
	39/2015-2020	One-time relaxation for regularisation and issue of Export Obligation Discharge Certificate (EODC) for exports made prior to imports where Advance Authorisation already issued for import of Natural Rubber/ Silk
26-09-18	40/2015-2020	Cessation of Supreme International FZC as approved Pre-shipment Inspection Agency
27-09-18	41/2015-2020	Merchandise Exports from India Scheme (MEIS) benefit enhanced from 10% to 20% for specified items until 12 January, 2019

Antidumping and countervailing duty cases

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

MALAYSIA

Federal Government Gazette

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

Date	Matter
30-08-18	P.U. (A) 226/2018 - customs Duties (Amendment) Order 2018 - Customs Act 1967
07-09-18	P.U. (B) 517/2018 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
20-09-18	P.U. (B) 529/2018 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
24-09-18	P.U. (B) 538/2018 - Notification of Values of Crude Petroleum Oil Under Section 12- Customs Act 1967
25-09-18	P.U. (B) 540/2018 - Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
28-09-18	P.U. (B) 543/2018 - Notice of Impending Termination of the Imposition of Anti-Dumping Duties on Imports of Cellulose Fibre Reinforced Cement Flat and Pattern Sheets Originating or Exported From the Kingdom Of Thailand - Countervailing And Anti-dumping Duties Act 1993

Customs rulings

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

NEW ZEALAND

Excise and Excise-equivalent Duties Table Order 2018

The [Excise and Excise-equivalent Duties Table Order 2018](#) (the Order) was gazetted on Friday 14 September.

The Order includes the Excise and Excise-equivalent Duties Table that will apply from 1 October 2018. It carries over the rates of excise and excise-equivalent duty set out under the *Customs and Excise Act 1996*, amended as stipulated in the *Customs and Excise Act 2018*.

This order is part of the technical transition process from the *Customs and Excise Act 1996* to the *Customs and Excise Act 2018*.

New Zealand Gazette

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

Date	Matter
03-09-18	Tariff Concession (Advertisement) Notice 2018/39
	Tariff Concession Approvals, Withdrawals and Declines Notice 39
11-09-18	Tariff Concession (Advertisement) Notice 40 2018
	Tariff Concession Approvals, Withdrawals and Declines Notice 40
14-09-18	Excise and Excise-equivalent Duties Table Order 2018
18-09-18	Tariff Concession (Advertisement) Notice 2018/41

Date	Matter
28-09-28	Tariff Concession Approval Notice 42 2018
	Tariff Concession Approval Notice 43 2018
	Tariff Concession Approval Notice 44 2018

PHILIPPINES

Safeguard investigation on cement launched

On 19 September 2018, Philippines notified the WTO's Committee on Safeguards that it initiated on 10 September 2018 a safeguard investigation on cement. In a notice submitted together with the notification, Philippines indicated, among other things, that "submissions may be made to the Bureau on Import Services (BIS), Department of Trade and Industry, 3rd floor, Tara Building #389 Senator Gil Puyat Avenue, Makati City, within five (5) days from the date of the publication of this notice."

Further information is available in [G/SG/N/6/PHL/11](#).

SINGAPORE

Notices, circulars, etc.

Date	Reference	Matter
04-09-18	Circular 08/2018	Changes to the Strategic Goods Control List
		Strategic Goods (Control) Order 2018 [from 1 Nov. 2018]
07-09-18	Circular 09/2018	Implementation of the Revised Rules of Origin (ROO) and Operational Certification Procedures (OCP) under the India-Singapore Comprehensive Economic Cooperation Agreement (CECA)
11-09-18		Detection of Classical Swine Fever in Japan
12-09-18	Notice 18/2018	Advisory: Classification of Alcoholic Beverages
14-09-18		Outbreak of Avian Influenza (AI) in Stanislaus County, California, USA
17-09-18		Detection of African Swine Fever (ASF) in Belgium
27-09-18	Notice 19/2018	New Application Procedures for Customs eServices & Documents Submission

Europe, Middle East and North Africa

European Union and EFTA

Commission issues tariff classification regulations

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

Amendments to the CN Explanatory Notes

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

Binding Tariff Information

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

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

Official Journal documents

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

OJ Date	Subject
03-09-18	Council Decision (EU) 2018/1211 of 16 July 2018 on the signing, on behalf of the European Union, of a Protocol amending the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) by extending the possibility of accession to the Kingdom of Morocco
05-09-18	Corrigendum to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, signed at Luxembourg on 16 June 2008 (OJ L 164, 30.6.2015)
	Commission Implementing Decision (EU) 2018/1216 of 4 September 2018 concerning certain interim protective measures relating to African swine fever in Bulgaria (notified under document C(2018) 5885)
06-09-18	Corrigendum to Council Directive (EU) 2017/2455 of 5 December 2017 amending Directive 2006/112/EC and Directive 2009/132/EC as regards certain value added tax obligations for supplies of services and distance sales of goods (OJ L 348, 29.12.2017)
	Corrigendum to Council Directive (EU) 2017/2455 of 5 December 2017 amending Directive 2006/112/EC and Directive 2009/132/EC as regards certain value added tax obligations for supplies of services and distance sales of goods (OJ L 125, 22.5.2018)
10-09-18	Corrigendum to Passenger Name Records (PNR) — List of Member States who 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 318/05]
11-09-18	Corrigendum to Commission Implementing Regulation (EU) 2018/659 of 12 April 2018 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae (OJ L 110, 30.4.2018)
12-09-18	Information notice — Public consultation — Terms from Mercosur to be protected as traditional terms for wine in the European Union [2018/C 322/11]
14-09-18	Commission Implementing Regulation (EU) 2018/1232 of 11 September 2018 amending Implementing Regulation (EU) No 1354/2011 as regards Union tariff quotas for sheepmeat and goatmeat originating in Norway and in New Zealand
	Commission Implementing Decision (EU) 2018/1242 of 14 September 2018 concerning certain interim protective measures relating to African swine fever in Belgium (notified under document C(2018) 6072)
	Commission notice concerning the application of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin or the protocols on rules of origin providing for diagonal cumulation between the Contracting Parties to this

OJ Date	Subject
	<p>Convention</p> <p>Commission communication in the framework of the implementation of Directive 2014/29/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 326/01]</p> <p>Commission communication in the framework of the implementation of Directive 2014/35/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 326/02]</p> <p>Commission communication in the framework of the implementation of Directive 2014/68/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of pressure equipment (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 326/03]</p> <p>Commission communication in the framework of the implementation of Directive 1999/5/EC of the European Parliament and of the Council on radio equipment and telecommunications terminal equipment and the mutual recognition of their conformity and Directive 2014/53/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 326/04]</p>
17-09-18	<p>Corrigendum to Decision No 2/2016 of the EU-Switzerland Joint Committee of 3 December 2015 amending Protocol 3 to the Agreement between the European Economic Community and the Swiss Confederation concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2016/121] (OJ L 23, 29.1.2016)</p>
19-09-18	<p>Commission Regulation (EU) 2018/1246 of 18 September 2018 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the inclusion of pyroligneous distillate in the Union list of flavourings</p> <p>Commission Implementing Decision (EU) 2018/1251 of 18 September 2018 not approving empenithrin as an existing active substance for use in biocidal products of product-type 18</p> <p>Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS) and amending Regulations (EU) No 1077/2011, (EU) No 515/2014, (EU) 2016/399, (EU) 2016/1624 and (EU) 2017/2226</p> <p>Regulation (EU) 2018/1241 of the European Parliament and of the Council of 12 September 2018 amending Regulation (EU) 2016/794 for the purpose of establishing a European Travel Information and Authorisation System (ETIAS)</p>
20-09-18	<p>Notice concerning the entry into force of the Protocol to the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, to take account of the accession of the Republic of Croatia to the European Union</p> <p>Council Decision (EU) 2018/1252 of 18 September 2018 on the signing, on behalf of the Union, of the Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China in connection with DS492 European Union — Measures affecting Tariff Concessions on Certain Poultry Meat Products</p> <p>Commission Implementing Regulation (EU) 2018/1254 of 19 September 2018 concerning the denial of authorisation of riboflavin (80 %) produced by Bacillus subtilis KCCM-10445 as a feed additive belonging to the functional group of vitamins, pro-vitamins and chemically well-defined substances having similar effect</p> <p>Corrigendum to Commission Implementing Regulation (EU) 2018/659 of 12 April 2018 on the conditions for the entry into the Union of live equidae and</p>

OJ Date	Subject
	of semen, ova and embryos of equidae (OJ L 110, 30.4.2018)
21-09-18	Commission Implementing Regulation (EU) 2018/1258 of 18 September 2018 granting a Union authorisation for the biocidal product family Ecolab Iodine PT3 Family
	Commission Regulation (EU) 2018/1259 of 20 September 2018 amending Regulation (EU) No 873/2012 on transitional measures concerning the Union list of flavourings and source materials set out in Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards the extension of the transition period of Article 4 concerning the flavouring 'grill flavour concentrate (vegetable)' FL No 21.002
	Commission Implementing Regulation (EU) 2018/1260 of 20 September 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances pyridaben, quinmerac and zinc phosphide
	Commission Implementing Regulation (EU) 2018/1261 of 20 September 2018 granting a Union authorisation for the biocidal product family Hypred's iodine based products
	Commission Implementing Regulation (EU) 2018/1262 of 20 September 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-methylcyclopropene, beta-cyfluthrin, chlorothalonil, chlorotoluron, clomazone, cypermethrin, daminozide, deltamethrin, dimethenamid-p, diuron, fludioxonil, flufenacet, flurtamone, fos-thiazate, indoxacarb, MCPA, MCPB, prosulfocarb, thiophanate-methyl and tribenuron
	Commission Implementing Regulation (EU) 2018/1263 of 20 September 2018 establishing the forms for the submission of information by parcel delivery service providers pursuant to Regulation (EU) 2018/644 of the European Parliament and of the Council
	Commission Implementing Regulation (EU) 2018/1264 of 20 September 2018 renewing the approval of the active substance pethoxamid in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Regulation (EU) 2018/1265 of 20 September 2018 approving the active substance fepicoxamid in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Regulation (EU) 2018/1266 of 20 September 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 1-decanol, 6-benzyladenine, aluminium sulfate, azadirachtin, bupirimate, carboxin, clethodim, cycloxydim, dazomet, diclofop, dithianon, dodine, fenazaquin, fluometuron, flutriafol, hexythiazox, hymexazol, indolylbutyric acid, isoxaben, lime sulphur, metaldehyde, paclobutrazol, pencycuron, sintofen, tau-fluvalinate and tebufenozide
24-09-18	Council Regulation (EU) 2018/1277 of 18 September 2018 on fixing the export refunds on poultrymeat
	Commission Implementing Regulation (EU) 2018/1278 of 21 September 2018 approving the low-risk active substance <i>Pasteuria nishizawae</i> Pn1 in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Decision (EU) 2018/1280 of 21 September 2018 concerning certain protective measures relating to African swine fever in Bulgaria (notified under document C(2018) 6253)
	Commission Implementing Decision (EU) 2018/1281 of 21 September 2018 concerning certain protective measures relating to African swine fever in Belgium (notified under document C(2018) 6255)
	Commission Implementing Decision (EU) 2018/1282 of 21 September 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal

OJ Date	Subject
	health control measures relating to African swine fever in certain Member States (notified under document C(2018) 6256)
25-09-18	Notice concerning the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and New Zealand pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union
	Commission Implementing Regulation (EU) 2018/1287 of 24 September 2018 granting a Union authorisation for the biocidal product family Quat-Chem's iodine based products
	Commission Implementing Regulation (EU) 2018/1288 of 24 September 2018 granting a Union authorisation for the biocidal product family Prodhynet's iodine based products
26-09-18	Commission Implementing Regulation (EU) 2018/1292 of 25 September 2018 approving cyphenothrin as an existing active substance for use in biocidal products of product-type 18
27-09-18	Notice concerning the entry into force of the Agreement between the European Union and its Member States, of the one part, and Iceland, of the other part, concerning Iceland's participation in the joint fulfilment of the commitments of the European Union, its Member States and Iceland for the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on Climate Change
	Notice concerning the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and the Kingdom of Norway concerning additional trade preferences in agricultural products
	Commission Implementing Regulation (EU) 2018/1293 of 26 September 2018 amending Implementing Regulation (EU) 2017/2470 as regards the conditions of use of the novel food lactitol
	Commission Implementing Regulation (EU) 2018/1294 of 26 September 2018 concerning the non-approval of Landes pine tar as a basic substance in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market
	Commission Implementing Regulation (EU) 2018/1295 of 26 September 2018 approving the basic substance Onion oil in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Decision (EU) 2018/1297 of 25 September 2018 on a derogation from mutual recognition of the authorisation of biocidal products containing creosote by France in accordance with Article 37 of Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document C(2018) 5412)
	Corrigendum to Council Decision 2009/477/EC of 28 May 2009 publishing in consolidated form the text of the Customs Convention on the international transport of goods under cover of TIR carnets (TIR Convention) of 14 November 1975 as amended since that date (OJ L 165, 26.6.2009)
	Update of the list of national services responsible for border controls as referred to in Article 16(2) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2018/C 345/05]
28-09-18	Commission Implementing Regulation (EU) 2018/1300 of 27 September 2018 amending and derogating from Regulation (EC) No 2535/2001 as regards import licences for dairy products originating in Norway
	Commission Implementing Regulation (EU) 2018/1301 of 27 September 2018 amending Implementing Regulation (EU) 2018/659 on the conditions for the entry into the Union of live equidae and of semen, ova and embryos of equidae
	Council Decision (EU) 2018/1303 of 18 September 2018 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part, regarding the update of

OJ Date	Subject
	Annex III (Approximation) concerning rules applicable to standardisation, accreditation, conformity assessment, technical regulation and metrology, and Annex XVI (Public Procurement) to the Agreement
	Commission Implementing Decision (EU) 2018/1305 of 26 September 2018 on the terms and conditions of the authorisation of a biocidal product family containing deltamethrin referred by Sweden in accordance with Article 36 of Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document number C(2018) 5503)
	Commission Implementing Decision (EU) 2018/1307 of 27 September 2018 amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (notified under document C(2018) 6382)
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 August 2018 to 31 August 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 349/01]
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 August 2018 to 31 August 2018 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2018/C 349/02]

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
07-09-18	Commission Implementing Regulation (EU) 2018/1218 of 6 September 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
14-09-18	Council Implementing Regulation (EU) 2018/1230 of 12 September 2018 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
	Council Decision (CFSP) 2018/1237 of 12 September 2018 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine
	Council Implementing Regulation (EU) 2018/1231 of 13 September 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Decision (CFSP) 2018/1238 of 13 September 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
19-09-18	Council Implementing Regulation (EU) 2018/1245 of 18 September 2018 implementing Article 21(1) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya
	Council Implementing Decision (CFSP) 2018/1250 of 18 September 2018 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
25-09-18	Council Implementing Regulation (EU) 2018/1284 of 24 September 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Decision (CFSP) 2018/1289 of 24 September 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Regulation (EU) 2018/1285 of 24 September 2018 implementing Article 21(5) of Regulation (EU) 2016/44 concerning restrictive

OJ Date	Restrictive Measure
	measures in view of the situation in Libya
	Council Implementing Decision (CFSP) 2018/1290 of 24 September 2018 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
	Commission Implementing Regulation (EU) 2018/1286 of 24 September 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
28-09-18	Commission Implementing Regulation (EU) 2018/1302 of 27 September 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq

Antidumping and countervailing duty cases

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

FRANCE

Official Gazette (*Journal officiel*)

Date	Measure
07-09-18	ACTION AND PUBLIC ACCOUNTS (APA): Order of 27 August 2018 amending the Decree of 8 June 1993 adopted for the application of the exemption from the internal consumption tax provided for in Article 265 bis-1 (a) of the Customs Code for petroleum products intended for to be used for purposes other than fuel or fuel and setting out the measures to be followed by suppliers, distributors and users of such products for the purposes of the tax audit
27-09-18	APA: Order of 27 August 2018 amending the Decree of 13 October 2008 adopted for the application of the provisions of 2 ° and 3 ° of I and II of Article 265 C of the Customs Code relating to energy products mentioned in Article 265 of the same Code, which are dual-use or intended to be used in a process for the manufacture of non-metallic mineral products, and laying down the measures to be complied with for the purposes of the tax audit , suppliers, distributors and users of these products
	APA: Order of 10 September 2018 made in application of the provisions of Article 265f of the Customs Code
	APA: Order of 10 September 2018 made in application of the provisions of Article 265g of the Customs Code
	APA: Order of 10 September 2018 amending the Decree of 20 February 2018 made in application of the provisions of Article 265q of the Customs Code

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
29-08-18	2018/50-Notice to importers of processed sheepmeat and goatmeat and sheepmeat originating in Iceland
07-09-18	2018/51-Notice to Importers of Photovoltaic Modules and Their Essential Components from the People's Republic of China
12-09-18	2018/52-Notice to importers of certain prepared or preserved sweet corn kernels originating in the Kingdom of Thailand
25-09-18	2018/53-Notice to Importers of Citric Acid Shipped from Cambodia

SWITZERLAND

Customs Mutual Assistance agreement with US still under consideration

The Federal Council [announced](#) that during its meeting on 5 September 2018, it took note of the results of the consultation procedure on an administrative assistance agreement in the customs area with the US. It decided to continue the negotiations on the agreement provided the Foreign Affairs Committees of the Federal Assembly agree. In 2017, a consultation on a draft agreement with the US in its present form was rejected by or at least viewed critically by most business associations and seven cantons. The announcement stated:

The Federal Council has nevertheless decided to continue the negotiations provided the Foreign Affairs Committees agree to an adjusted negotiation mandate. In doing so, it was guided by the following considerations: secure supply chains are very important for the international movement of goods. Such supply chains are associated with controls unless there are agreements between the individual states on the mutual recognition of customs security measures which provide for simpler controls. Both Switzerland and the US are familiar with such measures (authorised economic operator or Customs-Trade Partnership Against Terrorism).

A corresponding agreement between Switzerland and the US does not exist at present and is not currently considered necessary. From the US perspective, however, an agreement on the mutual recognition of customs security measures is worth considering only if there is also an administrative assistance agreement in the customs area. The Federal Council believes it is important to continue the negotiations on an administrative assistance agreement in the customs area in order to safeguard the long-term possibility of negotiations on an agreement on the mutual recognition of customs security measures. As part of the further negotiations, improvements are to be made to the text of the agreement in line with the opinions of the consultation participants.

Recueil officiel

Date	Measure
04-09-18	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.102)
	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.102)
11-09-18	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)
14-09-18	Federal Order approving and implementing the Exchange of Notes between Switzerland and the European Union concerning the resumption of Regulation (EU) 2016/1624 on the European Border and Coast Guard (Development of the European Union) acquired from Schengen (RS 142.20)
	Exchange of notes of 14 October 2016 between Switzerland and the European Union on the resumption of Regulation (EU) 2016/1624 on the European Border and Coast Guard (Development of the Schengen acquis) (RS 0.362.380.077)
20-09-18	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)
25-09-18	Ordinance of the Swiss Institute for Therapeutic Products on the enactment of the pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	FOAG Ordinance on Catalogs and Lists of Plant Varieties Used for Agricultural Purposes (Variety Ordinance) (RS 916.151.6)

Date	Restrictive Measure
12-09-18	Amendment to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82) [Entered into force 11-09-18]
18-09-18	Amendment to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82) [Entered into force 17-09-18]
25-09-18	Amendment to the Ordinance of 7 August 1990 instituting economic measures towards the Republic of Iraq (RS 946.206) [Entered into force 24-09-18]
26-09-18	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) [Entered into force 27-09-18]

UNITED KINGDOM

Brexit updates

No-deal Brexit papers published: In addition to the first 25, the UK Government has published further 28 technical notices on how business and citizens can prepare for a “no deal” Brexit scenario. More papers will be issued throughout September – up to a total of 80. Technical notices issued on 13 September cover the sections:

- Applying for EU-funded programmes
- Driving
- Handling civil legal cases
- Labelling products and making them safe
- Meeting business regulations
- Personal data and consumer rights
- Protecting the environment
- Regulating energy
- Regulating medicines and medical equipment
- Satellites and space
- Seafaring
- Travelling between the UK and the EU

The full papers can be found [here](#).

No-deal Brexit: UK-made cars will not be ‘valid for sale’ in EU, government document admits: The [Independent](#) reports that

Vehicles made in the UK could no longer be sold in the EU if Britain crashes out without a deal, a shock government document admits. EU “type-approval” would no longer be granted to prove the vehicles comply with safety and environmental standards, it warned. It was issued just two days after the boss of Jaguar Land Rover attacked Theresa May’s Brexit strategy, warning that that tens of thousands of jobs were being put at risk. Manufacturers would need to seek approval from an authority in an EU member state – if such an agreement could be struck. The document says that, if there is a no-deal Brexit, the government would act unilaterally to ensure EU-made cars could still be bought in this country, by recognising approvals. But it acknowledges that Brussels might no longer be willing to consider the UK’s Vehicle Certification Agency (VCA) as an appropriate body for sales in the EU.

For additional information please contact [Jessica Mutton](#).

Taxation (Cross-border Trade) Act 2018

In connection with the withdrawal of the United Kingdom from the European Union, the UK has enacted the [Taxation \(Cross-border Trade\) Act 2018](#) to enable it to impose and regulate a customs duty on the importation of goods into the United Kingdom; to confer a power to impose and regulate a customs duty on the exportation of goods from the United Kingdom; to make other provision in relation to any duty of customs in connection with the withdrawal of the United Kingdom from the EU; to amend the law relating to value added tax, and the law relating to any excise duty on goods, in connection with that withdrawal; and for connected purposes.

Legislation (legislation.gov.uk)

Date	Measure
07-09-18	SI 2018/974 - The Marketing of Ornamental Plant Propagating Material (Amendment) (England and Wales) Regulations 2018
13-09-18	2018 c. 22 - Taxation (Cross-border Trade) Act 2018
20-09-18	SI 2018/1012 - The European Union (Definition of Treaties Orders) (Revocation) (EU Exit) Regulations 2018
	SI 2018/1011 - The European Communities (Designation Orders) (Revocation) (EU Exit) Regulations 2018
27-09-18	SI 2018/1025 - The Timber and Timber Products and FLEGT (EU Exit) Regulations 2018
28-09-18	SI 2018/1034 - The Seal Products (Amendments) (EU Exit) Regulations 2018

HMRC updates

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

Release Date	Ref. No. and Subject
Tariff and Anti-Dumping Notices	
03-09-18	Notice 831: European Union - Binding Origin Information
	Tariff Stop Press Notice 34 (2018): changes to the monthly trade euro rate
04-09-18	Tariff Stop Press Notice 35 (2018): amendments to CDS Volume 3 procedure codes
	Tariff Notice 23 (2018): other furniture and parts thereof
05-09-18	Tariff Stop Press Notice 36 (2018): amendments to CDS Volume 3 category data sets
	Solar panels and cells originating or consigned from China, Malaysia and Taiwan (Anti-Dumping Duty 2292)
06-09-18	Apply to become a registered exporter
07-09-18	Tariff Quota Notice 123 (2018): sheep and goat meat originating in Iceland
	Revenue and Customs Brief 6 (2018): VAT exemption for all domestic service charges
10-09-18	Stainless steel wires originating in India (Anti-Dumping Duty 2293)
	Tariff Stop Press Notice 31 (2018): amendments to volume 3 of the UK Trade Tariff
11-09-18	Notice 831: European Union - Binding Origin Information
	Tariff Notice 24 (2018): seats, furniture and other parts thereof
13-09-18	Letter to EU-only traders in the UK (except Northern Ireland)
	Letter to EU-only traders in Northern Ireland
19-09-18	CHIEF: customs procedure codes
	UK Trade Tariff: preferential trade arrangements for countries outside the EU
20-09-18	Tariff Notice 25 (2018): betaine, water, sucrose, ash and other organic substances

Release Date	Ref. No. and Subject
21-09-18	Tariff Notice 26 (2018): correction to EC Regulation 2018/533
24-09-18	Investigation of citric acid consigned from Cambodia (Anti-Dumping Duty 2294)
	Excise Notice 477: tobacco products duty - duty not to facilitate smuggling
	Notify HMRC of changes that affect your Authorised Economic Status

ECO Notices to Exporters and DIT documents

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

Date	Notice No. and Subject
14-09-18	Notice to exporters 2018/22: Export Control Order 2008 amended and firearms export guidance note published
	Firearms guidance
	Consolidated list of strategic military and dual-use items that require export authorisation
18-09-18	EU-Canada Comprehensive Economic and Trade Agreement: guidance for UK exporters
25-09-18	Notice to exporters 2018/23: European Commission launches survey on draft guidelines for internal compliance programmes (ICPs)

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	
05-09-18	№ 808/2018 (22-08-18) Regulation about (10) amendment of regulation no. 233/2001, on narcotics and other regulated substances.
07-09-18	№ 811/2018 (04-09-18) Regulation concerning the entry into force of Commission Implementing Regulation (EU) 2018/700 amending third country establishments, from which certain products of animal origin may be imported for certain establishments in Brazil
	№ 812/2018 (04-09-18) Regulation (12.) amendment of Regulation no. 835/2010 on the entry into force of Commission Regulation (EC) No. 669/2009 implementing the Regulation of the European Parliament and of the Council (EC) No. 882/2004 as regards increased official controls on imports of certain feed and non-animal feedstuffs.
10-09-18	№ 818/2018 (10-09-18) Regulation (6) amendment of Regulation no. 1096/2017 on the allocation of customs duties for imports of agricultural products in accordance with Annexes IVA and IVB to the Customs Act.
17-09-18	№ 836/2018 (03-09-18) Regulation on the entry into force of Commission Regulation (EU) No. 813/2013 of 2 August 2013 implementing Directive 2009/125 / EC of the European Parliament and of the Council as regards the requirements for ecodesign of heaters for space and combined heaters.
25-09-18	№ 846/2018 (24-09-18) Regulation amendment of Regulation no. 848/2014 on special conditions for imports of ore and curry leaves from India
IRELAND (EIRE)	
18-09-18	S.I. 354 of 2018 European Union (Invasive Alien Species) (Freshwater Crayfish) Regulations 2018

Date*	Measure
21-09-18	S.I. 356 of 2018 Control of Exports (Brokering Activities, Goods and Technology) Order 2018
	S.I. 357 of 2018 Control of Exports (Dual Use Items) (Amendment) Order 2018
	S.I. 358 of 2018 European Communities (Control of Trade in Goods That May Be Used for Torture) (Amendment) Regulations 2018
	S.I. 365 of 2018 European Union (Manufacture, Presentation and Sale of Tobacco and Related Products) (Amendment) (No. 2) Regulations 2018
LIECHTENSTEIN	
06-09-18	LGBI № 2018.180 Order of 4 September 2018 amending the Regulation on entry and visa (LR № 152.204)
LUXEMBOURG	
11-09-18	<p>Mem A 789: Act of 1 August 2018 amending</p> <p>1 ° of the Penal Code;</p> <p>2 ° of the Code of Criminal Procedure;</p> <p>3 ° of the New Code of Civil Procedure;</p> <p>4 ° of the amended law of 31 January 1948 relating to the regulation of air navigation;</p> <p>5 ° of the amended law of 19 February 1973 on the sale of medicinal substances and the fight against drug addiction;</p> <p>6 ° of the amended law of 10 August 1991 on the profession of lawyer;</p> <p>7 ° of the amended law of 17 March 1992 on the approval of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, done at Vienna on 20 December 1988; 2. amending and supplementing the law of 19 February 1973 on the sale of medicinal substances and the fight against drug addiction; 3. amending and supplementing certain provisions of the Code of Criminal Procedure;</p> <p>8 ° of the amended law of 14 June 2001 on 1. approval of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime, done at Strasbourg on 8 November 1990 ; 2. modification of certain provisions of the penal code; 3. amendment of the Law of 17 March 1992 1. approving the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, done at Vienna on 20 December 1988; 2. amending and supplementing the law of 19 February 1973 on the sale of medicinal substances and the fight against drug addiction; 3. amending and supplementing certain provisions of the Code of Criminal Procedure, with a view to adapting the confiscation regime.</p>
13-09-18	Mem A 814: Law of 21 August 2018 approving the Cooperation Agreement between the Grand Duchy of Luxembourg and the Kingdom of Belgium on medicines and health products, Luxembourg, 17 January 2018.
17-09-18	Mem A 834: Implementation of new European non-electric standards applicable in the Grand Duchy of Luxembourg.
	Mem A 835: Implementation of new European standards in the electrotechnical field applicable to the Grand Duchy of Luxembourg
	Mem A 836: Implementation of new European telecommunications standards applicable to the Grand Duchy of Luxembourg.
MALTA	
18-09-18	LN № 295 of 2018 – Energy Labelling (Implementing Measures) Regulations, 2018 - Government Gazette Of Malta Nru. 20,057– 18.09.2018
28-09-18	LN № 311 of 2018 – Examination of Varieties of Agricultural Plant Species (Amendment) Regulations, 2018 - Government Gazette Of Malta Nru. 20,062– 28.09.2018
	LN № 312 of 2018 – Examination of Varieties of Vegetable Species (Amendment) Regulations, 2018 - Government Gazette Of Malta Nru. 20,062– 28.09.2018
NORWAY	
11-09-18	FOR-2018-08-29-1312 MINISTRY OF FOOD AND FISHERIES, MINISTRY OF AGRICULTURE AND FOOD Regulations amending the regulation on labeling and marketing of feed products
13-09-18	FOR-2018-09-12-1318 MINISTRY OF AGRICULTURE AND FOOD, MINISTRY OF HEALTH AND CARE SERVICES, MINISTRY OF FOOD AND FISHERIES Regulations for change in

Date*	Measure
	the list of third countries with approved remote control software
14-09-18	FOR-2018-08-31-1319 MINISTRY OF HEALTH AND CARE SERVICES, MINISTRY OF FOOD AND FISHERIES, MINISTRY OF AGRICULTURE AND FOOD Regulations on the production and export of food and feed to countries outside the EEA on special terms
17-09-18	FOR-2018-09-14-1324 MINISTRY OF FINANCE Regulations on anti-money laundering and terrorist financing (Money Laundering Regulations)
	FOR-2018-09-14-1326 MINISTRY OF FINANCE Entry into force of the Act of June 1, 2018 No. 23 on measures against money laundering and terrorist financing (Money Laundering Act)
26-09-18	FOR-2018-09-21-1402 MINISTRY OF CLIMATE AND ENVIRONMENT Regulations concerning change in biocidal regulation (Biocidal Regulations)
27-09-18	FOR-2018-09-24-1404 MINISTRY OF HEALTH AND CARE SERVICES Regulations amending the Regulations on Special Health Rules for Foodstuffs of Animal Origin (Animal Health Regulations)
	FOR-2018-09-24-1405 MINISTRY OF HEALTH AND CARE Regulations for change in the aroma regulation
	FOR-2018-09-24-1406 MINISTRY OF CLIMATE AND ENVIRONMENT, MINISTRY OF LABOR AND SOCIAL AFFAIRS, MINISTRY OF JUSTICE AND EMERGENCY AFFAIRS, MINISTRY OF AGRICULTURE AND FOOD Regulations amending the Regulation on Classification, Labeling and Packaging of Substances and Mixtures
	FOR-2018-09-24-1408 MINISTRY OF HEALTH AND CARE SERVICES Regulations for change in regulation of new food
28-09-18	FOR-2018-09-24-1459 Ministry of Health and Care Services Regulations amending the Regulation on Food Additives
	FOR-2018-09-24-1460 Ministry of Health and Care Services Regulations on changes in regulations regarding materials and articles in contact with foodstuffs (food contact regulations)
	FOR-2018-09-24-1461 Ministry of Agriculture and Food Regulations concerning change in pesticide regulation
	FOR-2018-09-24-1463 Ministry of Health and Care Regulations amending the regulation on cosmetics and body care products
	FOR-2018-09-24-1464 Ministry of Health and Care Services Regulations amending the regulation on nutrition and health claims concerning foodstuffs
POLAND	
03-09-18	№ 1689 Regulation of the Minister of Internal Affairs and Administration of August 1, 2018 amending the regulation on offenses for which Border Guard officers are entitled to impose fines by way of a penalty ticket
04-09-18	№ 1697 The Act of July 20, 2018 amending the Act on Excise Duty and the Law on Customs
25-09-18	№ 1815 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 on 11 May 2012.
	№ 1816 Government declaration of 1 August 2018 regarding the binding force of the 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 on 11 May 2012.
28-09-18	№ 1856 Regulation of the Minister of Finance of September 27, 2018 regarding uniforms of the officers of the Customs and Treasury Service
SPAIN	
11-09-18	INDUSTRY, TRADE & TOURISM: Order ICT / 920/2018, of August 30, on regime of authorization and control of importation of hemp seeds not destined for sowing. (BOE-A-2018-12345)
14-09-18	INDUSTRY, TRADE & TOURISM: Resolution of September 6, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Companies, by which the UNE standard projects that the Spanish Standardization Association has in process, corresponding to the month of September, are submitted to public information. August 2018. (BOE-A-2018-12564)
	INDUSTRY, TRADE & TOURISM: Resolution of September 6, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Companies, by

Date*	Measure
	which they submit to public information, the draft European and international standards that have been processed as UNE standard projects by the Association Spanish Standardization, corresponding to the month of August 2018. (BOE-A-2018-12565)
19-09-18	FOREIGN AFFAIRS: Agreement of collaboration and cooperation between the European Union and its Member States, on the one hand, and the Republic of Iraq, on the other hand, made in Brussels on May 11, 2012. (BOE-A-2018-12698)
20-09-18	INDUSTRY, TRADE & TOURISM: Resolution of September 6, 2018, of the General Directorate of Industry and of Small and Medium-Sized Enterprises, publishing the list of European standards that have been ratified during the month of August 2018 as Spanish standards. (BOE-A-2018-12768)
	INDUSTRY, TRADE & TOURISM: Resolution of September 6, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Company, by which the list of annulled UNE regulations is published during the month of August 2018. (BOE-A-2018-12769)
	FOREIGN AFFAIRS: Entry into force of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, on the one hand, and the Lebanese Republic, on the other, to take into account the accession to the European Union of the Republic of Bulgaria and Romania, made in Brussels on June 18, 2015. (BOE-A-2018-12999)
28-09-18	FOREIGN AFFAIRS: Entry into force of the Protocol to the Euro-Mediterranean Association Agreement between the European Community and its Member States, on the one hand, and the Lebanese Republic, on the other, to take into account the accession of the Republic of Croatia to the European Union, made in Brussels on April 28, 2016. (BOE-A-2018-13120)
29-09-18	URGENT MEASURES: Resolution of September 20, 2018, of the Congress of Deputies, ordering the publication of the Convalidation Agreement of Royal Decree-law 11/2018, of August 31, of transposition of directives on the protection of commitments for pensions with workers, prevention of money laundering and requirements for entry and residence of third-country nationals and for amending Law 39/2015, of October 1, on the Common Administrative Procedure of Public Administrations. (BOE-A-2018-13181)

Restrictive measures established, amended, corrected

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

Date*	Restrictive Measure
IRELAND (EIRE)	
04-09-18	Nº 336 European Union (Restrictive Measures concerning ISIL (Da'esh) and Al-Qaeda and natural and legal persons, entities or bodies associated with them) (No. 2) Regulations 2018
	Nº 337 European Union (Restrictive Measures concerning The Maldives) Regulations 2018
	Nº 338 European Union (Restrictive Measures concerning Iraq) Regulations (No. 3) 2018
	Nº 339 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. 5) Regulations 2018
	Nº 340 European Union (Restrictive Measures concerning Libya) Regulations (No. 5) 2018
	Nº 341 European Union (Restrictive Measures in respect of Myanmar/Burma) Regulations (No. 3) 2018

Date*	Restrictive Measure
	№ 342 Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities with a view to Combating Terrorism) Regulations (No. 2) 2018
	№ 343 European Union (Restrictive Measures concerning Ukraine) Regulations (No. 3) 2018
LIECHTENSTEIN	
28-09-18	LGBI № 2018.187 Order of 25 September 2018 amending the Regulation on measures to prevent the circumvention of international sanctions in relation to the situation in Ukraine (LR № 946.224.2)

Non EU-EFTA European Countries

TURKEY

Legislation (laws, resolutions, orders, etc.)

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

Date	Subject
01-09-18	Communiqué on goods exported Registration Affiliates (Communiqué No: 2006/7 Export) Amending the Communiqué (Exports 2018/6)
04-09-18	Value of Turkish Currency Communiqué regarding Decree No. 32 on the Protection (About Export Charges) (No. 2018-32 / 48)
05-09-18	Inda Decision on the Implementation of Tariff Quotas in the Importation of Some Industrial Products (Number of Decisions: 60)
	Communiqué on Import Quota and Tariff Allotment Administration (No: 2018/6)
07-09-18	Communiqué on the Prevention of Unfair Competition in Importation (No: 2018/28)
	Communiqué on the Amendment of the Communiqué on the Regulation on the Regulation and Control of Raw Diamond Foreign Trade (Communiqué No: 2006/1)
08-09-18	Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2006/30) Amending the Communiqué
	Communiqué on the Prevention of Unfair Competition in Importation (No: 2018/29)
	Communiqué on the Prevention of Unfair Competition in Importation (No: 2018/30)
	Communiqué on the Prevention of Unfair Competition in Importation (No: 2018/32)
09-09-18	Communiqué on Import Quota and Tariff Allotment Administration (No: 2018/4)
	Communiqué on Import Quota and Tariff Allotment Administration (No: 2018/5)
16-09-18	Communiqué on the Implementation of Supervision on Importation (No: 2018/8)
20-09-18	İlişkin Communiqué on Safeguard Measures in Importation (No: 2018/7)
24-09-18	Decision on the Reconstruction of Special Consumption Tax Basis for Special Consumption Tax Rates of Certain Goods Listed in the List (II) No: 4760 on Excise Law (Number of Decisions: 132)
26-09-18	Communiqué on the Prevention of Unfair Competition in Importation (No: 2018/31)
28-09-18	Communiqué on goods exported Registration Affiliates (Communiqué No: 2006/7 Export) Amending the Communiqué (Exports 2018/8)
	Communiqué Pertaining to the Protective Measures in Imports (No: 2018/5)
29-09-18	Regulation Amending the Regulation on Animals and Products Subject to Veterinary Controls at the Entrance

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
05-09-18	On Signing of the Protocol between the Cabinet of Ministers of Ukraine and the Government of the Republic of Moldova to the Agreement between the Government of Ukraine and the Government of the Republic of Moldova on International Automobile Transport dated March 20, 1993 Order of the Cabinet of Ministers of Ukraine dated September 5, 2018 No. 632-p
06-09-18	On the Treaty of Friendship, Cooperation and Partnership between Ukraine and the Russian Federation NSDC ; Decision of 06.09.2018
	On Ratification of the Agreement between the Government of Ukraine and the Government of the Republic of Turkey on Mutual Assistance and Protection of Investments Law of Ukraine dated September 6, 2018 No. 2528-VIII
12-09-18	On Approval of the Draft Decision of the EU-Ukraine Customs Cooperation Sub-Committee on the Amendment of Protocol I on the definition of the concept of "origin of goods" and methods of administrative cooperation "to the Association Agreement between Ukraine and the European Union, the European Atomic Energy Community and the European Atomic Energy Community, their member states, on the other hand Order of the Cabinet of Ministers of Ukraine dated September 12, 2018 No. 642-p
17-09-18	On the decision of the National Security and Defense Council of Ukraine dated September 6, 2018 "On the Treaty on Friendship, Cooperation and Partnership between Ukraine and the Russian Federation" Decree of the President of Ukraine dated September 17, 2018 No. 284/2018
19-09-18	On Amendments to the Procedure for the Entry of Part of the Excise Duty from Fuel Produced in Ukraine and Imported into the Customs Territory of Ukraine into the General Fund of Local Government Budgets in 2018 Resolution of the Cabinet of Ministers of Ukraine dated September 19, 2018 No. 753
	On Amendments to Clause 5 of the Procedure for Provisioning the Payment of Value Added Tax and Application of Enforcement of Obligations for Imports into Ukraine's Customs Territory of Equipment for Own Production in the Territory of Ukraine Resolution of the Cabinet of Ministers of Ukraine dated September 19, 2018 No. 751
20-09-18	On inclusion in the agenda of the ninth session of the Verkhovna Rada of Ukraine on the eighth convocation of a draft law amending the Constitution of Ukraine (regarding the strategic course of the state on acquiring full-fledged membership of Ukraine in the European Union and the North Atlantic Treaty Organization) and its referral to the Constitutional Court of Ukraine Resolution of the Verkhovna Rada of Ukraine; Project dated September 20, 2018 No. 2555-VIII

Eurasian Economic Union (EAEU)

Eurasian Economic Union launches safeguard investigation on certain flat-rolled steel products

On 4 September 2018, the Kyrgyz Republic [notified](#) the WTO's Committee on Safeguards that the competent authority of the Eurasian Economic Union [initiated](#) on 7 August 2018 a safeguard investigation on certain flat-rolled steel products.

The notification indicates, among other things, as follows:

“[...] point of contact for the investigation and identify the preferred means for corresponding.

Department for Internal Market Defence (DIMD)
Eurasian Economic Commission
3/5, Smolensky boulevard
Moscow, 119121, Russia
Tel +7 (495) 669-24-00 # 1309, # 3097, # 3223, #1272
E-mail: tradedefence@ecommission.org.

[...] deadlines and procedures for importers, exporters and other interested parties to present evidence and their views

In accordance with the Protocol on Application of Safeguard, Anti-Dumping and Countervailing Measures to Third Countries (Annex № 8 to the Treaty on the Eurasian Economic Union of 29.05.2014), interested parties may declare their intention to seek participant status not later than 25 days from the date of initiation of the investigation. Participants to the safeguard investigation have the right to request access to the non-confidential file and participate in public hearings.

The participants to the safeguard investigation may request for a public hearing within 45 days from the date of initiation of the investigation.

Interested parties should submit comments within 60 days from the date of the initiation of the investigation in writing in the Russian language to the following address:

Department for Internal Market Defence (DIMD)
Eurasian Economic Commission
3/5, Smolensky boulevard
Moscow, 119121, Russia
E-mail: tradedefence@ecommission.org.”

Further information is available in [G/SG/N/6/ARM/3](#), [G/SG/N/6/KAZ/1](#), [G/SG/N/6/KGZ/7](#) and [G/SG/N/6/RUS/5](#).

Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the [Eurasian Economic Commission documentation page](#). In general, only *Решения*, *Распоряжение* and Recommendations having a direct effect on international traders are listed.

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission Решения	
12-09-18	№ 145 (07-09-18) On Amending the Decision of the Board of the Eurasian Economic Commission of 1 November 2016 No. 1312
	№ 146 (07-09-18) On the establishment of rates of import customs duties of the Single Customs Tariff of the Eurasian Economic Union in relation to raw materials of fur-fur and tanned or dressed furskins
	№ 147 (07-09-18) On Amending the Procedure for Completing the Form of the Preliminary Decision on the Classification of Goods in Accordance with the Uni-

Publication Date	Title
	fied Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union and introducing changes (additions) to such a preliminary decision
	№ 148 (07-09-18) On approval of the Rules for the implementation of the general process "Ensuring the exchange of information in the field of ensuring the uniformity of measurements contained in information funds of the member states of the Eurasian Economic Union"
	№ 149 (07-09-18) About the list of stages (stages) of production of medicines
	№ 150 (07-09-18) About the classification of units of measurement of dosage and concentration of active substances in structure of medical products
	№ 151 (07-09-18) On the approval of the Guidelines for the preparation of a regulatory document on the quality of the medicinal product
20-09-18	№ 152 (18-09-18) On the fulfillment by the Russian Federation of obligations regarding the classification of certain types of goods in accordance with the Commodity Nomenclature for Foreign Economic Activities of the Eurasian Economic Union
	№ 153 (25-09-18) On introducing changes to the Decision of the Board of the Eurasian Economic Commission of October 25, 2016 No. 125
	№ 154 (25-09-18) On the certifying center of the trusted third party service of the integrated information system of the Eurasian Economic Union
28-09-18	№ 155 (25-09-18) On setting for 2019 the volume of tariff quota for certain types of long-grain rice originating from the Socialist Republic of Vietnam and imported into the territories of the member states of the Eurasian Economic Union
	№ 156 (25-09-18) On the extension of the antidumping measure in relation to graphitized electrodes originating from India and imported into the customs territory of the Eurasian Economic Union
	№ 157 (25-09-18) On Amendments to Appendix 4 to the Instruction on the Procedure for Filling Goods Declarations

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

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 31 August 2018. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

BELARUS

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through August 2018. It may be searched by tariff code or description (in Russian).

RUSSIAN FEDERATION

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
31-08-18	Decree No. 1025 of the Government of the Russian Federation of 29.08.2018 "On Submission to the President of the Russian Federation for Ratification of the Protocol on the Application of Certain Provisions of the Agreement on Accession of the Kyrgyz Republic to the Treaty on the Eurasian Economic Union of May 29, 2014, signed on December 23, 2014"
05-09-18	Order No. 1229 of the Federal Customs Service of 08.08.2018 "On Recognition of Order No. 354-a of August 17, 1992" On Amendments to Order No. 206 of June 11, 1992 "On the Specifics of Passing and Declaring Certain Goods" (It was registered on September 4, 1981 № 52056)
	Order No. 1231 of the Federal Customs Service of 06.08.2018 "On Recognition of Order No. 01-14 / 105 of January 27, 1999 on the Customs Clearance of Goods Transported by Road Transport from Primorsky Krai's Sea Ports to China and not subject to application" and as amended " (04.09.2018 Registered number 52063)
	Order of the Federal Customs Service of 06.08.2018 No. 1234 "On the recognition of the order of the State Customs Committee of Russia of December 7, 2001 No. 1162" On the implementation of the provisions of the Tax Code of the Russian Federation with respect to goods placed under the customs transit regime " (Registered 04.09.2018 № 52062)
	Order No. 1235 of the Federal Customs Service of 06.08.2018 "On the Recognition of the Order No. 441 of April 30, 2002 on the Specifics of Customs Clearance and Customs Control of Goods Imported into the Russian Federation by Sea Transport under the Transatlantic Direction" and the changes made to it " (Registered 04.09.2018 No. 52060)
	Order No. 1236 of the Federal Customs Service of 06.08.2018 "On Recognition of Order No. 350-r of 23 May 2002 on the Customs Clearance and Customs Control of Electric Power Moved across the Customs Border of the Russian Federation in the Context of the Operation of Electric Power Systems" (It was registered on September 4, 1981 № 52061)
	Order of the Federal Customs Service of 08.08.2018 No. 1237 "On the recognition of the order of the State Customs Committee of Russia of May 13, 2003 No. 500" On the Approval of the Procedure for Customs Clearance and Customs Control of Goods of a Certain Category Moved across the Customs Border of the Russian Federation " (Registration 04.09 .2018 № 52067)
	Order of the Federal Customs Service dated 07/08/2018 № 1247 "On the Annulment of the order of the FCS of Russia on December 28, 2010 № 2637" On approval of the form of confirmation for the general security of payment of customs duties and taxes " (Registration number 52059 4/9/2018)
03-09-18	Order of the Government of the Russian Federation No. 1814-r of August 31, 1981 "On the Signing of the Agreement between the Government of the Russian Federation and the Government of the Republic of Azerbaijan on Customs Control of Goods Moved on Power Transmission and Pipeline Transport"
06-09-18	Order of the Federal Customs Service of 06.08.2018 No. 1232 "On recognition of the order of the State Customs Committee of Russia of November 30, 1999 No. 829" On the Procedure for Determining the Origin of Goods from the Special Economic Zone in the Magadan Region "and the changes introduced therein " (Registered 05.09 .2018 № 52072)
13-09-18	Resolution No. 1079 of the Government of the Russian Federation of 11 September 2018 "On Submission to the President of the Russian Federation for Ratification of the Agreement on International Treaties of the Eurasian Economic Union with Third Countries, International Organizations or International Integration Associations"
	Resolution No. 1080 of the Government of the Russian Federation of 11 September 2018 "On Submitting to the President of the Russian Federation for Ratification of the Protocol on Amendments to the Treaty on Accession of the

Date of Publication	Subject
	Kyrgyz Republic to the Treaty on the Eurasian Economic Union of May 29, 2014, signed on December 23, 2014”
	Decree of the Government of the Russian Federation of 11.09.2018 No. 1082 “On rates and basis for calculating customs fees for customs escort and storage”
14-09-18	Resolution No. 1086 of the Government of the Russian Federation of 12 September 2018 “On the Ratification of the Agreement Between the Government of the Russian Federation and the Commonwealth of Independent States on the Conditions for Staying in the Territory of the Russian Federation of the Office for the Coordination of the Fight Against Organized Crime and Other Dangerous Types of Crimes on the Territory of the Member States of the Commonwealth of Independent States State “
19-09-18	Decree of the Government of the Russian Federation No. 1097 of 17.09.2018 “On entering into the ratification of the Interim Agreement leading to the formation of a free trade zone between the Eurasian Economic Union and its member states, on the one hand, and the Islamic Republic of Iran, on the other”
24-09-18	Decree of the Government of the Russian Federation No. 1119 of September 20, 2013, “On the Restrictions on the Admission of Sports Firearms with Threaded Barrels, Cartridges and Ammunition of Others and Their Parts Originating from Foreign States for the Purposes of Procurement for State and Municipal Needs”

Africa

SOUTH AFRICA

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

Date	Publication Details	Subject	Implementation Date
21-09-18	GG.41915 R.982	Amendment to Part 3 of Schedule No. 2, by the substitution of various safeguard items to exclude rebate items 470.03/00.00/01.00 to 470.03/00.00/03.00 in order to exempt certain hot-rolled products from safeguard duties – ITAC Report 587 <ul style="list-style-type: none"> Notice R.982 	21-09-18 up to and including 10-08-19
	GG.41915 R.983	Amendment to Part 3 of Schedule No. 2, by the substitution of various safeguard items to exclude rebate items 470.03/00.00/01.00 to 470.03/00.00/03.00 in order to exempt certain hot-rolled products from safeguard duties – ITAC Report 587 <ul style="list-style-type: none"> Notice R.983 	11-08-19 up to and including 10-08-20
	GG.41915 R.981	Amendment to Schedule No. 5, by the substitution of Note 3 to allow for a drawback of safeguard duty on certain hot-rolled steel products in terms of drawback item 521.00 – ITAC Report 587 <ul style="list-style-type: none"> Notice R.981 	21-09-18
28-09-18	GG. 41939 R.1007	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 reduce the rate of customs duty on wheat and wheaten flour from 64,06c/kg and 96,09c/kg to 29,85c/kg and 44,77c/kg respectively, in terms of the existing variable tariff formula – Minute 09/2018 <ul style="list-style-type: none"> Notice R.1007 	28-09-18
	GG. 41939	Amendment to Part 3 of Schedule No. 2, by the inser-	28-09-18

Date	Publication Details	Subject	Implementation Date
	R.1009	tion of safeguard item 250.02/0207.14.9/01.07 to implement safeguard duty of 35.3% on frozen bone-in chicken portions of fowls of the species <i>Gallus domesticus</i> <ul style="list-style-type: none"> Notice R.1009 	up to and including 11-03-19
	GG. 41939 R.1008	Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 250.02/0207.14.9/01.07 to phase down safeguard duty from 35.3% to 30% on frozen bone-in chicken portions of fowls of the species <i>Gallus domesticus</i> . <ul style="list-style-type: none"> Notice R.1008 	12-03-19 up to and including 11-03-20
	GG. 41939 R.1010	Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 250.02/0207.14.9/01.07 to phase down safeguard duty from 30% to 25% on frozen bone-in chicken portions of fowls of the species <i>Gallus domesticus</i> . <ul style="list-style-type: none"> Notice R.1010 	12-03-20 up to and including 11-03-21
	GG. 41939 R.1011	Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 250.02/0207.14.9/01.07 to phase down safeguard duty from 25% to 15% on frozen bone-in chicken portions of fowls of the species <i>Gallus domesticus</i> . <ul style="list-style-type: none"> Notice R.1011 	12-03-21 up to and including 11-03-22

Other African Countries (except North Africa)

Date	Subject
SEYCHELLES	
27-08-18	SI 52 of 2018 - Customs Management (Passenger Allowance) Regulations, 2018
	SI 53 of 2018 - Excise Tax (Amendment of Schedule 1 and 2) (Amendment) Regulations, 2018
28-09-18	SI 59 of 2018 - Excise Tax (Amendment of Schedule 1) (Glass Bottle Levy) (No. 2) Regulations, 2018
	SI 60 of 2018 - Customs Management (Tariff and Classification of Goods) (Amendment) (No. 3) Regulations, 2018
ZIMBABWE	
	SI 188 OF 2018 - Statute Law Compilation and Revision (Correction of Finance Act, 2018 (No. 1 of 2018))

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 Administra-

tion; 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
09-10-18	Tybee Island Shrimper Sentenced To More Than Six Years in Prison, Ordered To Pay Nearly \$1 Million in Fraud Restitution Scheme claimed non-existent losses from foreign competition [CDSOA Claims] (DOJ, USCG, CBP, ICE)
09-11-18	Financial Advisor Pleads Guilty to Money Laundering Charge in Connection With Bribery Scheme Involving Ecuadorian Officials (DOJ, IRS, USMS, Foreign officials)
09-13-18	Business Executive Pleads Guilty to Foreign Bribery Charge in Connection With Venezuelan Bribery Scheme (DOJ, ICE, IRS)
09-14-18	CBP officers seize counterfeit dolls, toys with excessive lead levels (CBP)
09-18-18	Proposed consent agreement: Sandpiper of California and PiperGear USA; Analysis To Aid Public Comment (FTC)
	Proposed consent agreement: Patriot Puck; Analysis To Aid Public Comment (FTC)
	CBP Officers Seize 135 Chinese Mitten Crabs in Indianapolis
09-19-18	Baltimore CBP Reports Nation's First Encounter of a Rosy Gypsy Moth (CBP, USDA)
09-21-18	CBP Catches Up to Painted Baby Turtles at Dulles Airport (CBP, FWS)
09-22-18	CBP Intercepts Harmful Pests from Entering U.S. Borders (CBP, USDA)
09-24-18	ICE HSI Ho Chi Minh City participates in destruction of 13 tons of seized counterfeit items (Vietnam authorities, ICE)
09-26-18	Seafood Processor Pleads Guilty to Selling Foreign Crab Meat Falsely Labeled as Blue Crab From USA (DOJ, NOAA, FDA, ICE, Va. State Police)
	Long Island Companies and Owners Charged With Falsely Labeling Squid as Octopus (DOJ, NOAA, FDA)
09-27-18	Petróleo Brasileiro S.A. – Petrobras Agrees to Pay More Than \$850 Million for FCPA Violations (DOJ, FBI, SEC)
09-28-18	Oil Services CEO and Executive Sentenced to Prison for Roles in Foreign Bribery Scheme (DOJ, ICE, IRS, Brazilian, Dutch and Swiss authorities)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

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

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

Publications, Alerts, Newsletters

The following Baker & McKenzie publications, client alerts, legal alerts, newsletters and 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 – September 2018 {older issues}
North America Tax Practice Group: Tax News and Developments Newsletter September 2018
China Compliance and Investigations Client Alert: US Court of Appeals Limits Jurisdictional Reach Each Over Foreign Nationals in Conspiracy to Violate the FCPA: Lessons for Companies in Asia
Doing Business in Japan
Doing Business in Australia Guide
Doing Business in Myanmar 2018
Doing Business in Hong Kong
Africa Legal Alert (Sept. 2018) Francophone Africa Newsletter (Eng.); Newsletter Afrique Francophone (Fr.)
Other areas
Baker McKenzie FenXun Asia Pacific Antitrust & Competition Client Alert September 2018 - China's New Antitrust Regulator Finalises its Agency Integration
London Dispute Resolution Client Alert: ENRC - Court of Appeal moves to protect Legal Professional Privilege
Global Arbitration News
Vietnam Financial Services Client Alert: Vietnam's Decision No. 38 Offers Regulatory Relief from Standard Contracts and General Trading Conditions Requirements for Onshore Banks; No Reprieve for Life Insurers
Singapore Client Alert: Singapore's Personal Data Protection Commission issues advisory guidelines on NRICs and other national identification numbers
Asia Pacific Food Law Guide 2018 Edition
Ukraine Healthcare Newsletter August 2018
Hong Kong Client Alert: Retirement Schemes/Employment: AEOI update – MPFA indicates that certain schemes such as MPF and ORSO schemes will cease to be non-reporting FIS
UAS Insights: Storm Response with Drones
International Litigation & Arbitration Newsletter September 2018
Singapore IP Newsletter - September 2018
UK Pensions Update - September 2018
A Complete Guide to Regulations on Cryptocurrencies and ICOs in Thailand (law as of 14 September 2018)
Asia Pacific Insurance Newsletter (16th edition)
Global Data Protection Enforcement Report
Global Data Breach Notification Guide

Webinars, Meetings, Seminars, Etc.



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

Each year, Baker McKenzie trade compliance lawyers from around the world come together to present a year-end review of import and export developments. 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

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Programming & Materials

Jen Weiner
Tel: +1 312 861 8320
jennifer.weiner@bakermckenzie.com

CLE and CES/CCS credit will be available



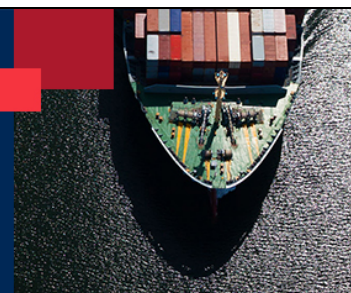
Visit www.internationaltradeupdate.com for additional information about our practice and the latest global legal developments impacting international trade.

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

Baker McKenzie.

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 includes 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 also cover Human Rights, Forced Labor, and Ethical Supply Chains.

This year, we expanded 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 remaining 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 new 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	<p>Human Rights, Forced Labor, and Ethical Supply Chains: Best Practices for Managing Growing Legal Obligations and Risks</p> <p>Speakers: Reagan Demas (DC), John Foote (DC), Francesca Richmond (London), and Christopher Burkett (Toronto)</p>	<p>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.</p> <p>We hope you will participate in and enjoy this exciting webinar series!</p> <p>Login Details: Log-in details will be sent via email one week before the event.</p> <p>Webinar Series Lead: 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 style="text-align: center;">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>
February 27	<p>Customs Basic: How to Classify Your Products</p> <p>Speakers: Jose Hoyos-Robles (Mexico City), Olof Johannesson (Stockholm), Andrew Rose (London), and Riza Buditomo (Jakarta)</p>	
March 27	<p>Hot Topics in US, European, and Asian Export Controls</p> <p>Speakers: Marc Lager (Vienna), Anne Petterd (Singapore), and Alex Lamy (DC)</p>	
April 24	<p>Customs Basic: How to determine the origin of your products</p> <p>Speakers: Adrianna Ibarra-Fernandez (Mexico City), Jessica Mutton (London), and John McKenzie (Palo Alto)</p>	
May 22	<p>Russian and EU Customs Update</p> <p>Speakers: Alexander Bychkov (Moscow), Nicole Looks (Frankfurt) and Jenny Revis (London)</p>	
June 26	<p>Customs Basic: How to value your products</p> <p>Speakers: Kevin Nordin (London), Jon Cowley (Hong Kong) and Brian Cacic (Toronto)</p>	
July 24	<p>Update on US “Protectionism”, Brexit and TPP</p> <p>Speakers: Terrie Gleason (San Francisco), Stu Seidel (DC) and Jenny Revis (London), and Fred Burke (Ho Chi Minh)</p>	
August 28	<p>Customs Basic: What you need to know about importing into China, Russia and the Middle East</p> <p>Speakers: Frank Pan (Shanghai), Vladimir Efremov (Moscow), and Reggie Mezu (Middle East)</p>	

September 25	<p>Customs Audits and Enforcement Actions: Best Practices and Trends</p> <p>Speakers: Adriana Ibarra-Fernandez (Mexico), Nicole Looks (Frankfurt), and Meredith DeMent (DC)</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><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>
October 30	<p>Customs Basic: What you need to know about importing into Mexico, Brazil and Argentina</p> <p>Speakers: Manuel Padron (Juarez), Alessandra Machado (Sao Paolo), and Esteban Ropolo (Buenos Aires)</p>	
November 27	<p>Hot Topics in US, European, and Asian Trade Sanctions</p> <p>Speakers: Kerry Contini (DC), Ben Smith (London), and Jon Cowley (Hong Kong)</p>	
December 18	<p>Customs Basic: How to mitigate duties through use of customs procedures</p> <p>Speakers: Eunkyung Kim Shin (Chicago), Edith Salcedo-Hinojosa (Guadalajara), and Daniel Sanchez-Elizondo (Guadalajara)</p>	



**RECORDED SESSIONS FROM OUR 2017
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?” includes the latest international trade developments including the impact of the Trump presidency on trade policy and of Brexit. In addition to our usual topics of Customs, export controls/sanctions and FCPA/anti-bribery, the 2017 series also covers data privacy and intellectual property in the supply chain.

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

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

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

If you missed a webinar that has already been given, wish to see it again or want to download a presentation, you may so at [this new link](#) or by clicking the blue title below which indicates the material has been posted.

Webinar Dates and Topics:

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

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

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

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

Webinar Start Time:

08:00 AM (Pacific)
10:00 AM (Central)
11:00 AM (Eastern)
*see timeanddate.com for time in your location.

Duration:

90 Minutes

Login Details:

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

Focus Group Head:

Teresa A. Gleason
Head, Global Customs Focus Group
(San Francisco, CA)
Tel: +1 415 576 3021
teresa.gleason@bakermckenzie.com

These webinars area all complimentary.

REGISTER NOW

Questions:

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

Sal Gonzalez

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

MCLE Credit:

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

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

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

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

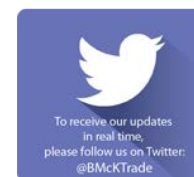


Pending - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.

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

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

























Interested in learning more?


































WTO TBT Notifications










Member countries of the World Trade Organization (WTO) are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member

countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. This chart summarizes notifications in English posted by the WTO during the past month. If you are interested in obtaining copies of any of these notifications, please contact stuart.seidel@bakermckenzie.com who will try to obtain the text. Some notifications are only available in the official language of the country publishing the notification. *Note: All dates are given as mm/dd/yyyy; National flags are not scaled for relative comparison.*





























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Argentina	ARG/342/Add.1	08/31/2018	Not given	Furniture in general; Other furniture and parts thereof (HS 9403)
 Argentina	ARG/342/Add.2	09/10/2018	Not given	Furniture in general; Other furniture and parts thereof (HS 9403)
 Argentina	ARG/309/Add.4	09/17/2018	Not given	Textile products and footwear
 Argentina	ARG/336/Add.1	09/20/2018	Not given	Flexible aluminium tubes for product packaging
 Argentina	ARG/343	09/14/2018	11/04/2018	Materials and articles in contact with foodstuffs
 Bahrain, Kingdom of	BHR/546	09/04/2018	11/03/2018	Ethylene polymers & Polypropylene polymers for the conveyance or packing of goods, not designed for prolonged use. This includes degradable, biodegradable and oxo degradable single-use plastic products (HS 392321, other codes may also apply to the proposed measure)
 Bahrain, Kingdom of	BHR/547	09/10/2018	11/09/2018	Plants and Fungi
 Bahrain, Kingdom of	BHR/548	09/10/2018	11/09/2018	Natural Toxicants
 Bahrain, Kingdom of	BHR/549	09/25/2018	11/24/2018	Non-fermented soybean products
 Bahrain, Kingdom of	BHR/550	09/25/2018	11/24/2018	Compotes (Kompotes)
 Bahrain, Kingdom of	BHR/551	09/25/2018	11/24/2018	Cosmetic products
 Botswana	BWA/92	09/20/2018	10/19/2018	Plug and socket-outlet systems
 Botswana	BWA/93	09/20/2018	10/19/2018	Plug and socket-outlet systems
 Botswana	BWA/94	09/20/2018	10/19/2018	Plug and socket-outlet systems
 Botswana	BWA/95	09/20/2018	10/19/2018	Plug and socket-outlet systems
 Botswana	BWA/96	09/20/2018	10/19/2018	Grinders, polishers and disk-type sanders
 Botswana	BWA/97	09/20/2018	10/19/2018	Sanders and polishers
 Botswana	BWA/98	09/20/2018	10/19/2018	Circular saws
 Botswana	BWA/99	09/20/2018	10/19/2018	Hammers
 Botswana	BWA/100	09/20/2018	10/19/2018	Concrete vibrators
 Botswana	BWA/101	09/20/2018	10/19/2018	Chain saws
 Botswana	BWA/102	09/20/2018	10/19/2018	Planers
 Brazil	BRA/456/Add.3	09/03/2018	Not given	Systems and equipment for water heating using solar energy (HS 8419)
 Brazil	BRA/562/Add.2	09/03/2018	Not given	Other electric lamps and lighting fittings (HS 9405.40)










Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/461/Rev.1/ Add.3	09/04/2018	Not given	Systems and equipment for water heating using solar energy (HS 8419)
 Brazil	BRA/826/Add.2	09/04/2018	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)
 Brazil	BRA/837	09/10/2018	Not given	Exportation of cattle, buffaloes, sheep and goats live, for slaughter or reproduction (HS 0102; 0104)
 Brazil	BRA/384/Add.6	09/11/2018	Not given	Helmets; Safety headgear (HS 6506)
 Brazil	BRA/613/Rev.1/ Add.2	09/11/2018	Not given	Wine (HS 2204) (HS 200960) Grape juice, sweetened or not; (HS 220900) Vinegar. Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09. (HS: 2204), Vinegar and substitutes for vinegar obtained from acetic acid. (HS: 220900)
 Brazil	BRA/838	09/11/2018	Not given	Sugars and sugar confectionery (HS 17)
 Brazil	BRA/384/Add.6	09/11/2018	Not given	Helmets; Safety headgear (HS 6506)
 Brazil	BRA/373/Rev.1/ Add.2	09/17/2018	Not given	Mattress and mats made of flexible polyurethane foam (HS 9404)
 Brazil	BRA/717/Add.1	09/17/2018	Not given	Liquid-in-glass thermometers (HS 9025.11)
 Brazil	BRA/839	09/17/2018	11/6/2018	Valves, used in gas appliances (HS 84.81)
 Brazil	BRA/840	09/17/2018	11/5/2018	Sardines/pre packed (HS 160413)
 Brazil	BRA/841	09/17/2018	11/12/2018	Medicines
 Brazil	BRA/842	09/17/2018	11/12/2018	Medical devices
 Brazil	BRA/843	09/17/2018	11/12/2018	Medicines
 Burundi	BDI/6	09/14/2018	11/13/2018	Butter (HS 040510.00)
 Burundi	BDI/7	09/14/2018	11/13/2018	Toothpaste (HS 330610)
 Canada	CAN/513/Add.2	09/28/2018	Not given	Tobacco products
 Chile	CHL/458	09/03/2018	11/02/2018	Labelling of milk and dairy products
 Chile	CHL/447/Add.1	09/17/2018	Not given	Food for human consumption
 China	CHN/1286	09/12/2018	11/11/2018	Medical Devices
 Colombia	COL/172/Add.3	09/11/2018	Not given	Ceramic tiles (HS 6907.10, 6907.90, 6908.10, 6908.90)
 Costa Rica	CRI/180	09/04/2018	11/03/2018	Dry onions
 Ecuador	ECU/47/Add.6	09/04/2018	Not given	School transportation vehicles
 Ecuador	ECU/58/Add.6	09/04/2018	Not given	Buses (HS 8702.10, 8706, 8707.90)
 Ecuador	ECU/263/Add.2	09/04/2018	Not given	Programmable controllers and related equipment (HS 8537.10.10, 8538.90.00)
 Egypt	EGY/1/Add.4	09/04/2018	Not given	Food products
 Egypt	EGY/3/Add.14	09/04/2018	Not given	Chemical, textile and engineering products
 Egypt	EGY/3/Add.15	09/04/2018	Not given	Chemical, textile and engineering products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Egypt	EGY/34/Add.3	09/04/2018	Not given	Food products
 Egypt	EGY/34/Add.4	09/04/2018	Not given	Food products
 Egypt	EGY/57/Add.2	09/04/2018	Not given	Kitchen equipment
 Egypt	EGY/68/Add.5	09/04/2018	Not given	Energy efficiency label for air conditioners
 Egypt	EGY/88/Rev.1/Add.1	09/04/2018	Not given	Edible fats and oil
 Egypt	EGY/91/Add.1	09/04/2018	Not given	Milk products
 Egypt	EGY/92/Add.2	09/04/2018	Not given	Milk products
 Egypt	EGY/156/Add.2	09/04/2018	Not given	Television
 Egypt	EGY/157/Add.3	09/04/2018	Not given	Household and similar electrical appliances
 Egypt	EGY/173/Add.1	09/04/2018	Not given	Vacuum cleaners
 Egypt	EGY/178/Add.1	09/04/2018	Not given	Refrigerators, refrigerator-freezers and freezers
 Egypt	EGY/190	09/04/2018	11/03/2018	Wheeled child conveyances
 Egypt	EGY/191	09/04/2018	11/03/2018	Footwear
 Egypt	EGY/192	09/04/2018	11/03/2018	Coated glass in buildings
 Egypt	EGY/193	09/04/2018	11/03/2018	Leather and furs
 Egypt	EGY/194	09/04/2018	11/03/2018	Footwear
 Egypt	EGY/195	09/04/2018	11/03/2018	Writing and marking instrument
 Egypt	EGY/196	09/04/2018	11/03/2018	Rubber gloves
 Egypt	EGY/197	09/04/2018	11/03/2018	Petroleum products and natural gas handling equipment
 Egypt	EGY/198	09/04/2018	11/03/2018	Reinforced concrete pipes
 Egypt	EGY/199	09/04/2018	11/03/2018	Sanitary installations, tap ware
 Egypt	EGY/200	09/04/2018	11/03/2018	Synthetic detergents powder, surface active agents
 Egypt	EGY/201	09/04/2018	11/03/2018	Water heating equipment
 European Union	EU/595	08/31/2018	10/30/2018	Copper compounds (pesticide active substance)
 European Union	EU/596	08/31/2018	10/30/2018	Methoxyfenozide (pesticide active substance)
 European Union	EU/597	09/03/2018	11/02/2018	Mepanipyrim (pesticide active substance)
 European Union	EU/598	09/10/2018	11/09/2018	Composite brake blocks, freight wagons
 European Union	EU/599	09/19/2018	11/18/2018	Biocidal products
 India	IND/85	09/11/2018	11/10/2018	Protective Headgear (Helmet) (Indian Standards: IS 4151:2015)
 Kenya	KEN/722	09/03/2018	Not given	All imported products
 Kenya	KEN/723	09/03/2018	Not given	All imported goods

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Kenya	KEN/724	09/18/2018	10/4/2018	Cement, Gypsum, Lime, Mortar
 Kenya	KEN/725	09/19/2018	10/04/2018	Admixtures for concrete, mortar and grout
 Kenya	KEN/726	09/19/2018	10/04/2018	Admixtures for concrete, mortar and grout
 Kenya	KEN/727	09/19/2018	10/04/2018	Admixtures for concrete, mortar and grout
 Kenya	KEN/728	09/19/2018	10/04/2018	Concrete paving Kerbs
 Kenya	KEN/729	09/19/2018	10/04/2018	Concrete paving flags
 Kenya	KEN/730	09/19/2018	10/27/2018	Concrete admixtures
 Kenya	KEN/731	09/19/2018	10/28/2018	Concrete, mortar and grout
 Kenya	KEN/732	09/19/2018	11/12/2018	Fertilizers
 Kenya	KEN/733	09/19/2018	11/12/2018	Soluble Compound fertilizer
 Kenya	KEN/734	09/19/2018	11/12/2018	Magnesium Nitrate fertilizer
 Kenya	KEN/735	09/19/2018	11/12/2018	Granulated superphosphate fertilizer
 Kenya	KEN/736	09/19/2018	11/12/2018	Solid compound fertilizer
 Kenya	KEN/737	09/19/2018	11/12/2018	Potassium sulphate fertilizer
 Kenya	KEN/738	09/20/2018	11/12/2018	Monoammonium phosphate (MAP) and diammonium phosphate (DAP) fertilizer
 Kenya	KEN/739	09/20/2018	11/12/2018	Monopotassium phosphate (technical grade) fertilizer
 Kenya	KEN/740	09/20/2018	11/27/2018	Toothpaste
 Korea, Republic of	KOR/787	09/24/2018	11/23/2018	EMC (Electromagnetic Compatibility) Regulation
 Kuwait	KWT/433	09/10/2018	11/09/2018	Plants and Fungi
 Kuwait	KWT/434	09/10/2018	11/09/2018	Natural Toxicants
 Kuwait	KWT/435	09/25/2018	11/24/2018	Non-fermented soybean products
 Kuwait	KWT/436	09/25/2018	11/24/2018	Compotes (Kompotes)
 Kuwait	KWT/437	09/25/2018	11/24/2018	Cosmetic products
 Mexico	MEX/317/Add.3	09/04/2018	Not given	Solar water heaters (tariff subheading 8419.19.02)
 Mexico	MEX/229/Add.5	09/11/2018	Not given	Software and electronic systems
 Mexico	MEX/366/Add.2	09/10/2018	Not given	Other seats (94.01.80.01)
 Mexico	MEX/337/Add.1	09/18/2018	Not given	Primary cells and primary batteries (tariff heading 85.06)
 Nepal	NPL/6	09/26/2018	11/25/2018	Rubber hose for liquefied petroleum gas
 New Zealand	NZL/84	09/19/2018	11/19/2018	Imported and domestically produced fruit, vegetables, meat, fish and seafood which are fresh or frozen and no more than minimally processed; and cured pork sold in New Zealand
 Oman	OMN/380	09/10/2018	11/09/2018	Plants and Fungi
 Oman	OMN/381	09/10/2018	11/09/2018	Natural Toxicants

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Oman	OMN/382	09/25/2018	11/24/2018	Non-fermented soybean products
 Oman	OMN/383	09/25/2018	11/24/2018	Compotes (Kompotes)
 Oman	OMN/384	09/25/2018	11/24/2018	Cosmetic products
 Paraguay	PRY/105	09/10/2018	10/10/2018	Registry of manufacturers and importers of touring class (T) protective helmets. Touring class (T) protective helmets intended for drivers and passengers of two-wheel, three-wheel or four-wheel motorcycles without cabs, falling under tariff heading NCM 6506.10.00.
 Peru	PER/84/Add.1	09/10/2018	Not given	Pharmaceutical products: biological products: biotech products, classified under Chapter 30 of the Harmonized System or Customs Tariff
 Peru	PER/82/Add.1	09/20/2018	Not given	Pharmaceutical products (HS Chapter 30)
 Peru	PER/107	09/17/2018	11/12/2018	Prepackaged products
 Qatar	QAT/545	09/10/2018	11/09/2018	Plants and Fungi
 Qatar	QAT/546	09/10/2018	11/09/2018	Natural Toxicants
 Qatar	QAT/547	09/25/2018	11/24/2018	Non-fermented soybean products
 Qatar	QAT/548	09/25/2018	11/24/2018	Compotes (Kompotes)
 Qatar	QAT/549	09/25/2018	11/24/2018	Cosmetic products
 Saudi Arabia	SAU/1084	09/10/2018	11/09/2018	Plants and Fungi
 Saudi Arabia	SAU/1085	09/10/2018	11/09/2018	Natural Toxicants
 Saudi Arabia	SAU/1086	09/12/2018	11/11/2018	Tobacco products
 Saudi Arabia	SAU/1087	09/20/2018	11/19/2018	Food products
 Saudi Arabia	SAU/1088	09/25/2018	11/24/2018	Non-fermented soybean products
 Saudi Arabia	SAU/1089	09/25/2018	11/24/2018	Compotes (Kompotes)
 Saudi Arabia	SAU/1090	09/25/2018	11/24/2018	Cosmetic products
 Singapore	SGP/45	09/17/2018	11/16/2018	Food
 Singapore	SGP/46	09/18/2018	11/17/2018	Motorised Personal Mobility Devices (PMDs); Motorised powered kick-scooters (electrically powered) 8711.60.12, 8711.60.92; Self-balancing cycles (electrically powered) E.g. hoverboard, uniwheel, etc
 South Africa	ZAF/48/Rev.2	09/04/2018	Not given	Regulations Relating to the Labelling of Alcoholic Beverages
 Taiwan Economy	TPKM/320/Add.1	09/14/2018	Not given	Fire Doors of Buildings
 Taiwan Economy	TPKM/337	09/14/2018	11/13/2018	Pharmaceutical products
 Taiwan Economy	TPKM/338	09/17/2018	11/16/2018	Self-ballasted LED lamps (CCCN 8539.10, 8539.49 and 8539.50); Sealed beam lamp units (HS 853910) - Other (HS 853949)
 Tanzania	TZA/215	08/31/2018	10/30/2018	Toothpaste
 Turkey	TUR/122	09/10/2018	11/01/2018	Sports Food

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Turkey	TUR/123	09/17/2018	11/16/2018	Foodstuffs of animal origin
 Uganda	UGA/372/Rev.1	09/05/2018	Not given	Lubricants, industrial oils and related products
 Uganda	UGA/373/Rev.1	09/05/2018	Not given	Lubricants, industrial oils and related products
 Uganda	UGA/374/Rev.1	09/05/2018	Not given	Lubricants, industrial oils and related products
 Uganda	UGA/375/Rev.1	09/05/2018	Not given	Lubricants, industrial oils and related products
 Uganda	UGA/417/Add.1	09/04/2018	Not given	Products of the textile industry
 Uganda	UGA/919	09/04/2018	11/03/2018	Baby diapers (HS 481840, 560110)
 Uganda	UGA/920	09/05/2018	11/04/2018	Engine oil; Lubricating preparations (including cutting-oil preparations, bolt or nut release preparations, anti-rust or anti-corrosion preparations and mould release preparations, based on lubricants) and preparations of a kind used for the oil or grease treatment of textile materials, leather, furskins or other materials, but excluding preparations containing, as basic constituents, 70% or more by weight of petroleum oils or of oils obtained from bituminous minerals (HS 3403)
 United Arab Emirates	ARE/440	09/10/2018	11/09/2018	Plants and Fungi
 United Arab Emirates	ARE/441	09/10/2018	11/09/2018	Natural Toxicants
 United Arab Emirates	ARE/442	09/24/2018	11/23/2018	Food products
 United Arab Emirates	ARE/443	09/25/2018	11/24/2018	Non-fermented soybean products
 United Arab Emirates	ARE/444	09/25/2018	11/24/2018	Compotes (Kompotes)
 United Arab Emirates	ARE/445	09/25/2018	11/24/2018	Cosmetic products
 United Arab Emirates	ARE/446	09/25/2018	11/25/2018	Sustainable agriculture
 United States	USA/1227/Add.2	09/03/2018	Not given	Emergency alert system
 United States	USA/1392/Add.1	09/03/2018	Not given	Chemical substances
 United States	USA/1393/Add.1	09/03/2018	Not given	Chemical substances
 United States	USA/1394/Add.1	09/03/2018	Not given	Motor vehicles
 United States	USA/1305/Rev.1	09/14/2018	Not given	School buses. Motor vehicles for the transport of ten or more persons, including the driver (HS 8702)
 United States	USA/1057/Rev.1/Add.1	09/20/2018	Not given	Chemicals
 United States	USA/1395	09/20/2018	10/17/2018	Chemical substances
 United States	USA/698/Rev.1/Add.1	09/24/2018	Not given	Light-emitting diode lamps
 United States	USA/943/Add.1	09/24/2018	Not given	Airplane fuel tanks
 United States	USA/1109/Add.3/Corr.1	09/24/2018	Not given	Fire prevention code
 United States	USA/1395/Add.1	09/24/2018	Not given	Chemical substances
 United States	USA/1045/Add.1/Corr.2	09/28/2018	Not given	Energy labels
 United States	USA/1057/Rev.1/Add.2	09/28/2018	Not given	Chemicals

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1326/Add.1	09/28/2018	Not given	Recycled Oil
 United States	USA/1386/Add.2	09/28/2018	Not given	Chemical substances
 United States	USA/1394/Add.2	09/28/2018	Not given	Motor vehicles
 Viet Nam	VNM/135	09/26/2018	11/25/2018	Milk and milk products
 Yemen	YEM/148	09/10/2018	11/09/2018	Plants and Fungi
 Yemen	YEM/149	09/10/2018	11/09/2018	Natural Toxicants
 Yemen	YEM/150	09/25/2018	11/24/2018	Non-fermented soybean products
 Yemen	YEM/151	09/25/2018	11/24/2018	Compotes (Kompotes)
 Yemen	YEM/152	09/25/2018	11/24/2018	Cosmetic products

CBSA Advance Rulings

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

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

Date of Ruling	TRS Number	Merchandise	Tariff Classification and Basis
04-13-17	277678	210 Plastic Cleaner and Polish	3405.90.00.00 [GIR 1, 6; EN 34.05]
12-29-16	276471	3-in-1 magnetic phone holder	8505.11.00.00 [GIR 1, 3(b), 6; EN 85.05]
03-01-17	277031	Dog Disposable Diapers	9619.00.91.00 [GIR 1, 6]
04-13-17	277116	EnerPlex Surfr Solar Battery cases	8504.40.90.91 [GIR 1, 3(c), 6]
03-22-17	276216	Ladies Knit Sleepwear, Style # A04-67394F	6108.32.00.90 [GIR 1, 6]
03-22-17	276214	Ladies Knit Sleepwear, Style # A04-88225S	6108.32.00.90 [GIR 1, 6]
03-07-18	276933	Moba Moses Basket	9403.70.10.00 [GIR 1, 6; EN 94.03]
03-01-17	276837	Registration Pins for silk screening (nos 4750 and 4751)	7326.90.90.90 [GIR 1, 6; CR1]
03-22-17	276836	The Little Baby Wrap without a Knot	6307.90.99.90 [GIR 1, 6; EN (16) and Note 7(f) to Section XI]
03-22-17	276843	The Original Baby Wrap	6307.90.93.00 [GIR 1, 6]

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 (W) Withdrawn	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
Proposed Revocations/modifications						
(W) 09-26-18	Tariff classification of guayabera style shirt-blouses.	NY N252750	M 6211.49.90		Correct (affirmed in HQ H293112)	Withdrawn
(P) 09-26-18	Tariff classification of raffia handbags	NY N261630 NY N261223	R 4602.19.2920	HQ H284742	4602.19.2500 [GRI 1]	(C) 10-26-18
	Tariff classification of diamond wire	NY 876359	R 8202.99.00	HQ H277235	6804.21.00 [GRI 1, 6; EN 68.04, 82.02]	
	Tariff classification of fillable plastic containers.	NY N018731 NY N013622 NY N012286 NY N021076	R 3924.90.56	HQ H043742	3926.40.00 [GRI 1, 3(b), 5, 6; Chap 39 Note 2(y), Chap 95 Note 1(w); EN (VIII) to GRI 3(b), EN 39.24, EN 39.26, EN 95.05	
		NY H86212 NY D81320	R 3924.90.55 3924.90.55 & 9505.90.60			
		NY C83630 HQ 961700	R 9505.90.60			
		NY N025433	R 3924.10.40			
		NY N007698	M 3924.90.56 & 3924.10.40			
		NY C82288 NY D81251 NY D83014 NY I82452 NY I83887 NY J88309 NY M81478 NY N089415 NY N089417 NY N104824 NY N236149	R 0406.90.57			
	NY 815281 NY G85117 NY J81192 NY N094196 NY N099535	M				
	Tariff classification of a smartphone accessory consisting of a keyboard, LCD and trackpad	NY N282589	R 8543.70.9960	HQ H286666	8543.70.60 [GRI 1, 6]	
Tariff classification of Greek yogurt dips	NY N283364	R 0406.10.84 or 0406.10.88	HQ H285620	2103.90.90 [GRI 1, 6; EN 21.03(A)]		
Revocations/Modifications						
(A) 09-19-18	Tariff classification of a Bluetooth wireless speaker from the Philippines	NY N233202	R 8517.62.00	HQ H281100	8518.22.00 [GRI 1 (Note 3 to Section XVI)]	(E) 11-19-18
	Tariff classification of Taco	NY M82071	R 7326.90.85..	HQ H291783	7307.19.30.. (iron) or	

Published in CBP Bulletin (P) Proposed (A) Action (W) Withdrawn	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
	Twin-Tees.		or 7419.99.50..		7412.20.00.. (copper) [GRI 1; EN]	
	Tariff classification of media rolls on plastic reels with code apertures designed for use with specific printers.	NY N246471	R 3919.10.20 3919.90.50 4811.41.21 4821.90.20	HQ H251008	8443.99.25 [GRI 1; AUSN 1(c); Sec XVI GNs]	
(A) 09-26-18	Country of origin of decorative pillows, heatable saks, and stuffed mattress covers for marking purposes	NY N287930 HQ H265611 HQ 963233	M M M 9404.90.20 subject to 19 C.F.R. 102.11 origin rules	HQ H290258 HQ H293880 HQ H293881	9404.90.20 is subject to 19 C.F.R. 102.21 rules of origin	(E) 11-26-18
	Tariff classification of bottle bags.	HQ H235569 NY N179138 NY N230128 NY N204304	R M M 4202.92.90 now 4202.92.91 & 4202.92.97	HQ H273867	4202.92.39 [GRI 1, 6] 4202.92.45 [GRI 1,6; Chap. 42 AUSN 1]	
	Tariff classification of inflatable aquatic articles for physical recreation	NY K88277 NY F84500 NY N019683	R R R 3926.90.75 9506.29.00	HQ H225359	9506.99.6080 [GRI 1, 6; Chap 39 LN 2(y); EN]	
	Tariff classification of EZ Comb from China	NY N048195	R 9615.11.50	HQ H088397	9615.11.10/.30 [GRI 1, 6; EN 96.15]	
	Tariff classification of brass plumbing components	NY N262070 NY L82336	R 7419.99.50	HQ H260141	7412.20.0035 [GRI 1, 6; EN]	
	Eligibility of certain surgical microscopes for treatment under subheading 9817.00.96, HTSUS	HQ 561801 HQ 561940 NY N249825 NY N246385 HQ 961705	R M Dental; ear, nose, and throat (ENT); ophthalmic; and neurolog- ical surgical microscopes were eligible for duty-free treatment under sub- heading 9817.00.96	HQ H275827 HQ H285358	Subject microscopes are not eligible for duty free treatments under subheading 9817.00.96 [Pub. L. 97-446, Pub. L. No. 100-418; Chap 98 US Note 4(a), 4(b)]	
	Tariff classification of a Radiator/Charge Air Cooler Assembly	NY R04029	R 8708.99.8080 8708.99.81 (2007 HTS)	HQ H275146	8708.91.50 [GRI 1, 6; Sec. XVII Note 2(e),3]	
	Tariff classification of a mine personnel carrier	NY N106796	M 8703.33.00	HQ H269330	8703.33.01 [GRI 1, 6; EN 87.03]	
	Tariff classification of a Bluetooth wireless speaker from the Philippines	NY N233202	R 8517.62.00	HQ H281100	8518.22.00 [GRI 1, 6; EN 85.17, 85.18; Sec. XVI Note 3]	
	Tariff classification of Taco Twin-Tees	NY M82071	R 7326.90.85 or .86 (iron) 7419.99.50 (bronze)		7307.19.30 (iron)or 7412.20.00 (bronze) [GRI 1, 6; EN 74.12]	
	Tariff classification of media rolls on plastic reels with code apertures designed for use with specific printers	NY N246471	R 3919.10.20 3919.90.50 4811.41.21 4821.90.20	HQ H251008	8443.99.2550 [GRI 1, 6; AURI 1(c); Sec. XVI notes]	

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) 2018/1243 of 13-09-18	<p>An aqueous extract of dark brown color, the composition of which is as follows (% by weight):</p> <table border="0"> <tr> <td>betaine</td> <td>40</td> </tr> <tr> <td>water</td> <td>40</td> </tr> <tr> <td>sucrose</td> <td>2,2,</td> </tr> <tr> <td>ashes</td> <td>3</td> </tr> </table> <p>other organic substances (such as amino acids and organic acids).</p> <p>The product is made from molasses of sugar beet by filtration, chromatographic purification and concentration of betaine. The sugar content is thus lowered from about 60% to 2%, and the betaine content is increased from 5% to 40%.</p> <p>The product is only used as a premix for animal feed to aid digestion and maintain intestinal balance.</p> <p>The product is packaged in 1000 kg containers or imported in bulk.</p>	betaine	40	water	40	sucrose	2,2,	ashes	3	2309 90 96	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and the wording of CN codes 2309 , 2309 90 and 2309 90 96 .</p> <p>The product cannot be classified under heading 1703 as molasses because it does not contain an appreciable amount of sugar (see also the Harmonized System Explanatory Notes (HSEN) to heading 1703 , first paragraph, penultimate sentence).</p> <p>The product cannot be classified under heading 2303 as other waste of sugar manufacture due to its deliberate production from molasses in conjunction with its intended use as a feed premix (see also the HSEN to heading 2303 , letter (D)).</p> <p>A feed premix which improves digestion in animals is a preparation of a kind used in animal feeding of heading 2309 (see also the HSEN to heading 2309 , part (II) (C), point (1)).</p> <p>The product is therefore to be classified under CN code 2309 90 96 as a preparation of a kind used in animal feeding.</p>
betaine	40										
water	40										
sucrose	2,2,										
ashes	3										
(EU) 2018/553 of 03-04-18	<p>Corrigendum to Commission Implementing Regulation (EU) 2018/553 of 3 April 2018 concerning the classification of certain goods in the Combined Nomenclature (OJ L 92, 10.4.2018): On page 1, in recital 5: for: 'The measures provided for in this Regulation are in accordance with the opinion of the Customs Code Committee,' , read: 'The Customs Code Committee has not delivered an opinion within the time limit laid down by its Chair,'.</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	Page or CN code	Description of Articles
2018/C 327/06 (17-09-18)	page 97, 2202	In the explanatory note to heading 2202 'Waters, including mineral waters and aerated waters, containing added sugar or other sweetening matter or flavoured, and other non-alcoholic beverages, not including fruit or vegetable juices of heading 2009', new text is added
2018/C 327/07 (17-09-18)	page 116	In the explanatory note to 'Note 2' the existing text is renumbered as 1 and new text is added
2018/C 327/08 (17-09-18)	page 185, 3906	in the explanatory note to CN subheading '3906 90 90 Other' the first sentence is replaced by new text

Section 337 Actions

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

Inv. №	Commodity	Action
337-TA-944	Certain Network Devices, Related Software and Components Thereof (I)	(Enforcement proceeding) Commission Decision To Terminate the Enforcement Proceeding Based on Settlement
337-TA-945	Certain Network Devices, Related Software and Components Thereof (II) (Modification 2)	Grant of Joint Motion to Terminate the Modification Proceeding Based on a Settlement Agreement; Termination of the Modification Proceeding in its Entirety
337-TA-1016	Certain Access Control Systems and Components Thereof	(Modification Proceeding) Notice of Institution of Modification Proceeding
337-TA-1047	Certain Semiconductor Devices and Consumer Audiovisual Products Containing the Same	Commission's Final Determination of No Violation of Section 337; Termination of the Investigation
337-TA-1050	Certain Dental Ceramics, Products Thereof, and Methods of Making the Same	Commission Decision to Review in Part a Final Initial Determination Finding No Violation of Section 337; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding; Extension of the Target Date
337-TA-1053	Certain Two-Way Radio Equipment and Systems, Related Software and Components Thereof	Commission Determination To Review in Part an Initial Determination Finding a Violation of Section 337 and Order Nos. 38 and 47; To Request Written Submissions on Remedy, Bonding, and the Public Interest; and To Extend the Target Date
337-TA-1057	Certain Robotic Vacuum Cleaning Devices and Components Thereof Such as Spare Parts	Commission Determination To Review a Final Initial Determination in Part; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding; Extension of the Target Date
337-TA-1098	Certain Subsea Telecommunication Systems and Components Thereof	Commission Determination Not to Review an Initial Determination Amending the Complaint and Notice of Investigation to Add Nokia of America Corporation as a Respondent
337-TA-1104	Certain Multi-Domain Test and Measurement Instruments	Termination of Investigation (on the basis of withdrawal of the complaint)
337-TA-1130	Certain Beverage Dispensing Systems and Components Thereof	Initiation of an investigation based on a complaint filed on behalf of Heineken International B.V. of The Netherlands; Heineken Supply Chain B.V. of The Netherlands; and Heineken USA Inc. alleging patent infringement
337-TA-1131	Certain Wireless Mesh Networking Products and Related Components Thereof	Initiation of an investigation based on a complaint filed on behalf of SIPCO LLC alleging patent infringement
337-TA-1132	Certain Motorized Vehicles and Components Thereof	Initiation of an investigation based on a complaint filed on behalf of FCA US LLC alleging trademark 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 3335	Certain Unmanned Aerial Vehicles and Components Thereof	Autel Robotics USA LLC

Ref. №	Commodity	Complaint filed on behalf of:
DN 3336	Certain Sleep-Disordered Breathing Treatment Mask Systems and Components Thereof	ResMed Corp, ResMed Inc. and ResMed Ltd.
DN 3338	Certain Strength-Training Systems and Components Thereof	Hoist Fitness Systems, Inc
DN 3340	Obstructive Sleep Apnea Treatment Mask Systems and Components Thereof	Fisher & Paykel Healthcare Limited
DN 3341	Certain Semiconductor Lithography Systems and Components Thereof	ASML Netherlands B.V.; ASML US, L.P.; and ASML US, LLC
DN 3342	Certain LTE- and 3G-Compliant Cellular Communications Devices	INVT SPE 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
C-533-884	Glycine From India	Preliminary Affirmative CVD Determination and Alignment of Final Determination With Final ADD Determination
C-549-838	Glycine From Thailand	Preliminary Negative CVD Determination, Preliminary Negative Critical Circumstances Determination, and Alignment of Final Determination With Final ADD Determination
C-570-081	Glycine From China	Preliminary Affirmative CVD Determination
A-580-867	Large Power Transformers From S. Korea	Notice of Final Results of ADD Changed Circumstances Review
C-570-091	Certain Steel Wheels 12 to 16.5 Inches in Diameter From China	Initiation of CVD Investigation
A-570-090	Certain Steel Wheels 12 to 16.5 Inches in Diameter From China	Initiation of LTFV Investigation
A-201-836	Light-Walled Rectangular Pipe and Tube From Mexico	Preliminary Results of ADD Administrative Review; 2016-2017
C-570-076	Certain Plastic Decorative Ribbon From China	Amended Preliminary Affirmative CVD Determination
C-570-070	Rubber Bands From China	Preliminary Affirmative Determination of Critical Circumstances, in Part, in the CVD Investigation, and Amendment to the Scope of the Preliminary Determination in the CVD Investigation
A-570-069	Rubber Bands From China	Preliminary Affirmative Determination of Sales at LTFV and Preliminary Affirmative Determination of Critical Circumstances
A-549-835	Rubber Bands From Thailand	Preliminary Affirmative Determination of Sales at LTFV, Postponement of Final Determination, and Extension of Provisional Measures
A-570-010	Certain Crystalline Silicon Photovoltaic Products From China	Notice of Partial Rescission of ADD Administrative Review; 2017-2018
A-580-867	Large Power Transformers From S. Korea	Preliminary Results of ADD Administrative Review; 2016-2017
A-570-970	Multilayered Wood Flooring From China	Correction to the Final Results of ADD Administrative Review; 2015-2016


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

Case №	Merchandise/Country	Action
A-570-890	Wooden Bedroom Furniture From China	Notice of Partial Rescission of ADD Administrative Review
A-570-967	Aluminum Extrusions From China	Final Results of Changed Circumstances Review
C-570-017	Certain Passenger Vehicle and Light Truck Tires From China	Preliminary Results of CVD Administrative Review and Rescission, in Part; 2016
A-570-044	1,1,1,2-Tetrafluoroethane (R-134A) From China	Notice of Rescission of the ADD Administrative Review; 2016-2018
A-570-909	Certain Steel Nails From China	Preliminary Results of the ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017
A-570-028	Hydrofluorocarbon Blends From China	Preliminary Results of the ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017
A-583-814	Certain Circular Welded Non-Alloy Steel Pipe From Taiwan	Rescission of ADD Administrative Review; 2016-2017
A-570-016	Certain Passenger Vehicle and Light Truck Tires From China	Preliminary Results of ADD Administrative Review, Preliminary Determination of No Shipments, and Rescission, in Part; 2016-2017
A-122-855	Polyethylene Terephthalate Resin From Canada	Notice of Rescission of ADD Administrative Review; 2017-2018
A-552-801	Certain Frozen Fish Fillets From Vietnam	Preliminary Results of the ADD Administrative Review, Preliminary Determination of No Shipments and Partial Rescission of the ADD Administrative Review; 2016-2017
A-522-802	Certain Frozen Warmwater Shrimp From Vietnam	Final Results of ADD Administrative Review, 2016-2017
A-570-865	Certain Hot-Rolled Carbon Steel Flat Products From China	Final Results of ADD Administrative Review; 2016-2017
A-570-909	Certain Steel Nails From China	Initiation and Expedited Preliminary Results of ADD Changed Circumstances Review
A-570-051 C-570-052	Certain Hardwood Plywood Products From China	Initiation of AntiCircumvention Inquiry on the ADD and CVD Orders
C-570-085	Certain Quartz Surface Products From China	Preliminary Affirmative CVD Determination, and Alignment of Final Determination with Final ADD Determination
C-570-072	Sodium Gluconate, Gluconic Acid and Derivative Products From China	Final Affirmative CVD Determination
A-570-071	Sodium Gluconate, Gluconic Acid and Derivative Products From China	Final Affirmative Determination of Sales at LTFV
C-580-882	Certain Cold-Rolled Steel Flat Products From S. Korea	Notice of Court Decision not in Harmony with Amended Final Determination of the CVD Investigation
A-583-863	Forged Steel Fittings From Taiwan	ADD Order
A-351-852	Polyethylene Terephthalate Resin From Brazil	Final Determination of Sales at LTFV
A-560-832	Polyethylene Terephthalate Resin From Indonesia	Final Determination of Sales at LTFV, and Final Affirmative Determination of Critical Circumstances, in Part
A-535-905	Polyethylene Terephthalate Resin From Pakistan	Final Determination of Sales at LTFV
A-580-896	Polyethylene Terephthalate Resin From S. Korea	Final Determination of Sales at LTFV, and Final Affirmative Determination of Critical Circumstances, in Part
A-583-862	Polyethylene Terephthalate Resin From Taiwan	Final Determination of Sales at LTFV, and Final Affirmative Determination of Critical Circumstances, in Part
A-351-845	Certain Hot-Rolled Steel Flat Products From Brazil	Final Results of ADD Administrative Review; 2016-2017
A-570-985	Xanthan Gum From China	Final Results of the Expedited First Sunset Review of the ADD Order
A-533-879	Polytetrafluoroethylene Resin From India	Final Affirmative Determination of Sales at LTFV


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

Case №	Merchandise/Country	Action
A-570-066	Polytetrafluoroethylene Resin From China	Final Affirmative Determination of Sales at LTFV
A-570-981	Utility Scale Wind Towers From China	Notice of Rescission of ADD Administrative Review; 2017-2018
A-552-814	Utility Scale Wind Towers From Vietnam	Notice of Rescission of ADD Administrative Review; 2017-2018
A-484-803	Large Diameter Welded Pipe From Greece:	Amended Preliminary Determination of Sales at LTFV


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-929-931	Silicomanganese From India, Kazakhstan, and Venezuela	[Third Review] Institution of Five-Year Reviews
731-TA-919	Certain Welded Large Diameter Line Pipe From Japan	[Third Review] Institution of a Five-Year Review
701-TA-593-596 731-TA-1401-1406	Large Diameter Welded Pipe From Canada, China, Greece, India, Korea, and Turkey	[Final] Scheduling of the Final Phase of CVD and ADD Investigations
701-TA-586 731-TA-1384	Stainless Steel Flanges From India	[Final] Supplemental Schedule for the Subject Investigations
731-TA-1422-1423	Strontium Chromate From Austria and France	[Preliminary] Institution of ADD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-486 731-TA-1195-1196	Utility Scale Wind Towers From China and Vietnam	[Review] Scheduling of Full Five-Year Reviews
701-TA-597 731-TA-1407	Cast Iron Soil Pipe From China	[Final] Scheduling of the Final Phase of CVD and ADD Investigations
701-TA-488 731-TA-1199-1200	Large Residential Washers from Korea and Mexico	[Review] Scheduling of a Full Five-Year Review
701-TA-598, 600 731-TA-1408, 1410	Rubber Bands From China and Thailand	[Final] Scheduling of the Final Phase of CVD and ADD Investigations
731-TA-1396	Forged Steel Fittings From Taiwan	[Final] Determination that an industry in the US is materially injured by reason of imports that have been found by Commerce to be sold in the US at LTFV
731-TA-678, 679, 681, 682	Stainless Steel Bar from Brazil, India, Japan, and Spain	[Fourth Review] Determination that revocation of the ADD order on India would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time. The Commission further determines that revocation of the ADD orders (Brazil, Japan, and Spain) would not be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.
731-TA-1424	Mattresses from China	[Preliminary] Institution of ADD investigation and scheduling of preliminary phase investigation.
701-TA-610 731-TA-1425-1427	Refillable Stainless Steel Kegs from China, Germany, and Mexico	[Preliminary] Institution of Anti-Dumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations
731-TA-873-875, 878-880, 882	Steel Concrete Reinforcing Bar from Belarus, China, Indonesia, Latvia, Moldova, Poland, and Ukraine	[Third Review] Scheduling of Expedited Five-Year Reviews.
731-TA-1203	Xanthan Gum from China	[Review] Scheduling of an Expedited Five-Year Review
701-TA-611 731-TA-1428	Aluminum Wire and Cable From China	[Preliminary] Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-584 731-TA-1382	Uncoated Groundwood Paper From Canada	[Final] Determination that an industry in the US is not materially injured or threatened with material injury, and the establishment of an industry in the US is not materially retarded, by reason of im-



United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
		ports that have been found by Commerce to be sold in the US at LTFV, and to be subsidized by the government of Canada
701-TA-609 731-TA-1421	Steel Trailer Wheels from China	[Preliminary] Determination that there is a reasonable indication that an industry in the US is materially injured by reason of imports that are alleged to be sold in the US at LTFV and to be subsidized by the government of China
731-TA-344	Tapered Roller Bearings From China	[Fourth Review] Determination that revocation of the ADD order would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
PI-2018-004	Certain carbon steel welded pipe, commonly identified as standard pipe originating in or exported from Pakistan, the Philippines, Turkey and Vietnam	Determination that there is evidence that discloses a reasonable indication that the dumping has caused or is threatening to cause injury to the domestic industry
PI-2018-005	Certain corrosion-resistant flat-rolled steel sheet products of carbon steel, originating in or exported from China, Chinese Taipei, India and S. Korea	Preliminary Determination of Injury
PI-2018-006	Certain Nitrosinone Capsules from Sweden	Notice of Commencement of Preliminary Injury Inquiry



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
LP2 2018 UP1	Carbon and Alloy Steel Line Pipe Originating in or Exported From South Korea	Notice of Initiation of Normal Value Review
FISC 2018 SP 02	Certain Fabricated Industrial Steel Components (FISC) From China, South Korea and Spain	Notice of Initiation of Scope Proceeding
CRS 2018 IN	<i>Dumping and Subsidizing:</i> Cold-Rolled Steel From China, South Korea and Vietnam	Statement of Reasons Concerning the Preliminary Determinations
NIT 2018 IN	Certain Nitrosinone Capsules from Sweden	Notice of Initiation of Investigation



NAFTA Panels

Ref. Number	Merchandise/Country	Action
USA-CDA-2018-1904-06 (US)	Certain Uncoated Groundwood Paper from Canada	Request for Panel Review of Final Affirmative CVD Determination
USA-CDA-2018-1904-06 (CA)		
USA-CDA-2018-1904-05 (US)	Certain Uncoated Groundwood Paper from Canada	Request for Panel Review of Final Determination of Sales at LTFV
USA-CDA-2018-1904-05 (CA)		


Mexico - Ministry of Economy

Ref. Number	Merchandise/Country	Action
EA 03/17	Emulsion polybutadiene styrene rubber originating in the USA, Poland, S. Korea and Japan, regardless of the country of export	Preliminary resolution to the AD investigation
A.E. 07/18	Ammonium sulphate originating in China, regardless of the country of export	Resolution by which the request of the interested party is accepted and the initiation of the investigation is declared on the circumvention of the payment of the ADD
E.C. 13/18	Ferro-silico-manganese originating in Ukraine	Resolution beginning review of ADD
E.C. 14/18	High carbon ferromanganese originating in, regardless of the country of export	Resolution beginning review of ADD

EXPIRATION OF MEASURES

PRODUCT	TARIFF SUBHEADING	LAST DAY OF VALIDITY	DEADLINE TO RECEIVE THE DEMONSTRATION OF INTEREST
Seamless Steel Pipe From China	7304.19.01, 7304.19.04, 7304.19.99, 7304.31.01, 7304.31.10, 7304.31.99, 7304.39.01, 7304.39.05, 7304.39.99	January 8, 2019	November 14, 2018
Dishes and Loose Parts of Dishes of Ceramics From China	6911.10.01, 6912.00.01	January 14, 2019	November 21, 2018
Atomizers of Plastic From China	9616.10.01	April 22, 2019	March 12, 2019
Coverlets Fibers of Tissue Type Raschel From China	6301.40.01, 9404.90.99	May 27, 2019	April 16, 2019
Pencils From China	9609.10.01	May 27, 2019	April 16, 2019
Cold Rolled Sheet In From Russia and Kazakhstan	7209.16.01, 7209.17.01	June 30, 2019	May 24, 2019
Metoprolol Tartrato From India	2922.19.28	July 26, 2019	June 20, 2019
Hexametaphosphate of Sodium From China	2835.39.02	August 4, 2019	June 28, 2019
Connections of Carbon Steel to Weld to Stop From China	7307.93.01	August 5, 2019	June 28, 2019
Mesh or Fabric Galvanized Steel Wire To Carbon, In Form Of Grid From China	7314.19.02, 7314.19.03, 7314.31.01	October 10, 2019	September 3, 2019
Steel Plate In Sheet From China	7208.51.01, 7208.51.02, 7208.51.03, 7208.52.01, 7225.40.01, 7225.40.02	October 15, 2019	September 6, 2019
Steel Nails for Concrete From China	7317.00.99	November 30, 2019	October 24, 2019
Liculators (Food Mixers) For Domestic or Commercial Use From China	8509.40.01	December 10, 2019	November 1, 2019
Steel Wires From China	7312.10.01, 7312.10.05, 7312.10.07, 7312.10.99	December 17, 2019	November 8, 2019


European Union

Ref. Number	Merchandise/Country	Action
2018/C 310/06	Crystalline silicon photovoltaic modules and key components (i.e. cells) from China	Notice of the expiry of certain anti-dumping measures on 03-09-18
2018/C 310/07	Crystalline silicon photovoltaic modules and key components (i.e. cells) From	Notice of the expiry of certain anti-subsidy measures on 03-09-18


European Union

Ref. Number	Merchandise/Country	Action
	China	
2018/C 315/11	Stainless steel wires from India	Notice of the expiry of certain anti-subsidy measures on 08-09-18
2018/C 322/06	Certain prepared or preserved sweetcorn in kernels originating in Thailand	Notice of initiation of an expiry review of the ADmeasures
(EU) 2018/1236	Citric acid originating in China	Commission Implementing Regulation terminating the investigation concerning the possible circumvention of AD measures by imports consigned from Cambodia, whether declared as originating in Cambodia or not
2018/C 345/07	Solar glass from China	Notice of the impending expiry of certain anti-dumping measures on 15.05.2019
2018/C 345/08	Solar glass from China	Notice of the impending expiry of certain anti-subsidy measures on 15.05.2019
(EU) 2018/1306	Certain stainless steel wires originating in India	Commission Implementing Decision terminating the AD proceeding
2018/C 347/06	Welded tubes, pipes and hollow profiles of square or rectangular cross-section, of iron other than cast iron or steel other than stainless, originating in the former Yugoslav Republic of Macedonia, Russia and Turkey	Notice of initiation of an AD proceeding


Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2018/122	Pineapple Fruit From Thailand #455	Findings in relation to a Review of Measures
2018/126	Hot Rolled Coil Steel From Taiwan#454	Findings in relation to a review
2018/137	Grinding Balls From China #491	Termination of an Accelerated Review
2018/138	Aluminium Extrusions From China #482	Extension of Review of measures to a Revocation
2018/139	Hot Rolled Structural Steel Sections From Korea #465	Extension of time to issue Final Report
2018/140	Steel Reinforcing Bar From Indonesia #481	Findings in relation to an accelerated review
2018/141	Zinc Coated (Galvanised) Steel From China, Korea and Taiwan #492	Initiation of an Accelerated Review
2018/142	Various	Monthly Status Report - August 2018
2018/144	Railway Wheels From China and France #466	Further extension of time granted to issue Statement of Essential Facts and Final Report
2018/145	Steel Reinforcing Bar From China #467	Further extension of time granted to issue Statement of Essential Facts and Final Report
2018/146	Rod in Coil From China #468	Further extension of time granted to issue Statement of Essential Facts and Final Report
2018/147	PVC Flat Electrical Cables From China #469	Extension of time granted to issue the Statement of Essential Facts and Final Report
2018/148	Wind Towers From China and Korea #EX0067	Findings of exemption inquiry EX0067
2018/149	Aluminium Extrusions From Malaysia#494	Initiation of a review of measures
2018/151	A4 Copy Paper From Austria, Finland, Korea, Russia and Slovakia #463	Extension of time granted to issue the Statement of Essential Facts and Final Report
2018/152	Pineapple Fruit, FSI From Thailand #477	Extension of time granted to issue the Statement of Essential Facts and Final Report
2018/153	Pineapple Fruit, Consumer From Thailand #478	Extension of time granted to issue the Statement of Essential Facts and Final Report


China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
67. 2018	n-Butanol originating in Taiwan, Malaysia and the US	Preliminary AD ruling
68. 2018	PVC originating in the United States, South Korea, Japan and Taiwan	Final Review of AD measures


Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
43/2018-Cus (ADD)	Glass Fibre originating and exported from China PR	Definitive ADD imposed up to and inclusive of 31 August, 2021 on imports from Thailand in pursuance of Anti-Circumvention investigation initiated subsequently
44/2018-Cus (ADD)	Graphite Electrodes of all diameters originating in or exported from China PR	Imposition of definitive ADD discontinued in pursuance of Mid-term Review
45/2018-Cus (ADD)	Flat Base Steel Wheels originating in or exported from China PR	Notification No. 3/2013-Cus (ADD) dated 26 March, 2013 imposing ADD rescinded
46/2018-Cus (ADD)	Flat Base Steel Wheels originating in or exported from China PR	Definitive ADD imposed for a period of 5 years
47/2018-Cus (ADD)	1,1,1,2-Tetrafluoroethane or R-134a originating in or exported from China PR	Notification No. 10/2017-Cus (ADD) dated 24 March, 2017 providing for provisional assessment of new shipper exporters rescinded
48/2018-Cus (ADD)	Saturated Fatty Alcohols originating in or exported from Indonesia, Malaysia and Thailand	Notification No. 28/2018-Cus (ADD) dated 25 May, 2018 amended to change grouping of country of origin and country of export
49/2018-Cus (ADD)	Linear Alkyl Benzene originating in or exported from Iran, Qatar and China PR	Change in name of interested party incorporated in Notification issued by the CBIC


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

File № and Date	Merchandise/Country	Action
INITIATIONS		
6/17/2018-DGAD 10-09-2018	Continuous Cast Copper Wire Rods from Indonesia, Malaysia, Thailand and Vietnam	Anti-subsidy Investigation initiated
FINAL FINDINGS		
14/20/2015-DGAD 05-09-2018	Linear Alkyl Benzene originating in or exported from Iran, Qatar and China PR	Final Findings modified
6/10/2017-DGAD 05-09-2018	Straight Length Bars & Rods of Alloy Steel originating in or exported from China PR	Final Findings issued in AD Investigation
14/33/2016-DGAD 06-09-2018	Nylon Filament Yarn (Multi Filament) originating in or exported from European Union and Vietnam	Corrigendum issued modifying Final Findings in AD Investigation
7/19/2017-DGAD 13-09-2018	Phthalic Anhydride originating in or exported from Korea RP, Taiwan and Israel	Final Findings issued in Sunset Review Investigation
6/3/2018-DGAD 18-09-2018	Flax Yarn of below 70 Lea Count originating in or exported from China PR	Final Findings issued in AD Investigation
6/44/2017-DGAD 28-09-2018	Sun/Dust control film originating in or exported from China PR, Chinese Taipei, Hong Kong and Korea	Final Findings issued in AD Investigation
OTHERS		



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

File № and Date	Merchandise/Country	Action
6/22/2018-DGAD 19-09-2018	Welded Stainless Steel Pipes and Tubes originating in or exported from China PR and Vietnam	Time for filing questionnaire response extended until 23 October, 2018 in Anti-subsidy Investigation
07/31/2018-DGAD 19-09-2018	Aluminium Alloy Road Wheels (ARWs) originating in or exported from China PR, Korea RP and Thailand	Time for filing questionnaire response extended until 12 October, 2018 in Sunset Review Investigation
06/19/2018-DGAD 24-09-2018	Atrazine Technical originating in or exported from China PR	Time for filing questionnaire response extended until 22 October, 2018 in Anti-subsidy investigation



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Opportunity to Request Administrative Review

In a September 11, 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 September anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Belarus: Steel Concrete Reinforcing Bars	A-822-804	9/1/17-8/31/18
Brazil: Cold-Rolled Steel Flat Products	A-351-843	9/1/17-8/31/18
Emulsion Styrene-Butadiene Rubber	A-351-849	2/24/17-8/31/18
India: Cold-Rolled Steel Flat Products	A-533-865	9/1/17-8/31/18
Lined Paper Products	A-533-843	9/1/17-8/31/18
Oil Country Tubular Goods	A-533-857	9/1/17-8/31/18
Indonesia: Steel Concrete Reinforcing Bars	A-560-811	9/1/17-8/31/18
Japan: Stainless Steel Wire Rod	A-588-843	9/1/17-8/31/18
Latvia: Stainless Concrete Reinforcing Bars	A-449-804	9/1/17-8/31/18
Mexico: Emulsion Styrene-Butadiene Rubber	A-201-848	2/24/17-8/31/18
Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes	A-201-847	9/1/17-8/31/18
Magnesia Carbon Bricks	A-201-837	9/1/17-8/31/18
Moldova: Steel Concrete Reinforcing Bars	A-841-804	9/1/17-8/31/18
Poland: Steel Concrete Reinforcing Bars	A-455-803	9/1/17-8/31/18
Emulsion Styrene-Butadiene Rubber	A-455-805	2/24/17-8/31/18
S. Korea: Cold-Rolled Steel Flat Products	A-580-881	9/1/17-8/31/18
Emulsion Styrene-Butadiene Rubber	A-580-890	2/24/17-8/31/18
Heavy Walled Rectangular Welded Carbon Pipes and Tubes	A-580-880	9/1/17-8/31/18
Oil Country Tubular Goods	A-580-870	9/1/17-8/31/18
Stainless Steel Wire Rod	A-580-829	9/1/17-8/31/18
SR of Vietnam: Oil Country Tubular Goods	A-552-817	9/1/17-8/31/18
Taiwan: Narrow Woven Ribbons With Woven Selvedge	A-583-844	9/1/17-8/31/18
Raw Flexible Magnets	A-583-842	9/1/17-8/31/18
Stainless Steel Wire Rod	A-583-828	9/1/17-8/31/18
The PR of China: Freshwater Crawfish Tailmeat	A-570-848	9/1/17-8/31/18
Foundry Coke	A-570-862	9/1/17-8/31/18
Kitchen Appliance Shelving and Racks	A-570-941	9/1/17-8/31/18
Lined Paper Products	A-570-901	9/1/17-8/31/18
Magnesia Carbon Bricks	A-570-954	9/1/17-8/31/18
Narrow Woven Ribbons With Woven Selvedge	A-570-952	9/1/17-8/31/18
New Pneumatic Off-The-Road Tires	A-570-912	9/1/17-8/31/18
Raw Flexible Magnets	A-570-922	9/1/17-8/31/18
Steel Concrete Reinforcing Bars	A-570-860	9/1/17-8/31/18
Turkey: Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes	A-489-824	9/1/17-8/31/18

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Oil Country Tubular Goods	A-489-816	9/1/17-8/31/18
Ukraine: Solid Agricultural Grade Ammonium Nitrate	A-823-810	9/1/17-6/11/18
Steel Concrete Reinforcing Bars	A-823-809	9/1/17-8/31/18
United Kingdom: Cold-Rolled Steel Flat Products	A-412-824	9/1/17-8/31/18
Countervailing Duty Proceedings		
Brazil: Cold-Rolled Steel Flat Products	C-351-844	1/1/17-12/31/17
India: Cold-Rolled Steel Flat Products	C-533-866	1/1/17-12/31/17
Lined Paper Products	C-533-844	1/1/17-12/31/17
Oil Country Tubular Goods	C-533-858	1/1/17-12/31/17
S. Korea: Cold-Rolled Steel Flat Products	C-580-882	1/1/17-12/31/17
The PR of China: Magnesite Carbon Bricks	C-570-955	1/1/17-12/31/17
Kitchen Appliance Shelving and Racks	C-570-942	1/1/17-12/31/17
Narrow Woven Ribbons With Woven Selvedge	C-570-953	1/1/17-12/31/17
New Pneumatic Off-The-Road Tires	C-570-913	1/1/17-12/31/17
Raw Flexible Magnets	C-570-923	1/1/17-12/31/17
Turkey: Heavy Walled Rectangular Welded Carbon Steel Pipes and Tubes	C-489-825	1/1/17-12/31/17
Oil Country Tubular Goods	C-489-817	1/1/17-12/31/17
Suspension Agreements		
None		

Requested Reviews

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

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
India: Corrosion-Resistant Steel Products	A-533-863	7/1/17-6/30/18
Polyethylene Terephthalate (Pet) Film, Sheet and Strip	A-533-824	7/1/17-6/30/18
Italy: Carbon and Alloy Steel Cut-To-Length Plate	A-475-834	11/14/16-4/30/18
Certain Pasta	A-475-818	7/1/17-6/30/18
Malaysia: Certain Steel Nails	A-557-816	7/1/17-6/30/18
Oman: Certain Steel Nails	A-523-808	7/1/17-6/30/18
S. Korea: Certain Steel Nails	A-580-874	7/1/17-6/30/18
Certain Corrosion-Resistant Steel Products	A-580-878	7/1/17-6/30/18
SR of Vietnam: Certain Steel Nails	A-552-818	7/1/17-6/30/18
Taiwan: Certain Steel Nails	A-583-854	7/1/17-6/30/18
Certain Corrosion-Resistant Steel Products	A-583-856	7/1/17-6/30/18
Polyethylene Terephthalate (Pet) Film, Sheet and Strip	A-583-837	7/1/17-6/30/18
The PR of China: Carbon Steel Butt-Weld Pipe Fittings	A-570-814	7/1/17-6/30/18
Circular Welded Carbon Quality Steel Pipe	A-570-910	7/1/17-6/30/18
Tapered Roller Bearings	A-570-601	6/1/17-5/31/18
Xanthan Gum	A-570-985	7/1/17-6/30/18
Turkey: Steel Concrete Reinforcing Bar	A-489-829	3/7/17-6/30/18
Countervailing Duty Proceedings		
India: Corrosion-Resistant Steel Products	C-533-864	1/1/17-12/31/17
Polyethylene Terephthalate (Pet) Film, Sheet and Strip	C-533-825	1/1/17-12/31/17
Italy: Certain Pasta	C-475-819	1/1/17-12/31/17
S. Korea: Certain Corrosion-Resistant Steel Products	C-580-879	1/1/17-12/31/17
SR of Vietnam: Certain Steel Nails	C-552-819	1/1/17-12/31/17
The PR of China: Certain Oil Country Tubular Goods	C-570-944	1/1/17-12/31/17
Circular Welded Carbon Quality Steel Pipe	C-570-911	1/1/17-12/31/17
Turkey: Steel Concrete Reinforcing Bar	C-489-830	3/1/17-12/31/17
Suspension Agreements		

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
None		

Initiation of Sunset Reviews

In a September 11, 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-533-823	731-TA-929	India	Silicomanganese (3 rd Review)
A-588-857	731-TA-919	Japan	Welded Large Diameter Line Pipe (3 rd Rev)
A-834-807	731-TA-930	Kazakhstan	Silicomanganese (3 rd Review)
A-307-820	731-TA-931	Venezuela	Silicomanganese (3 rd Review)



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