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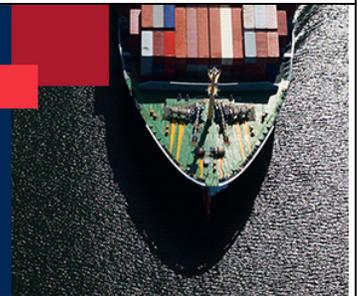
## Global Trade Conference

Client Seminar, Bellevue, WA May 15, 2018

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McKenzie.**

### 2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



Please see our [Webinars, Meetings, Seminars](#) section for information on the May 15, 2018 **Bellevue WA Global Trade Conference** as well as the full schedule of webinars in the **2018 Global Trade and Supply Chain Webinar Series - Continuing Challenges in Global Trade**, names of speakers, 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 the [2017 Year-End Export Import Seminar in Santa Clara, California](#).

#### To keep abreast of international trade-related news, visit our blogs:

For International Trade Compliance Updates, please regularly visit [www.internationaltradeupdate.com](http://www.internationaltradeupdate.com).

For additional articles and updates on Trade Sanctions and Export Controls, please visit: <http://sanctionsnews.bakermckenzie.com/> regularly.

For resources and news regarding international trade, particularly in Asia, please visit our new Trade Crossroads blog at <http://tradeblog.bakermckenzie.com/>.

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

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

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)

### Trade Policy Review: Montenegro

The first review of the trade policies and practices of Montenegro took place on 11 and 13 April 2018. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Montenegro](#).

### 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
<a href="#">DS543</a>	United States – Tariff Measures on Certain Goods from China [Complainant: China] <a href="#">Request by China for consultations</a>	04-04-18
<a href="#">DS544</a>	United States — Certain Measures on Steel and Aluminium Products [Complainant: China] <a href="#">Request by China for consultations</a>	05-04-18

### 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
<a href="#">DS533</a>	United States — Countervailing Measures on Softwood Lumber from Canada (Complainant: Canada)	<a href="#">Panel established</a>	09-04-18
<a href="#">DS534</a>	United States — Anti-Dumping Measures Applying Differential Pricing Methodology to Softwood Lumber from Canada (Complainant: Canada)	<a href="#">Panel established</a>	
<a href="#">DS479</a>	Russia — Anti-Dumping Duties on Light Commercial Vehicles from Germany and Italy (Complainant: European Union)	<a href="#">DSB adopted the panel ruling, as modified by the Appellate Body</a>	
<a href="#">DS495</a>	Korea — Import Bans, and Testing and Certification Requirements for Radionuclides (Complainant: Japan)	<a href="#">Korea files appeal of panel report</a>	
<a href="#">DS504</a>	Korea — Anti-Dumping Duties on Pneumatic Valves from Japan (Complainant: Japan)	<a href="#">Panel report issued</a>	12-04-18
<a href="#">DS522</a>	Canada – Measures Concerning Trade in Commercial Aircraft (Complainant: Brazil)	<a href="#">Preliminary ruling circulated by panel</a>	17-04-18
<a href="#">DS437</a>	United States — Countervailing Duty Measures on Certain Products from China — Recourse to Article 21.5 of the DSU by China	<a href="#">US filed appeal against compliance panel report</a>	27-04-18

### 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.

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

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

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

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## World Customs Organization (WCO)

### Working Group on E-Commerce finalises the Framework of Standards on Cross-Border E-Commerce

On 16 April 2018, the WCO [announced](#) that the WCO Working Group on E-Commerce (WGEC) met for the 3rd time at the WCO headquarters in Brussels from 9 to 12 April 2018.

The announcement said the meeting brought together more than 150 delegates from Customs administrations, other government agencies, the private sector, other international organizations, e-vendors/platforms, express service providers, postal operators, freight forwarders, Customs brokers and academia to mainly discuss and develop a 'Framework of Standards on Cross-Border E-Commerce'.

In her opening remarks, Ms. Ana B. Hinojosa, WCO Director Compliance and Facilitation applauded the work done by the WGEC thus far. Noting the expectations of WCO Members and stakeholders, she underlined the importance of the ongoing work relating to the development of a Framework of Standards that could provide a globally harmonized approach to ensure the speedy delivery of parcels across borders, while ensuring compliance with all regulatory requirements including safety and security and revenue collection.

The Co-Chairpersons Mr. Xiangyang Sun (China) and Ms. Marianne Rowden (the Private Sector Consultative Group) outlined the priorities and work programme of the WGEC with a view to delivering a pragmatic and standardised framework on cross-border E-Commerce that could optimally meet expectations of all stakeholders.

Through the course of 4 days, delegates were intensely engaged in constructive and robust discussions that led to the finalisation of a draft Framework of Standards. This draft Framework of Standards will be submitted to the April 2018 Permanent Technical Committee (PTC) and the June 2018 Policy Commission and Council for their consideration and adoption.

This Framework of Standards is expected to be a comprehensive instrument for assisting WCO Members in developing E-Commerce strategic and operational frameworks, working in close cooperation with E-Commerce stakeholders. It will be equally useful for Members who are seeking to enhance existing frameworks in order to effectively meet the requirements of new and evolving business models.

Going forward, the Framework will be supported by an implementation strategy and action plan, as well as a robust capacity building mechanism to ensure its harmonized and expeditious implementation, based on national and regional needs and imperatives.

The Group also held a preliminary discussion on the data elements for effective risk management and speedy clearance of E-Commerce shipments, together with who would have that data and who could provide it in a timely manner.

In addition, the WGEC approved an updated version of the Immediate Release Guidelines that have been adapted to the E-Commerce environment for supporting an expeditious release/clearance of increasing cross-border E-Commerce shipments/parcels.

Regarding the next steps, the draft Framework of Standards would be further enriched with Technical Specifications, guidelines and case studies for harmonised and effective implementation of the Standards. The WGEC agreed to continue work on identified issues through constructive engagements with relevant stakeholders.

### Announcements and news releases [dd-mm-yy]

Date	Title
06-04-18	<a href="#">Successful conclusion of the 4th WCO-Korea Executive Programme in Customs</a>

Date	Title
	<a href="#">&amp; Business Administration</a>
10-04-18	<a href="#">WCO Leadership and Management Development Workshop in the Gambia</a>
	<a href="#">WCO-WACAM Project reaffirms its support to HRM modernization in Niger Customs</a>
	<a href="#">WCO Conducts Workshop on Digital Customs and E-Commerce for WCO ESA Region</a>
	<a href="#">WCO welcomes trainees from the Indian Revenue Service</a>
11-04-18	<a href="#">WCO supports Kenya Regional Training Centre in adopting a blended training approach through the use of WCO e-Learning modules</a>
	<a href="#">WCO supports Customs Authority in Costa Rica on TFA implementation</a>
12-04-18	<a href="#">Linking the Bahamas Supply Chain under the WCO Mercator Programme</a>
13-04-18	<a href="#">WCO Europe Regional Heads of Customs Conference in Russia</a>
16-04-18	<a href="#">WCO supports Samoa Customs to improve the collaborative environment among the Cross Border Regulatory Agencies (CBRAs)</a>
	<a href="#">Working Group on E-Commerce finalises the Framework of Standards on Cross-Border E-Commerce</a>
17-04-18	<a href="#">Successful conclusion of the WCA regional transit workshop</a>
	<a href="#">Launch of the Customs - Police Cooperation Handbook</a>
	<a href="#">WCO Operation CATalyst 2 Training Workshop in combating New Psychoactive Substances held in Seoul, Republic of Korea</a>
18-04-18	<a href="#">WCO supports Uganda Revenue Authority on blended training approach through the use of WCO e-Learning modules</a>
19-04-18	<a href="#">WCO Sub-Regional Train-the-Trainer Workshop on Programme Global Shield held in Manila</a>
	<a href="#">WCO conducts a Diagnostic mission on Post Clearance Audit for Qatar</a>
20-04-18	<a href="#">Conference of Directors General of Customs of the Americas Caribbean Region</a>
20-04-18	<a href="#">WCO Asia Pacific Regional Workshop on Capacity Building of Customs Laboratories</a>
23-04-18	<a href="#">The PTC agrees on the need to strategize with latest technologies in Customs and Border Management</a>
	<a href="#">The WCO supports the Bahamas Customs Administration in the preparation of its first Time Release Study (TRS)</a>
25-04-18	<a href="#">Philippines Bureau of Customs working with WCO and World Bank on Sustaining and Enhancing Reform &amp; Modernization Agenda</a>
26-04-18	<a href="#">WCO diagnostic mission to Côte d'Ivoire</a>
	<a href="#">The WCO Inama project provides national support to Burkina Faso Customs to strengthen capacities to fight Illegal Wildlife Trade (IWT)</a>
	<a href="#">The WCO-Inama project supports Asian Members in including CITES and Illegal Wildlife Trade (IWT) modules in national training curricula and in developing a group of internal IWT Trainers</a>
	<a href="#">Uganda Revenue Authority (URA) received support by WCO in enhancing its capacity to mitigate Illegal Wildlife Trade (IWT)</a>
	<a href="#">WCO celebrates the World Intellectual Property Day 2018</a>
	<a href="#">WCO launches the Security Project for West and Central Africa</a>
30-04-18	<a href="#">TEGACS moves forward with the Guiding Principles for Pre-loading Advance Cargo Information</a>
	<a href="#">Expert trainers pre-accredited on Rules of Origin in WCA and ESA Regions</a>
	<a href="#">WCO Participates in "No Money for Terror" Conference in Paris</a>
	<a href="#">WCO participates in meetings with COMALEP and the private sector in the Americas Region</a>
	<a href="#">WCO attended the Oil and Fuel Theft Conference</a>

## 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
18-04-18	2018/034 <a href="#">Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR)</a>
	2018/035 <a href="#">Queen conch (<i>Strombus gigas</i>)</a>
	2018/036 <a href="#">United Arab Emirates – Certificate of ownership</a>
	2018/037 <a href="#">Nomenclature of CITES-listed corals</a>
20-04-18	2018/038 <a href="#">Registration of operations that breed Appendix-I animal species in captivity for commercial purposes</a>
23-04-18	2018/039 <a href="#">East African sandalwood (<i>Osyris lanceolata</i>) and CITES Cactaceae checklist</a>
	2018/040 <a href="#">Conservation of and trade in African and Asian rhinoceroses</a> <ul style="list-style-type: none"> <li>• <a href="#">Annex: Questionnaire on the implementation of Resolution Conf. 9.14 (Rev. CoP17) and measures to prevent and combat rhinoceroses poaching and trafficking in rhinoceros horn</a></li> </ul>
24-04-18	2018/041 <a href="#">Request for new information on shark and ray conservation and management activities, including legislation</a>
30-04-18	2018/042 <a href="#">Existing funding opportunities for supporting African lion conservation activities</a>

## The Americas - Central America

### GUATEMALA

On 19 April 2018, the *Diario de Centro América* (the Official Gazette of Guatemala) published [Decree № 7-2018](#) approving Guatemala's accession to the [United Nations Convention on Contracts for the International Sale of Goods](#) (CISG). It will become the ninetieth contracting state once it deposits its instrument of ratification. The CISG was drafted by the UN Commission on International Trade Law (UNCITRAL) and entered into force in 1988. The home page of the CISG states in part:

The adoption of the CISG provides modern, uniform legislation for the international sale of goods that would apply whenever contracts for the sale of goods are concluded between parties with a place of business in Contracting States. In these cases, the CISG would apply directly, avoiding recourse to rules of private international law to determine the law applicable to the contract, adding significantly to the certainty and predictability of international sales contracts.

Moreover, the CISG may apply to a contract for international sale of goods when the rules of private international law point at the law of a Contracting State as the applicable one, or by virtue of the choice of the contractual parties, regardless of whether their places of business are located in a Contracting State. In this latter case, the CISG provides a neutral body of rules that can be easily accepted in light of its transnational nature and of the wide availability of interpretative materials.

### NICARAGUA

#### Single-window project launched to facilitate importing and exporting

On March 6, 2018, the Nicaraguan Government [announced](#) that it has, through the Ministry of Development, Industry and Trade (MIFIC, for its acronym in Spanish), launched a Single Window for Foreign Trade (Ventanilla Única de Comercio Exterior or VUCE) pilot program, to enable international (cross-border) traders to submit regulatory documents at a single, online platform. This program is meant to increase the country's international trade competitiveness and further simplify

information flows between exporting companies and the government, bringing significant benefits to all parties involved. The announcement said:

The platform is currently being tested by several companies submitting applications for export and import permits and making payments online, without having to visit government institutions, stated Jose Adan Aguerri, Chairman of the Superior Council of the Private Enterprise (COSEP, for its Spanish acronym).

Aguerri stressed that the pilot program aims to “ensure the platform works properly before including the rest of exporting and importing companies.” He added that “this effort, led by MIFIC and the private sector with the support of the IDB and the integration of Customs, represents a great leap forward in terms of time and cost reduction.”

General Alvaro Baltodano, Presidential Delegate for Investment, considers this initiative yet another achievement of the Model of Alliance, Dialogue and Consensus led by the President of Nicaragua, Daniel Ortega, and Vice President, Rosario Murillo. According to Baltodano, the new single window “translates into greater competitiveness, which is what our Government intends. We have the conditions, but we must continue to develop and preserve them. We have to take advantage of these circumstances and become more attractive to investors.”

Nicaragua has been improving processes through trade facilitation initiatives in order to be among the most competitive countries regionally. Accordingly, Nicaragua advanced 10 positions in the latest Global Competitiveness Report of the World Economic Forum (WEF). The ranking for 2017-2018 was 93 among 137 countries assessed; this is the country’s best position in the last 10 years. Nicaragua was also among the top three countries in Latin America with the greatest advances.

It is understood that the VUCE will tie into the Central American portal when operational to facilitate trade within the Central American Common Market and Customs Union.

## Nicaraguan Classification Resolutions (Customs Rulings)

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

## The Americas - North America

### CANADA

#### Canada seeks views on aligning origin marking with US for certain steel and aluminum products

On April 28, 2018, the [Canada Gazette](#) published an invitation from the Department of Finance to submit views on proposed amendments to the NAFTA and Non-NAFTA Country of Origin Marking Regime that would align Canada’s country of origin marking regime with that of the United States for certain steel and aluminum products. Canada’s country of origin marking regime is set out in regulations, including

1. the *Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations*; and
2. the *Determination of Country of Origin for the Purpose of Marking Goods (Non-NAFTA Countries) Regulations*.

These regulations establish the scope of products and the criteria used to determine country of origin for the purposes of marking.

The Government of Canada is proposing amendments to the scope of products and criteria for country of origin marking for both NAFTA and non-NAFTA countries under the *Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations* and the *Determination of Country of Origin for the Purpose of Marking Goods (Non-NAFTA Countries) Regulations*.

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The objective of these amendments is to align Canada's marking regime with the U.S. marking regime with respect to certain steel and aluminum products in order to address the transshipment and diversion of unfairly cheap foreign steel and aluminum, which poses a threat to Canadian jobs and the North American market.

On product scope, Canada requires that goods specifically identified in the regulations be marked with the country of origin, while the U.S. regime requires that all steel and aluminum goods of foreign origin be marked. The Government of Canada is proposing to expand the scope of the goods that must be marked to align with the treatment of certain steel and aluminum products under the U.S. regime. This will require amendments to both the *Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations* and the *Determination of Country of Origin for the Purpose of Marking Goods (Non-NAFTA Countries) Regulations*.

On criteria, Canada and the United States use substantially equivalent criteria to determine the country of origin for non-NAFTA goods. In Canada, the criteria are where goods are "substantially manufactured" and in the United States, the criteria are where work on the good effects a "substantial transformation." However, the rules of origin set out in the Canadian and the U.S. NAFTA country of origin marking regulations vary. The Government of Canada is therefore proposing amendments to the *Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations* consistent with the current U.S. requirements.

The proposed amendments are set out in tables 1 and 2 to the *Canada Gazette* notice.

Interested parties wishing to comment on the proposed amendments to Canada's marking regime should submit their views in writing by May 14, 2018. Submissions should include, at a minimum, the following information:

1. Canadian company/industry association name, address, telephone number, and contact person.
2. Reasons for the expressed support for, or concern with, the proposed amendments, including detailed information substantiating any expected beneficial or adverse impact.
3. Whether or not the information provided in the submission is commercially sensitive.

## Supreme Court of Canada upholds certain restrictions on inter-provincial trade

On April 19, 2018, the Supreme Court of Canada [held](#) that a law preventing residents of New Brunswick from stocking up on alcohol from another province is constitutional. Provinces have flexibility to make laws to address particular conditions and priorities within their borders. They can do this even if those laws may incidentally restrict the movement of goods across their borders. The Court's [Case in Brief](#) (summary) states:

The Court unanimously allowed the Crown's appeal in a case of a New Brunswick man who bought alcohol from neighbouring Quebec.

Section 134(b) of the New Brunswick's *Liquor Control Act* forbids residents from possessing large amounts of alcohol not purchased from the New Brunswick Liquor Cor-

poration—for example, purchased from other provinces. The RCMP was watching New Brunswick residents who crossed the border into Quebec to buy cheaper alcohol. On October 6, 2012, Gerard Comeau drove to Quebec from his home in New Brunswick to stock up. When he returned to New Brunswick, Mr. Comeau was stopped by the RCMP with large amounts of beer and some spirits he bought in Quebec. He was fined \$240, plus fees.

Mr. Comeau fought the fine. He said that section 121 of the *Constitution Act, 1867* guarantees free trade across provincial borders. The Crown disagreed. It argued that section 121 was only meant to prevent provinces from charging tariffs or similar costs at the border. The Crown said the provision did not apply in Mr. Comeau's situation. The trial judge, breaking with longstanding Supreme Court precedent, agreed with Mr. Comeau and [dismissed](#) the charge.

The New Brunswick Court of Appeal [dismissed](#) the Crown's request for permission to appeal. The Crown appealed to the Supreme Court.

The Supreme Court held that while section 121 prohibits laws whose *main* purpose is to prevent the movement of goods across provincial borders, it does not prohibit legislation that has *incidental* effects on trade. While the New Brunswick law Mr. Comeau challenged restricted the movement of alcohol across the provincial border, this was not its main purpose. Its main purpose was to manage the supply and demand of liquor in New Brunswick. Therefore, the law is constitutional.

This case turned on the meaning of section 121 of the *Constitution Act, 1867*. To understand its meaning, the Court looked at the wording, history, and position of the provision within the Constitution. It also looked at the legal principles that guide how courts understand the Constitution. The Court concluded that section 121 prohibits laws restricting inter-provincial trade, but only where restricting trade is the laws' main purpose. If section 121 were understood to guarantee free inter-provincial trade, it would have far-reaching effects on agricultural supply management, public health prohibitions, environmental controls, and similar schemes. Section 121 lets provinces enact these types of measures, as long as their main purpose is not simply to prevent the importation of goods from other provinces.

The case is [R. v. Comeau 2018 SCC 15 \(April 19, 2018\)](#).

## CBSA makes changes to its anti-dumping and countervailing program

On 26 April 2018, the Canada Border Services Agency (CBSA) [announced](#) that as a result of the amendments to the *Special Import Measures Act* and the *Special Import Measures Regulations* that came into force on April 26, the CBSA will conduct scope proceedings and anti-circumvention investigations, assess whether certain sales should be disregarded due to a particular market situation, and provide unions with participatory rights in dumping and subsidy investigations. The announcement said:

### Scope Proceedings

The purpose of a scope proceeding is to establish whether certain goods fall within the scope of an existing anti-dumping and/or countervailing measure. Interested persons may request that the CBSA conduct a scope proceeding or the CBSA may self-initiate a scope proceeding. For detailed information on these proceedings, please refer to [Information relating to Scope Proceedings and Guidelines for Preparing an Application for a Scope Ruling](#).

### Anti-circumvention Investigations

The purpose of an anti-circumvention investigation is to determine whether the circumvention of an existing anti-dumping and/or countervailing measure is occurring. These investigations may be initiated as a result of a complaint

or self-initiated by the CBSA. If a finding of circumvention is made by the CBSA, the Canadian International Trade Tribunal will amend the measure and anti-dumping and/or countervailing duties will be extended to the goods whose importation was found to constitute circumvention. For detailed information on these investigations please refer to [Information relating to Anti-circumvention Investigations and Guidelines for Preparing a Circumvention Complaint](#).

### Particular Market Situation

The amendments will allow the CBSA to disregard certain sales when determining normal values in a dumping investigation. Under the new provisions, the CBSA will not consider any sales of like goods for use in the country of export that do not permit a proper comparison with the sale of the goods to the importer in Canada due to the existence of a particular market situation.

### Trade Unions

The CBSA will provide unions representing persons employed in Canada with full participatory rights in dumping and subsidy investigations under SIMA. In order to accomplish this, the steps outlined below will be taken.

1. Identification of Trade Unions in the Complaint

A properly documented complaint should identify the trade unions that represent persons employed in the production of like goods in Canada.

2. Notification to Trade Unions

At the initiation of a dumping or subsidy investigation, notice will be sent to the trade unions identified in the complaint. The notice will inform the union that it is considered to be a party to the proceeding. Other trade unions may be identified as a party to the proceeding at a later stage as the proceeding develops.

3. Participatory rights

A trade union that is identified as a party to a proceeding may request information in accordance with the disclosure of information provisions of SIMA, and it may provide information to the CBSA for use in the proceeding. The union may choose to be represented by counsel and may submit case arguments in the same way as other parties.

### 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
04-04-18	ENVIRONMENT AND CLIMATE CHANGE: <a href="#">Order 2018-87-02-01 Amending the Domestic Substances List (SOR/2018-44, March 19, 2018)</a> pursuant to the <a href="#">Canadian Environmental Protection Act, 1999</a> (O)
	ENVIRONMENT AND CLIMATE CHANGE: <a href="#">Order 2018-112-02-01 Amending the Domestic Substances List (SOR/2018-45, March 19, 2018)</a> pursuant to the <a href="#">Canadian Environmental Protection Act, 1999</a> (O)
	FOREIGN AFFAIRS: <a href="#">Canada's 2018 G7 Presidency Privileges and Immunities Order (SOR/2018-47, March 26, 2018)</a> pursuant to the <a href="#">Foreign Missions and International Organizations Act</a> (O)

Publication Date	Title
04-07-18	ENVIRONMENT/HEALTH: <a href="#">Publication of final decision after screening assessment of 283 substances specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999)</a> (N)
	HEALTH: <a href="#">Notice of intent — Termination of the Revised In Commerce Substances List nomination process</a> (N)
04-18-18	ENVIRONMENT: <a href="#">Order Adding Toxic Substances to Schedule 1 to the Canadian Environmental Protection Act, 1999 (SOR/2018-67, April 4, 2018)</a> (O)
	HEALTH: <a href="#">Hazardous Products Act b, makes the annexed Regulations Amending the Hazardous Products Regulations (SOR/2018-68, April 4, 2018)</a> (R)
	HEALTH: <a href="#">Regulations Amending Certain Department of Health Regulations (Miscellaneous Program) (SOR/2018-69, April 4, 2018), pursuant to (a) subsection 30(1) of the Food and Drugs Act, (b) paragraph 19.1(a) and subsection 23(2.1) of the Financial Administration Act, (c) subsection 13(1) of the Radiation Emitting Devices Act, (d) subsection 55(1) of the Controlled Drugs and Substances Act, and (e) subsection 37(1) of the Canada Consumer Product Safety Act.</a> (R)
	HEALTH: <a href="#">Order Amending Schedules I and IV to the Controlled Drugs and Substances Act (Miscellaneous Program)(SOR/2018-70, April 4, 2018)</a> (O)
04-28-18	ENVIRONMENT/HEALTH: <a href="#">Ministerial Condition No. 19456 [benzene, 1,1'-(1,2-ethanediyl)bis(2,3,4,5,6-pentabromo-, Chemical Abstracts Service Registry No. 84852-53-9] pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999</a> (N)
	ENVIRONMENT/HEALTH: <a href="#">Publication after screening assessment of two substances in the Organic Peroxides Group — hydroperoxide, 1-methyl-1-phenylethyl (CHP), CAS RN 80-15-9, and peroxide, bis(1-methyl-1-phenylethyl) [DCUP], CAS RN 80-43-3 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999)</a> (N)
	Finance: <a href="#">Invitation to submit views on proposed amendments to the NAFTA and Non-NAFTA Country of Origin Marking Regime</a> (N)

## CBSA advance rulings

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

[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
04-10-18	<a href="#">CN 18-03</a>	Decommissioning of Legacy Release Service Options OGD PARS 463 and OGD RMD 471
04-12-18	<a href="#">D19-4-1</a>	Export and Import of Cultural Property
04-17-18	<a href="#">D2-5-11</a>	(Revised) Guidelines for Commercial Air Carriers for the Processing of Prescribed Traveller Information
04-18-18	<a href="#">D11-5-10</a>	Canada-Jordan Free Trade Agreement (CJFTA) Rules of Origin
	<a href="#">D11-5-6</a>	Canada-Israel Free Trade Agreement (CIFTA) Rules of Origin
04-19-18	<a href="#">D3-1-8</a>	Cargo – Export Movements

Date	Reference	Title
04-24-18	<a href="#">D1-16-3</a>	Guidelines for the Access to Use, and Disclosure of Advance Passenger Information (API) and Passenger Name Record (PNR) Data

## Antidumping and countervailing duty cases

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

## MEXICO

### Mexico – EU agree on a new global agreement

On April 21, 2018, the Ministries of Foreign Affairs and Economy [announced](#) the successful conclusion of negotiations for a new global agreement with the European Union that includes political, economic and cooperation aspects to strengthen the political dialogue, boost trade and investment and increase technical and scientific cooperation for the benefit of both societies. The remaining part of the announcement (translation) says:

Again, as in 1997, when the Economic Partnership, Political Coordination and Cooperation Agreement (Global Agreement, in force since 2000) was concluded, Mexico and the European Union have written a new page in their history by negotiating the most advanced agreement of its type. In addition to including a strong section that adds new areas in which to promote trade and investment, thus strengthening our commercial and economic ties, it also includes political and cooperation aspects that will highlight both Mexico and the European Union as global actors for the benefit of their societies.

Mexico and the European Union share values such as democracy, human rights, and respect for the rule of law, free trade and multilateralism.

The new treaty's trade pillar increases the benefits of trade between Mexico and the European Union, particularly in the agrifood sector. Tariffs will be eliminated on Mexican products such as orange juice, tuna, honey, agave syrup, ovoalbumin and fruits and vegetables, among others. Sensitive products, such as apples, peaches and dairy products were also protected. This will benefit consumers while diversifying our exports.

In addition, our trade now covers more services by including telecommunications and the temporary entry of people and services involved with the digital economy. Furthermore, protections for investments are stronger, and include a modern dispute resolution mechanism.

Since 1999, one year before entry into force of the Mexico-European Union Free Trade Agreement, trade has quadrupled. The European block has contributed 38% of FDI in Mexico, or USD 184.636 billion, between 1999 and 2017.

Conclusion of this new agreement between Mexico and the European Union sends a strong message to the world about the importance of keeping markets open, working together multilaterally to face our global challenges and cooperating to benefit humanity's causes.

- [The agreement in principle](#) (18 page summary)
- [Fact Sheet](#)

[See article in EU-EFTA section for more details on trade aspects.](#)

### 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
04-06-18	ECONOMY: <a href="#">Acuerdo for which Decision 92 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on March 6, 2018, is made public.</a>
04-10-18	ECONOMY: <a href="#">Notice by means of which the amount of the maximum quota for the month of March 2018 is announced, to export sugar to the United States of America during the period between October 1, 2017 and September 30, 2018.</a>
04-13-18	<a href="#">Coordination Convention for the establishment and development of the Special Economic Zone of Lazaro Cardenas-La Union and its area of influence, endorsing the Ministry of Finance and Public Credit, the states of Guerrero and Michoacan, as well as the municipalities of Lazaro Cardenas, Mich.; The Union of Isidoro Montes de Oca and Zihuatanejo de Azueta, Gro.</a>
	<a href="#">Acuerdo for the establishment and development of the Special Economic Zone of Coatzacoalcos and its area of influence, which are signed by the Ministry of Finance and Public Credit, the State of Veracruz and the municipalities of Coatzacoalcos, Nanchital de Lázaro Cárdenas del Río, Ixhuatlán del Southeast, Minatitlán, Oteapan, Chinameca and Jáltipan of said federative entity.</a>
04-18-18	HACIENDA: <a href="#">Decree of Declaration of the Special Economic Zone of Campeche.</a>
	HACIENDA: <a href="#">Decree of Declaration of the Special Economic Zone of Tabasco.</a>
04-20-18	HACIENDA: <a href="#">First Resolution of modifications to the General Rules of Foreign Trade for 2018 and its annexes 1, 1A, 21, 22, 27 and 31.</a>
04-25-18	ECONOMY: <a href="#">Acuerdo that gives rise to Decision No. 4 of the Free Trade Commission of the Additional Protocol to the Framework Agreement of the Pacific Alliance, adopted on June 28, 2017.</a>

## 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
04-05-18	<a href="#">Notice of April 4, 2018 - Continuation of the National Emergency With Respect to Somalia</a>
04-09-18	<a href="#">Memorandum of April 4, 2018 - Delegation of Authorities Under Section 3136 of the National Defense Authorization Act for Fiscal Year 2018</a>
04-13-18	<a href="#">Memorandum of April 6, 2018 - Ending "Catch and Release" at the Border of the United States and Directing Other Enhancements to Immigration Enforcement</a>
	<a href="#">Proclamation - Maintaining Enhanced Vetting Capabilities and Processes for</a>

Date	Subject
	<a href="#">Detecting Attempted Entry Into the United States by Terrorists or Other Public-Safety Threats</a>
04-16-18	<a href="#">Memorandum of April 12, 2018 - Promoting Domestic Manufacturing and Job Creation—Policies and Procedures Relating to Implementation of Air Quality Standards</a>
04-30-18	<a href="#">Presidential Proclamation Adjusting Imports of Aluminum into the United States</a> <a href="#">Presidential Proclamation Adjusting Imports of Steel into the United States</a>

## President continues some section 232 exemptions

On April 30, 2018, the President signed [Presidential Proclamation Adjusting Imports of Aluminum into the United States](#). The Proclamation states that the United States has agreed in principle with Argentina, Australia, and Brazil on satisfactory alternative means to address the threatened impairment to our national security posed by aluminum articles imported from these countries, so they will remain exempt from the tariff in Proc. 9704 until details are finalized. The United States is continuing discussions with Canada, Mexico, and the EU, and those exemptions will now be set to expire on May 31 .

Also on April 30, the President signed [Presidential Proclamation Adjusting Imports of Steel into the United States](#). The Proclamation states that the United States has successfully concluded discussions with South Korea on satisfactory alternative means to address the threatened impairment to national security posed by steel articles imports from South Korea. The United States and South Korea have agreed on a range of measures, including measures to reduce excess steel production and excess steel capacity, and measures that will contribute to increased capacity utilization in the United States, including a quota that restricts the quantity of steel articles imported into the United States from South Korea. In the President's judgment, these measures will provide an effective, long-term alternative means to address South Korea's contribution to the threatened impairment to our national security by restraining steel articles exports to the United States from South Korea, limiting transshipment, and discouraging excess capacity and excess steel production. In light of this agreement, the President has determined that steel articles imports from South Korea will no longer threaten to impair the national security and have decided to exclude South Korea from the tariff proclaimed in Proclamation 9705.

The United States has agreed in principle with Argentina, Australia, and Brazil on satisfactory alternative means to address the threatened impairment to our national security posed by steel articles imported from these countries. The President has determined that the necessary and appropriate means to address the threat to national security posed by imports of steel articles from Argentina, Australia, and Brazil is to extend the temporary exemption of these countries from the tariff proclaimed in Proclamation 9705, in order to finalize the details of these satisfactory alternative means to address the threatened impairment to national security posed by steel articles imported from these countries, therefore no expiration has been set.

The United States is continuing discussions with Canada, Mexico, and the EU. The President has determined that the necessary and appropriate means to address the threat to the national security posed by imports of steel articles from these countries is to continue these discussions and to extend the temporary exemption of these countries from the tariff proclaimed in Proclamation 9705, at

least at this time. Therefore exemptions for these countries will continue until May 31, 2018.

Conforming changes to the Harmonized Tariff Schedule of the US were also made. Clause 5 of Proclamation 9710 [and 9711] was amended by inserting the phrase “, except those eligible for admission under “domestic status” as defined in 19 CFR 146.43, which is subject to the duty imposed pursuant to Proclamation 9704 [or 9705], as amended by Proclamation 9710 [or 9711],” after the words “Any aluminum [or steel] article” in the first and second sentences.

## President continues national emergency with respect to Somalia

On the date indicated below, the *Federal Register* published a one year extension to the following national emergency because actions and policies addressed in the Executive Order (EO) in which it was originally declared or modified continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States:

- April 5, 2018: [Notice of April 4, 2018 - Continuation of the National Emergency With Respect to Somalia](#), originally declared in EO 13536 (April 12, 2010) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the deterioration of the security situation and the persistence of violence in Somalia, acts of piracy and armed robbery at sea off the coast of Somalia - which have repeatedly been the subject of United Nations Security Council resolutions - and violations of the arms embargo imposed by the United Nations Security Council. Expanded by EO 13620 (July 20, 2012) in view of UNSC Res. 2002 and to address exports of charcoal from Somalia; the misappropriation of Somali public assets; and certain acts of violence committed against civilians in Somalia.

## AGOA and Millennium Challenge Act Modernization Act signed

On April 23, 2018, the President signed H.R. 3445, the [African Growth and Opportunity Act and Millennium Challenge Act Modernization Act](#) (“the Act”) into law (Pub. Law 115-167).

The Act directs the President to establish a website for the collection and dissemination of information regarding the African Growth and Opportunity Act (AGOA). The website is to include information and technical assistance provided at United States Agency for International Development regional trade hubs and a link to the websites of United States embassies located in eligible sub-Saharan African countries. After each meeting of the United States–Sub-Saharan Africa Trade and Economic Cooperation Forum, the outcomes of the meeting of the Forum, including any commitments made by member countries and the private sector and an assessment of progress made with respect to any commitments made by member countries and the private sector from the previous meeting of the Forum, are also to be published on the AGOA website.

The Department of State is urged to direct embassies in eligible countries to promote the use of the benefits available under the AGOA and to provide a link to new AGOA website.

In addition, according to the official summary of the legislation prepared by the Congressional Research Service:

The President is urged to:

- facilitate trans-boundary trade among eligible sub-Saharan African countries;
- provide training for business and government trade officials on accessing AGOA benefits;
- provide capacity building for African entrepreneurs and trade associations on production strategies, quality standards, and market development;
- provide capacity building training to promote product diversification and value-added processing; and
- provide capacity building and technical assistance funding to help African businesses and institutions comply with U.S. counter-terrorism policies.

The *Millennium Challenge Act of 2003* is amended to permit an eligible country that has entered into a Millennium Challenge Compact to enter into one additional compact under specified conditions.

The bill establishes, beginning with FY2013, new assistance criteria for a low-income or a lower middle income candidate country eligible to enter into a Millennium Challenge Compact with the United States.

The Millennium Challenge Corporation shall: (1) before selecting a compact country, provide the Board of Directors with information regarding the country's treatment of civil society; and (2) submit an assessment of the feasibility of developing partnerships at the sub national level within candidate countries.

## USTR initiates Country Practice Reviews of India, Indonesia, and Kazakhstan

On April 27, 2018, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [notice announcing the initiation of country practice reviews](#) [Docket Numbers USTR-2018-0006, 2018-007, and 2018-008] regarding compliance with the *Generalized System of Preferences* (GSP) eligibility criteria of India, Indonesia, and Kazakhstan. These country practice reviews are undertaken on the recommendation of the Trade Policy Staff Committee (TPSC) pursuant to 15 C.F.R. 2007.0(f) to determine whether the 3 current laws and practices of India, Indonesia, and Kazakhstan meet the GSP eligibility criteria. These reviews are the result of country eligibility petitions submitted by interested stakeholders and an assessment of the 25 Asian and Pacific Island GSP beneficiary countries conducted by the GSP Subcommittee.

- The country practice review of India will focus on whether it is meeting the GSP eligibility criterion that requires a GSP beneficiary country to assure the United States that it will provide equitable and reasonable access to its market (19 U.S.C. 2462(c)(4)).
- The country practice review of Indonesia will focus on whether it is meeting two GSP criteria: (1) the GSP criterion that requires a GSP beneficiary country to assure the United States that it will provide equitable and reasonable access to its market (19 U.S.C. 2462(c)(4)), and (2) the GSP criterion that requires a GSP beneficiary country to reduce trade-distorting investment practices and reduce or eliminate barriers to trade in services (19 U.S.C. 2462(c)(6)).
- The country practice review of Kazakhstan will focus on whether it is meeting the GSP criterion requiring a GSP beneficiary country to take steps to afford internationally recognized worker rights to workers in the country (19 U.S.C. 2462(b)(2)(G)).

The GSP Subcommittee of the TPSC will convene a public hearing on the GSP country practice reviews of India, Indonesia, and Kazakhstan in Rooms 1 and 2, 1724 F Street NW, Washington DC 20508, beginning at 10:00 am on June 19, 2018.

The deadline for submission of comments, pre-hearing briefs and requests to appear at the June 19, 2018, public hearing is June 5, 2018 at midnight EDT.

The deadline for submission of post-hearing briefs is July 17, 2018 at midnight EDT.

## Section 301 Update – USTR Publishes Proposed List of Chinese Products Subject to Additional Tariffs

This is an update to our [March 27 Client Alert](#) regarding the March 22 executive memorandum that directed the United States Trade Representative (USTR) to identify products to be subject to increased tariffs following the USTR [section 301 investigation](#) into China's trade practices.

Further to the president's directive, USTR released on April 3 a [notice](#) of determination, request for comments, and notice of public hearing [Docket No. USTR - 2018-0005] (which was published in the *Federal Register* on April 6, 2018) in which it proposes an **additional 25% *ad valorem* duty** on an extensive list of Chinese-origin products. The proposed duties seek to eliminate several of China's policies and practices that USTR determined are "unreasonable or discriminatory and burden or restrict U.S. commerce," including forced technology transfers, investment in and acquisition of assets to obtain US intellectual property and technology, and theft of US intellectual property.

According to the notice, USTR utilized the following methodology to identify products subject to the proposed tariff:

Trade analysts from several U.S. Government agencies identified products that benefit from Chinese industrial policies, including Made in China 2025. The list was refined by removing specific products identified by analysts as likely to cause disruptions to the U.S. economy, and tariff lines that are subject to legal or administrative constraints. The remaining products were ranked according to the likely impact on U.S. consumers, based on available trade data involving alternative country sources for each product. The proposed list was then compiled by selecting products from the ranked list with lowest consumer impact.

### Impacted Products

The list of products to be subject to the additional 25% duty is extensive and covers goods in a number of different industries. Products are identified by eight-digit tariff items, many of which fall in Chapters 84, 85 and 90 of the Harmonized Tariff Schedule of the United States. Some of the covered products include:

- Organic chemicals, many of which appear to be active pharmaceutical ingredients
- Pharmaceutical products
- Iron, steel, and aluminum
- Turbines, engines, motors, and aerospace products
- Pumps, compressors, and various types of production machinery and equipment

- Scales
- Construction and agricultural equipment
- Printing machinery
- Textile-related machinery
- Various types of machine and hand tools
- Computer-related equipment and accessories
- Electrical equipment, including transformers
- Measuring and checking instruments

USTR estimates that the 2018 trade value of the listed items amounts to approximately \$50 billion, which it believes is an appropriate level given the harm to the US economy and to eliminate China's harmful trade practices.

### Public Comments and Hearing

Given the high rate of the proposed duty and the wide range of products that will be subject to the additional duty, affected companies may want to consider filing comments. USTR is accepting written comments on any aspect of its proposal, including the amount of the duty, the specific products subject to increased duties, and whether the aggregate level of trade to be covered by the duties is appropriate. Written comments must be submitted to USTR no later than **May 11, 2018**. USTR has included detailed guidance for written submissions in its notice. Post-hearing rebuttal comments may be submitted through May 22, 2018.

The Section 301 Committee will hold a public hearing at the US International Trade Commission in Washington, DC on May 15, 2018. Parties wishing to participate in the hearing must submit an electronic request to appear at the hearing no later than April 23, 2018 via [www.regulations.gov](http://www.regulations.gov). Requests must include a summary of testimony and may include a pre-hearing submission. Remarks at the hearing will be limited to five minutes. Additional requirements for requests are indicated in USTR's notice.

### What Happens Next?

China has already announced that it will respond proportionately by imposing an additional 25% duty on 106 US products, to include soybeans, whiskey, and automobiles. A complete list (in Chinese and English, with tariff numbers, prepared by the US-China Business Council and used with their permission) of the US products subject to the additional 25% duty is available [here](#), although the implementation date is unclear. These duties will be in addition to China's recently implemented retaliatory tariffs on over \$600 million in imports of a number of US-origin products, including pork, nuts and ethanol, in response to the section 232 tariffs on imports of steel and aluminum.

Given the timeline for public comments and the public hearing, it is possible that the proposed section 301 tariffs will be implemented as early as this summer. Though the US is proceeding with the section 301 tariffs, negotiation with China may still be possible. Treasury Secretary Mnuchin has made statements to suggest that discussions with Chinese officials are on-going and it is being reported that Secretary Mnuchin and Trade Representative Lighthizer are in negotiations to reduce Chinese tariffs on US automobile imports and open China's financial markets to US companies.

We will continue to monitor this matter and provide updates on related developments. In the meantime, if you would like to discuss these issues further, Baker McKenzie has a deeply experienced multi-jurisdictional international trade team advising clients on this matter. Please contact [Ted Murphy](#), [Rod Hunter](#), [Miguel Noyola](#) or [Meredith DeMent](#). The above was authored by [Ted Murphy](#) and [Meredith DeMent](#).

## USTR requests comments on proposed Sec. 301 actions

On April 6, 2018, USTR published in the *Federal Register* [notice of determination and request for comments and public hearing](#) [Docket No. USTR–2018–0005] relating to China’s acts, policies, and practices related to technology transfer, intellectual property, and innovation. USTR has determined that the acts, policies, and practices of the Government of China related to technology transfer, intellectual property, and innovation covered in the investigation are unreasonable or discriminatory and burden or restrict U.S. commerce. USTR is seeking public comment and will hold a public hearing regarding a proposed determination on appropriate action in response to these acts, policies, and practices. USTR proposes an additional duty of 25 percent on a list of products from China. The list of products, defined by 8-digit subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), is set out in the Annex to the *Federal Register* Notice.

To be assured of consideration, comments and responses must be submitted in accordance with the following schedule:

- April 23, 2018: Due date for filing requests to appear and a summary of expected testimony at the public hearing and for filing pre-hearing submissions.
- May 11, 2018: Due date for submission of written comments.
- May 15, 2018: The Section 301 Committee will convene a public hearing in the main hearing room of the U.S. International Trade Commission, 500 E Street SW Washington DC 20436 beginning at 10:00 a.m.
- May 22, 2018: Due date for submission of post-hearing rebuttal comments.

## USTR decides not to list any countries for denying fair market opportunities for government-funded airport construction projects

On April 12, 2018, United States Trade Representative (USTR) published in the *Federal Register* a [notice](#) that announces that the USTR has determined not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects. Section 533 of the *Airport and Airway Improvement Act of 1982*, as amended, requires USTR to decide whether any foreign country has denied fair market opportunities to U.S. products, suppliers, or bidders in connection with airport construction projects of \$500,000 or more that are funded in whole or in part by the government of such country.

## USTR seeks comments on WTO disputes

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

F.R. Date	Matter	Comments Due
04-05-18	<a href="#">WTO Dispute Settlement Proceeding Regarding India – Export</a>	04-16-18

F.R. Date	Matter	Comments Due
	<a href="#">Related Measures</a> [Docket Number USTR-2018-0004, Dispute Number WTO/DS541]	
04-26-18	<a href="#">WTO Dispute Settlement Proceeding Regarding United States – Certain Measures Concerning Pangasius Seafood Products from Vietnam</a> . [Docket Number USTR-2018-0009; Dispute Number WTO/DS540]	05-20-18

### Other USTR documents

F.R. Date	Subject
04-09-18	<a href="#">Removal of the Office of the United States Trade Representative Rules Concerning Classification and Safeguarding of National Security Information</a> (FR)

### Commerce seeks comments on US strategy to address trade-related forced localization barriers impacting the US ICT hardware manufacturing industry

On April 12, 2018, the International Trade Administration (ITA), Department of Commerce (Commerce) published in the *Federal Register* a [notice](#) [corrected Docket: ITA-2018-0001\*] that the ITA is seeking information to support the development of a comprehensive strategy to address trade-related forced localization policies, practices, and measures impacting the U.S. information and communications technology (ICT) hardware manufacturing industry. Comments will be used to support the development of a holistic strategic plan for counteracting and deterring the expansion of barriers to trade and trade-related measures put in place by U.S. trading partners that are specifically designed to localize the production and technology development of ICT hardware, and unfairly harm U.S. ICT hardware manufacturers and exports. [\*Note: Docket No. [corrected in FR on 04-18-18](#).]

Written comments, in English, must be submitted by one of the methods set forth in the *Federal Register* notice on or before May 14, 2018.

### Section 337 Litigation Rules Update

On April 26, 2018, the US International Trade Commission (the “Commission”) released an advanced copy of amendments to its rules and practices (available [here](#)). These amendments will be effective 30 days after publication in the *Federal Register* notice (likely later this week) and will affect the conduct of investigations under Section 337 of the *Tariff Act of 1930*. Under Section 337, the Commission investigates unfair acts in the importation of products into the United States. These investigations commonly center on allegations of patent infringement or trade secret misappropriation –including theft that takes place entirely abroad – but may also involve allegations of infringement of trademarks, copyrights, mask works, and other forms of intellectual property or other unfair acts.

The amended rules address several key procedural issues, including:

- The addition of a “100-day” proceeding, which permits an administrative law judge (“ALJ”) to rule on potentially dispositive issues within 100 days of institution of the investigation. The ALJ is authorized to hold expedited hearings and stay discovery of any remaining issues during the 100-day proceeding.

- The authority to sever an investigation into separate proceedings at any time prior to institution or within 30 days from institution, based on a motion from any party.
- To permit a party to serve objections to a subpoena or move to quash within the later of 10 days after receipt of the subpoena or within such time as the ALJ may allow.
- To permit the Commission to effect service electronically through secure storage and transmittal, where appropriate.

Through these and other amendments, the Commission intends to increase efficiencies in the resolution of Section 337 disputes. Of particular note is the long-awaited establishment of the 100-day proceeding. It could allow both complainants and respondents to focus quickly on issues that will resolve the dispute without expending considerable time and resources to address all aspects of the dispute over an extended time. While the 100-day proceeding has been around in "[pilot program](#)" form for more than two years, the proceedings have rarely been used. The 100-day proceeding determination will be made following an evidentiary hearing, which means there could be increased activity at the start of an already compressed investigation. This addition will encourage early disposition of specific issues and could also encourage early settlement as parties will have increased certainty on the remaining issues under dispute.

The ability to sever investigations and proceed on parallel tracks also holds the potential to isolate or resolve distinct allegations. The Commission may determine to institute multiple investigations, where, for example, a complaint involves a number of unrelated technologies or products or where unrelated patents or multiple unfair acts are at issue. This may assist in preventing cases from becoming unwieldy; and it may also subject all parties to what appears like litigation on multiple fronts, with separate schedules for discovery, depositions, briefing, and trial. This process may also prove to be an advantage to complainants, who will have the opportunity to raise the possibility as part of its pre-institution draft complaint review. In that way, complainants may be prepared for severed and separated investigations in advance.

Other amended procedures seek to streamline service, objections, and subpoena practices, all of which could increase the pace in an already extremely fast-moving forum. The quick resolution of high-value disputes may make litigants more likely to seek resolution of their IP disputes at the Commission.

For additional information, please contact [Kevin O'Brien](#) or [Christine Streatfeild](#).

### ITC issues summary of Commission practice relating to administrative protective orders

On April 24, 2018, the US International Trade Commission (ITC) published in the *Federal Register* a [summary of its practice relating to administrative protective orders](#) ("APOs"). Since February 1991, the ITC has published in the *Federal Register* reports on the status of its practice with respect to violations of its APOs under title VII of the *Tariff Act of 1930*, in response to a direction contained in the *Conference Report to the Customs and Trade Act of 1990*. Over time, the ITC has added to its report discussions of APO breaches in ITC proceedings other than under title VII and violations of the ITC's rules including the rule on bracketing business proprietary information ("BPI") (the "24-hour rule"). This notice provides a summary of breach investigations (APOB investigations) completed during calendar year 2016. The summary addresses two APOB investigations relat-

ed to proceedings under title VII of the *Tariff Act of 1930* and seven APOB investigations related to proceedings under section 337 of the *Tariff Act of 1930*, two of which were combined and which were related to the same proceedings under section 337. The ITC investigated rules violations as part of two of the APOB investigations. The ITC intends that this report inform representatives of parties to ITC proceedings as to some specific types of APO breaches encountered by the ITC and the corresponding types of actions it has taken.

### ITC launches investigation on extension of trade authorities

On April 18, 2018, the US International Trade Commission (ITC) published in the *Federal Register* a [notice](#) [Investigation No. 332-566] announcing the institution of an investigation and notice of opportunity to file written submissions. The ITC was notified by the USTR that the President on March 20, 2018, submitted a report to Congress that contains a request for an extension of trade authorities procedures. The Commission, as required by section 103(c)(3)(B) of the *Bipartisan Congressional Trade Priorities and Accountability Act of 2015* (Bipartisan Trade Act), has instituted an investigation for the purpose of preparing a report to Congress that contains a review and analysis of the economic impact on the United States of all trade agreements implemented between the date of the enactment of the Bipartisan Trade Act and March 20, 2018. The Commission is unaware of any trade agreements that were implemented under the Bipartisan Trade Act between the date of its enactment and March 20, 2018. The Commission does not plan to hold a public hearing in connection with this investigation. However, interested parties are invited to file written submissions concerning this investigation.

The deadline for filing written submissions is May 2, 2018 and the deadline for transmittal of the ITC report to Congress in June 1, 2018.

### ITC launches new investigation on certain modifications to the U.S.-Korea FTA

On April 12, 2018, the US International Trade Commission (ITC) [announced](#) that it is seeking input on a new investigation concerning proposed modifications to the *United States-Korea Free Trade Agreement* (FTA) regarding the staging of customs duties for certain motor vehicles (provided for in subheadings 8704.21.00, 8704.22.50, 8704.23.00, 8704.31.00, 8704.32.00, and 8704.90.00 of the U.S. Harmonized Tariff Schedule). The announcement stated:

The investigation, *U.S.-Korea FTA: Advice on Modifications to Duty Rates for Certain Motor Vehicles*, was requested by the U.S. Trade Representative (USTR) in a letter received on April 6, 2018. [The letter included an attachment](#) detailing the articles affected by the proposed modifications.

As requested, the ITC, an independent, nonpartisan, factfinding federal agency, will provide advice on the probable economic effect of the proposed U.S.-Korea FTA staging of customs duty modifications on U.S. trade under the Agreement and on domestic producers of the affected articles.

The USITC expects to submit its advice to the USTR by June 1, 2018. A public version of the report, with all confidential business information deleted, will be released as soon as possible thereafter.

The USITC is seeking input for its new investigation from all interested parties and requests that the information focus on the articles for which the USITC is requested to provide information and advice. The USITC will not hold a public hearing in connection with the investigation; however, the USITC welcomes written submissions for the record. Written submissions should be addressed to the Secretary, U.S. International

Trade Commission, 500 E Street SW, Washington, DC, 20436, and should be submitted at the earliest practical date but no later than 5:15 p.m. on May 1, 2018.

Further information on the scope of the investigation, the proposed staging of customs duty modifications, and the procedures for written submissions is available in the USITC's [notice of investigation](#). The deadline for filing written submissions is May 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:
<a href="#">Inv. No. FTA-103-031 U.S.-Korea FTA: Advice on Modifications to Duty Rates for Certain Motor Vehicles (I/RFC)</a>	USTR
<a href="#">Inv. No. 332-566 Trade Authorities Extension: Economic Impact of Trade Agreements Implemented Under the Bipartisan Trade Act of 2015</a>	USTR

## Ecuador requests import restrictions for cultural property

On April 4, 2018, the Department of State (State) published in the *Federal Register* a [notice](#) [Public Notice: 10371] that the Government of Ecuador has made a request to the Government of the United States under Article 9 of the 1970 UNESCO *Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. State received this request on February 7, 2018. Ecuador's request seeks U.S. import restrictions on archaeological and/or ethnological materials representing Ecuador's cultural patrimony from the pre-Columbian through Republican periods. Pursuant to the authority vested in the Assistant Secretary of State for Educational and Cultural Affairs, and pursuant to 19 U.S.C. 2602(f)(1), notification of the request is hereby published. A public summary of Ecuador's request and information about U.S. implementation of the 1970 UNESCO Convention will be available at the [Cultural Heritage Center web site](#).

## State proposes to extend US – China cultural property agreement

On April 4, 2018, the Department of State (State) published in the *Federal Register* a [notice](#) [Public Notice: 10372] proposing to extend the *Memorandum of Understanding between the Government of United States of America and the Government of the People's Republic of China Concerning the Imposition of Import Restrictions on Categories of Archaeological Material from the Paleolithic Period through the Tang Dynasty and Monumental Sculpture and Wall Art at Least 250 Years Old*. A copy of the Memorandum of Understanding, the Designated List of categories of material restricted from import into the United States, and related information can be found at the [Cultural Heritage Center website](#).

## CBP modifies NCAP test regarding submission of ACE FWS data

On April 23, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) that announces that CBP, in consultation with the U.S. Fish and Wildlife Service (FWS), is modifying and reopening the National Customs Automation Program (NCAP) test pertaining to the submission of cer-

tain import data and documents for commodities regulated by FWS (“FWS test”) through the Automated Commercial Environment (ACE). The modifications in this notice apply to the participation and discontinuation of participation in the test, submission options for test participants, and restrictions to the initial participation in the test. Except to the extent expressly announced or modified by this document, all aspects, rules, terms and conditions announced in a previous notice regarding the FWS test remain in effect. Each modification is discussed separately in the *Federal Register* notice.

For purposes of this test, those provisions of 19 C.F.R. parts 10 and 12 that are inconsistent with the terms of this test are waived for the test participants only. See 19 C.F.R. 101.9(b). This document does not waive any recordkeeping requirements found in 19 C.F.R. part 163 and the Appendix to part 163 (commonly known as the “(a)(1)(A) list”). This test also does not waive any FWS requirements under 50 C.F.R. part 14.

As of May 23, 2018, the modifications to the FWS test will become operational. This test will continue until concluded by way of announcement in the *Federal Register*.

### **CBP will accept new GSP claims, and announces how to make retroactive GSP requests**

On April 20, 2018, CBP published in the *Federal Register* a [general notice](#), which advises importers that CBP will again accept claims for *Generalized System of Preferences* (GSP) duty-free treatment for merchandise entered, or withdrawn from warehouse, for consumption and that CBP will process refunds on duties paid, without interest, on GSP-eligible merchandise that was entered during the period that the GSP program was lapsed. The GSP is a renewable preferential trade program that allows the eligible products of designated beneficiary developing countries to enter the United States free of duty. The GSP program expired on December 31, 2017, but has been renewed through December 31, 2020, effective April 22, 2018, with retroactive effect between January 1, 2018, through April 21, 2018, by Section 501, Title V of the [Consolidated Appropriations Act, 2018](#) (Pub. Law 115-141).

Formal and informal entries that were filed electronically via the Automated Broker Interface (ABI) using Special Program Indicator (SPI) Code “A” as a prefix to the tariff number will be automatically processed by CBP and no further action by the filer is required to initiate the refund process. Non-ABI filers, and ABI filers that did not include SPI Code “A” on the entry, must timely submit a duty refund request to CBP. CBP will continue conducting verifications to ensure that GSP benefits are available to eligible entries only.

As of April 22, 2018, the filing of GSP-eligible entry summaries may be resumed without the payment of estimated duties, and CBP will initiate the automatic liquidation or reliquidation of formal and informal entries of GSP-eligible merchandise that was entered on or after January 1, 2018, through April 21, 2018, and filed via ABI with SPI Code “A” notated on the entry. Requests for refunds of GSP duties paid on eligible non-ABI entries, or eligible ABI entries filed without SPI Code “A,” must be filed with CBP no later than September 19, 2018.

Instructions for submitting a request to CBP to liquidate or reliquidate entries of GSP-eligible merchandise that was entered on or after January 1, 2018, through April 21, 2018 but without the SPI Code “A” are located on the CBP website at

<https://www.cbp.gov/trade/priority-issues/trade-agreements/special-trade-legislation/generalized-system-preferences>.

## CBP expands definition of ISF Importer

On April 12, 2018, CBP published in the *Federal Register* a [final rule](#) [USCBP-2016-0040; CBP Decision No. 18-04] that adopts a proposed amendment to expand the definition of an Importer Security Filing (ISF) Importer, the party that is responsible for filing the ISF, for certain types of shipments. The changes are necessary to ensure that the definition of ISF Importer includes parties that have a commercial interest in the cargo and the best access to the required information.

The adopted definition is:

### § 149.1 Definitions.

(a) *Importer Security Filing Importer*. For purposes of this part, Importer Security Filing (ISF) Importer means the party causing goods to arrive within the limits of a port in the United States by vessel. For shipments other than foreign cargo remaining on board (FROB), the ISF Importer will be the goods' owner, purchaser, consignee, or agent such as a licensed customs broker. For immediate exportation (IE) and transportation and exportation (T&E) in-bond shipments, and goods to be delivered to a Foreign Trade Zone (FTZ), the ISF Importer may also be the party filing the IE, T&E, or FTZ documentation. For FROB cargo, the ISF Importer will be the carrier or the non-vessel operating common carrier.

The rule is effective May 14, 2018.

## CBP and ICE correct announcement on private sector training

On April 12, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) correcting the contact information published in the *Federal Register* of February 16, 2018, in FR Doc. 2018-03233, on page 7064.

## CBP extends Savannah GA port limits

On April 11, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* a [final rule](#) [Docket No. USCBP-2017-0017; CBP Dec. 18-03] adopting, with changes, proposed amendments (82 Fed. Reg. 30807, July 3, 2017) to the CBP regulations pertaining to the expansion of the geographical limits of the port of entry of Savannah, Georgia. The port limits will be expanded to make the boundaries more easily identifiable to the public and to allow for uniform and continuous service to the extended area of Savannah, Georgia. This change is part of CBP's continuing program to use its personnel, facilities, and resources more efficiently and to provide better service to carriers, importers, and the general public.

## 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
04-06-18	<a href="#">Agency Information Collection Activities: Trusted Traveler Programs and U.S. APEC Business Travel Card</a> [OMB Control No. 1651-0121] [Forms: 823S]

F.R. Date	Subject
	<i>(SENTRI) and 823F (FAST)]</i>
04-11-18	<a href="#">Accreditation and Approval of Intertek USA, Inc. (Carteret, NJ) as a Commercial Gauger and Laboratory (N)</a>
	<a href="#">Accreditation and Approval of Intertek USA, Inc. (Jacksonville, FL), as a Commercial Gauger and Laboratory (N)</a>
	<a href="#">Accreditation and Approval of Intertek USA, Inc. (Signal Hill, CA) as a Commercial Gauger and Laboratory (N)</a>
04-17-18	<a href="#">Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory (N) [Thorofare, NJ]</a>
	<a href="#">Approval of Intertek USA, Inc., as a Commercial Gauger (N) [Holland, OH]</a>
	<a href="#">Agency Information Collection Activities: Entry/Immediate Delivery Application and ACE Cargo Release [OMB Control No. 1651-0024] [CBP Forms 3461 and 3461 ALT]</a>
04-27-18	<a href="#">Agency Information Collection Activities: Certificate of Origin [OMB Control No. 1651-0016] [CBP Form 3229]</a>
	<a href="#">Agency Information Collection Activities: Free Trade Agreements [OMB Control No. 1651-0117]</a>

### 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
04-26-18	<a href="#">HQ H292849 (April 19, 2018) - Axion Series Led Video Display Cabinets</a>	Taiwan

### Revised filing requirements for aluminum and steel articles

On May 1, 2018, CBP issued [CSMS# 19-000317 Update: Additional Duty on Imports of Steel and Aluminum Articles under Section 232](#) which contains new filing requirements for imports of aluminum and steel from S. Korea. It is reproduced below:

Update: Additional Duty on Imports of Steel and Aluminum Articles under Section 232 of the Trade Expansion Act of 1962

Revised Version With New Filing Requirements For Imports of Aluminum and Steel From South Korea

#### Background:

On March 8, 2018, the President issued Proclamations 9704 and 9705 on Adjusting Imports of Steel and Aluminum into the United States, under Section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), providing for additional import duties for steel mill and aluminum articles, effective March 23, 2018. See the Federal Register, 83 FR 11619 and 83 FR 11625, March 15, 2018. On March 22, 2018, the President issued Proclamations on Adjusting Imports of Steel and Aluminum into the United States. See the Federal Register, 83 FR 13355 and 83 FR 13361, March 28, 2018. On April 30, 2018, the President issued Proclamations on Adjusting Imports of Steel and Aluminum into the United States.

These duty requirements are effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 a.m. eastern daylight time on March 23, 2018.

**Commodity:**

Steel mill and aluminum articles, as specified in the Presidential Proclamations.

**Countries Covered By Section 232 Import Duties:**

Please note that the Section 232 measures are based on the country of origin, not the country of export.

**Steel:**

May 1, 2018 through May 31, 2018: All countries of origin except Canada, Mexico, Australia, Argentina, South Korea, Brazil and member countries of the European Union (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom).

As of June 1, 2018: All countries of origin except Argentina, Australia, Brazil, and South Korea.

**Quota for Steel Imports from South Korea**

A separate CSMS will be issued with details on the quota on steel imports from South Korea.

**Aluminum:**

May 1, 2018 through May 31, 2018: All countries of origin except Canada, Mexico, Argentina, Australia, Brazil and member countries of the European Union (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the United Kingdom).

As of June 1, 2018: All countries of origin except Argentina, Australia, and Brazil.

Note: As of May 1, 2018, aluminum articles from South Korea are subject to the Section 232 import duties. Importers may receive a quota hold message for imports of such articles; however, a quota is not in effect for imports of aluminum from South Korea.

For both steel and aluminum, imports of United States origin are not covered by the Section 232 measures.

**Filing Instructions:****Special Instructions for Imports of Aluminum and Steel From South Korea:**

As noted above, only imports of steel from South Korea are subject to an absolute quota. However, until further notice, for all imports of aluminum and steel articles from South Korea, importers should submit a quota entry type code (entry types 02, 06, 07, 23, 32, or 38).

For imports of aluminum and steel articles from all other countries, continue to use non-quota entry type codes.

**Steel Products**

In addition to reporting the regular Chapters 72 & 73 of the Harmonized Tariff Schedule (HTS) classification for the imported merchandise, importers shall report the following HTS classification for imported merchandise subject to the additional duty:

9903.80.01 (25 percent ad valorem additional duty for steel mill products)

**Aluminum Products**

In addition to reporting the regular Chapter 76 of the HTS classification for the imported merchandise, importers shall report the following HTS classification for imported merchandise subject to the additional duty:

9903.85.01 (10 percent ad valorem additional duty for aluminum products)

## Generalized System of Preferences (GSP) and African Growth and Opportunity Act (AGOA)

GSP and AGOA-eligible goods that are subject to Section 232 duties may not receive GSP or AGOA duty preference in accordance with 19 USC 2463(b)(2).

On imports subject to Section 232 duties, in addition to the Section 232 duties, importers should pay the normal trade relations (column 1) duty rates and not submit the GSP Special Program Indicator (SPI) "A" or the AGOA SPI "D"

Although Brazil and Argentina are GSP countries, they are exempt from Section 232 per the Harmonized Tariff Schedule of the United States (HTSUS) Chapter 99, Subchapter III, U.S. Notes 16(a) and 19(a); therefore they may claim GSP.

### Other Trade Preference Programs and Free Trade Agreements

Trade preference may be claimed for all preference programs with the exception of GSP and AGOA, as stated above. Importers making a trade preference claim under a program other than GSP or AGOA may continue to receive the preferential duty rate and any MPF exemption that may apply in accordance with 19 CFR 24.23(c). Section 232 duties must be paid on imports subject to Section 232 even if trade preferences apply.

### Additional Information

#### Chapter 98

Imports subject to Section 232 duties imported under subheading 9802.00.60 shall be assessed Section 232 duties based upon the full value of the imported article.

#### Foreign Trade Zones

Any steel or aluminum article, except those eligible for admission under "domestic status" as defined in 19 CFR 146.43, subject to the Section 232 duties, that is admitted into U.S. foreign trade zones on or after 12:01 a.m. eastern daylight time on March 23, 2018, must be admitted as "privileged foreign status" as defined in 19 CFR 146.41, and will be subject upon entry for consumption to any ad valorem rates of duty related to the classification under the applicable HTSUS subheading.

Any steel or aluminum article, except those eligible for admission under "domestic status" as defined in 19 CFR 146.43, subject to the 232 duties, that was admitted into U.S. foreign trade zones under "privileged foreign status" as defined in 19 CFR 146.41, prior to 12:01 a.m. eastern daylight time on March 23, 2018, will likewise be subject upon entry for consumption to any ad valorem rates of duty related to the classification under applicable HTSUS subheadings imposed by the Proclamations.

Aluminum or steel articles shall not be subject upon entry for consumption to Section 232 duties, merely by reason of manufacture in a U.S. foreign trade zone. However, articles admitted to a U.S. foreign trade zone in "privileged foreign status," shall retain that status consistent with 19 CFR 146.41(e).

The merchandise covered by the additional duties and quota may also be subject to antidumping and countervailing duties.

#### Drawback

No drawback shall be available with respect to the Section 232 duties imposed on any aluminum or steel article.

#### For Further Information:

For more information, please refer to the Presidential Proclamations on Adjusting Imports of Steel and Aluminum into the United States, Federal Register, 83 FR 11619 and 83 FR 11625, March 15, 2018; the March 22, 2018 Presidential Proclamations on Adjusting Imports of Steel and Aluminum into the United States. 83 FR 13355 and 83 FR 13361, March 28, 2018; and the April 30, 2018 Proclamations on Adjusting Imports of Steel and Aluminum into the United States. Also see Frequently Asked Questions at <https://www.cbp.gov/trade/programs-administration/entry-summary/232-tariffs-aluminum-and-steel>

Questions related to Section 232 entry filing requirements should be emailed to [traderemediyunit@cbp.dhs.gov](mailto:traderemediyunit@cbp.dhs.gov). Questions from the importing community concerning ACE rejections should be referred to their Client Representative.

## Steel quota announced for S. Korea

On April 30, 2018, CBP issued [CSMS #18-000316 Quota Announcement South Korea Steel Mill Articles](#).

The CSMS states:

A Presidential Proclamation for steel mill articles under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C 1862); Iron or steel products imported into the United States, country of origin, South Korea, effective for goods entered for consumption, or withdrawn from warehouse for consumption, on or after 12:01 eastern daylight time on May 1, 2018 is subject to absolute quota.

The Trade may refer to quota bulletin (QB) 18-118 for details on South Korea absolute quota categories. Related quota information may also be found posted cbp.gov, quota page. <https://www.cbp.gov/trade/quota>.

Questions related to absolute quota filing requirements should be emailed to HQ QUOTA HQQUOTA@cbp.dhs.gov.

## CBP issues guidance on treatment of GSP goods subject to 201 safeguards, 232 measures and AD/CVD

On April 26, 2018, CBP issued [CSMS #18-000307 GSP Goods Subject to Section 201 Measures](#), which provides additional Information with respect to articles of Thailand or Philippines, which are covered by Section 201 safeguard remedies (certain solar cells, solar panels, washing machines, and washing machine parts). According to the CSMS:

- Articles normally eligible for GSP duty preference that are subject to Section 201 duty and quota measures may not receive GSP duty preference, in accordance with 19 U.S.C. 2463(b)(2).
- On imports subject to Section 201 measures, importers should pay the normal trade relations (column 1) duty rates and not submit the GSP Special Program Indicator (SPI) "A".
- Currently, imports of certain solar cells and panels from Philippines and certain solar cells, solar panels, washing machines, and washing machine parts from Thailand are the only GSP eligible goods that are subject to Section 201 measures. Accordingly, these articles may not receive GSP duty preferences.
- If Section 201 duties and GSP are on the same entry lines, then no GSP refund will be issued for imports for the lapse period since 19 USC 2463(b)(2) precludes GSP program benefits accruing to Section 201 goods.

CBP covered the treatment of GSP aluminum and steel goods subject to section 232 and AD/CVD investigations in [CSMS #18-000296](#) (April 20, 2018) which dealt with the treatment of GSP goods after the retroactive reinstatement of the program:

- As of March 23, 2018, GSP-eligible goods that are subject to Section 232 duties may not receive GSP duty preference in accordance with 19 USC 2463(b)(2).
- On imports subject to Section 232 duties, importers should pay the normal trade relations (column 1) duty rates and not submit the GSP Special Program Indicator (SPI) "A".

- Although Brazil and Argentina are GSP countries, they are exempt from Section 232 per the Harmonized Tariff Schedule of the United States (HTSUS) Chapter 99, Subchapter III, U.S. Notes 16(a) and 19(a); therefore they may claim GSP.
- For importations during the lapse, HQ will distribute spreadsheets to Field personnel for the manual processing of those entry summaries that could not be batch processed (AD/CVD, Section 232, other). These spreadsheets will cover importations with the following characteristics:
  - If AD/CVD and GSP are on the same line, then no GSP refund will be issued until the AD/CVD liquidation order has been issued.
  - If AD/CVD and GSP are on different entry lines, then the GSP administrative refund should be processed manually by the field.
  - If Section 232 duties and GSP are on the same entry line, then no GSP refund will be issued, issued since 19 U.S.C. 2463(b)(2) precludes GSP program benefits accruing to Section 232 goods.
  - If Section 232 and GSP are on different entry lines, then the GSP administrative refund should be processed manually.

## CBP publications and fact sheets

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

- [Freeze Program fact sheet](#)
- [Customs Broker Examination - Guidelines for Writing New Questions](#)

## Revocations or modifications of CBP rulings

[See separate section below.](#)

## CSMS messages

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

Date	CSMS#	Title
04-02-18	<a href="#">18-000251</a>	New Class Code for Coffee Imported into Puerto Rico
	<a href="#">18-000252</a>	FDA ITACS Planned Maintenance April 7, 2018
	<a href="#">18-000253</a>	Initiation of LTFV and CVD Investigations: Laminated Woven Sacks from the SRV
04-04-18	<a href="#">18-000254</a>	Update to FDA Units of Measure for Tobacco
	<a href="#">18-000256</a>	ACE PRODUCTION Cargo Release Deployment, Thur April 5, 2018 @0500ET
04-05-18	<a href="#">18-000257</a>	IT Bond CSMS Message - Section 232
	<a href="#">18-000258</a>	Update: Section 232 and Immediate Transportation Entries
	<a href="#">18-000259</a>	Reminder: FDA ITACS Planned Maintenance Saturday, April 7, 2018, 12am-6am ET
04-06-18	<a href="#">18-000260</a>	Retirement of ACE Data Extracts on April 14, 2018
	<a href="#">18-000261</a>	Local Closure Day for Port 5504 (Oklahoma City)
04-10-18	<a href="#">18-000262</a>	HTS records added to ACE CERT to support Presidential Proclamations 9693 and 9694
	<a href="#">18-000264</a>	2018 Tuna Entry Summary Processing Status
04-11-18	<a href="#">18-000265</a>	QP In-bond messages missing responses today 1332-1438 ET should be Retransmitted
	<a href="#">18-000268</a>	2018 Tuna Entry Summary Processing Status
	<a href="#">18-000269</a>	QP In-bond messages missing responses April 10, 1332-1438 ET

Date	CSMS#	Title
		should be Retransmitted
	<a href="#">18-000272</a>	ACS Drawback Claims Requiring New Filing in ACE
	<a href="#">18-000273</a>	ACE PRODUCTION Deployment, Thursday 4/12/2018 @0500ET for ES, PGA/ITDS
	<a href="#">18-000274</a>	Delay in processing PGA data for ACE entries
	<a href="#">18-000275</a>	Clarification: Delay in processing of FDA Entries
	<a href="#">18-000276</a>	Delay in Processing FDA Entries
	<a href="#">18-000277</a>	ACE PRODUCTION Deployment, Thursday 4/12/2018 @0500ET for Entry Summary, PGA/ITDS
04-12-18	<a href="#">18-000278</a>	ACS Drawback Claims Requiring New Filing in ACE
	<a href="#">18-000281</a>	Coffee Imported to Puerto Rico – Duty Rates and HTS Codes
	<a href="#">18-000282</a>	New Date-4/19/2018 @11: ACS Query Functionality to be Turned Off
04-13-18	<a href="#">18-000283</a>	Updates to ACE Statements Reports
	<a href="#">18-000285</a>	ACE CERTIFICATION Deployment, Friday 4/13/2018 @ 1000ET for Statement Update (SU-SQ)
04-17-18	<a href="#">18-000286</a>	Drawback CATAIR and Error Dictionary Updated
	<a href="#">18-000287</a>	Harmonized System Update (HSU) 1805 created April 16, 2018
04-18-18	<a href="#">18-000289</a>	ACE PRODUCTION Deployment, Thursday 4/18/2018 @0500ET for ACE Protest
04-20-18	<a href="#">18-000291</a>	Class Code 672 added to HTS codes in ACE Certification [ <i>Puerto Rican coffee duties</i> ]
	<a href="#">18-000293</a>	Temporary Port Closure – Maida, ND
	<a href="#">18-000294</a>	Initiation of Less-Than-Fair-Value and Countervailing Duty Investigations: Glycine
	<a href="#">18-000296</a>	Generalized System of Preferences (GSP) Reinstated Through December 31, 2020
04-23-18	<a href="#">18-000297</a>	Update: Port of Maida, ND [ <i>reopened 04-21-18</i> ]
	<a href="#">18-000298</a>	Fish and Wildlife Test Notice - Publication
	<a href="#">18-000299</a>	Ocean Manifest Rejections error code 140
	<a href="#">18-000300</a>	FDA Supplemental Guide 2.5.1 Posted to CBP.gov/ACE
	<a href="#">18-000301</a>	Modification of Timeframes to Reject Entry Summaries
	<a href="#">18-000302</a>	New ACE Reports Videos Now Available
04-25-18	<a href="#">18-000303</a>	Resolved: Ocean Manifest Rejections error code 140
	<a href="#">18-000305</a>	FDA Webinar to Review ACE Supplemental Guide 2.5.1
04-26-18	<a href="#">18-000306</a>	Harmonized System Update (HSU 1806) created on April 25, 2018
	<a href="#">18-000307</a>	GSP Goods Subject to Section 201 Measures
	<a href="#">18-000308</a>	FDA Webinar to Review ACE Supplemental Guide 2.5.1
04-27-18	<a href="#">18-000309</a>	Deferred Tax Missing on Statements for 04-22-18
	<a href="#">18-000310</a>	Reminder: New Class Code for Coffee Imported into PR & Updated Daily Statement CATAIR
	<a href="#">18-000311</a>	Update to FDA Units of Measure Spreadsheet
04-30-18	<a href="#">18-000313</a>	Puerto Rico Coffee Duty
	<a href="#">18-000315</a>	UPDATE: Additional Duty on Imports of Steel and Aluminum Articles under Section 232
05-01-18	<a href="#">18-000316</a>	Quota Announcement South Korea Steel Mill Articles
	<a href="#">18-000317</a>	UPDATE: Additional Duty on Imports of Steel and Aluminum Articles under Section 232

## Foreign Trade Zones

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

F.R. Date	Document
04-04-18	<a href="#">Foreign-Trade Zone 158 – Jackson, Mississippi; Authorization of Production Activity - Traxys Comerals Processing, Inc. (Manganese and Aluminum Alloy-</a>

F.R. Date	Document
	<a href="#">ing Agents) Burnsville, Mississippi [B-77-2017]</a>
	<a href="#">Approval of Subzone Status; Distrilogik US Ltd., Dayton, New Jersey [S-23-2018]</a>
04-06-18	<a href="#">Foreign-Trade Zone 41 – Milwaukee, Wisconsin; Authorization of Production Activity; AFE, Inc. (Monitors/Displays/Televisions) Mount Pleasant, Wisconsin [B-78-2017]</a>
04-10-18	<a href="#">Foreign-Trade Zone 82-Mobile, Alabama; Authorization of Production Activity; Aker Solutions, Inc. (Undersea Umbilicals); Mobile, Alabama [B-76-2017]</a>
	<a href="#">Foreign-Trade Zone 41-Milwaukee, Wisconsin; Limited Authorization of Production Activity; Quad/Graphics, Inc.-Chemical Research\Technology (Offset and Gravure Publication Printing Ink); Hartford and Sussex, Wisconsin [B-01-2018]</a>
	<a href="#">Foreign-Trade Zone 241-Fort Lauderdale, Florida; Authorization of Production Activity; Marine Industries Association of South Florida (Yacht Repair/Refitting); Fort Lauderdale, Florida [B-68-2017]</a>
	<a href="#">Foreign-Trade Zone 158-Vicksburg, Mississippi; Application for Production Authority; MTD Consumer Group Inc., (Textile Grass-Catcher Bags), Verona, Mississippi [B-20-2018]</a>
	<a href="#">Foreign-Trade Zone 119-Minneapolis-St. Paul, Minnesota; Application for Subzone; AGCO Corporation, Jackson and Round Lake, Minnesota [S-53-2018]</a>
	<a href="#">Approval of Subzone Status; SDI USA, LLC; Meriden, Connecticut [S-25-2018]</a>
04-18-18	<a href="#">Foreign-Trade Zone 249 – Pensacola, Florida; Notification of Proposed Production Activity - GE Renewables North America, LLC (Wind Turbine Nacelles, Hubs, and Drivetrains) Pensacola, Florida [B-21-2018]</a>
	<a href="#">Foreign-Trade Zone 293 – Limon, Colorado; Notification of Proposed Production Activity - Laser Galicia America LLC (Bending and Assembly of Trafo Wall) Aurora, Colorado [B-24-2018]</a>
	<a href="#">Foreign-Trade Zone 158 – Vicksburg/Jackson, Mississippi; Application for Reorganization under Alternative Site Framework [B-22-2018]</a>
	<a href="#">Foreign-Trade Zone 29 – Louisville, Kentucky; Application for Reorganization under Alternative Site Framework [B-23-2018]</a>
04-23-18	<a href="#">Foreign-Trade Zone 81-Portsmouth, New Hampshire; Notification of Proposed Production Activity; Albany Safran Composites LLC (Carbon Fiber Composite Aircraft Engine Parts) Rochester, New Hampshire [B-27-2018]</a>
04-24-18	<a href="#">Foreign-Trade Zone 38 – Spartanburg, South Carolina; Notification of Proposed Production Activity; AFL Telecommunications, LLC, (Optical Cable for Data Transfer), Duncan, South Carolina [B-26-2018]</a>
	<a href="#">Foreign-Trade Zone 81 – Portsmouth, New Hampshire; Notification of Proposed Production Activity - Textiles Coated International Inc. (Polytetrafluoroethylene Products) Manchester and Londonderry, New Hampshire [B-25-2017]</a>
	<a href="#">Approval of Subzone Status; Orgill, Inc., Sikeston, Missouri [S-29-2018]</a>
04-30-18	<a href="#">Foreign-Trade Zone 81— Portsmouth, New Hampshire; Notification of Proposed Production Activity; Textiles Coated International Inc. (Polytetrafluoroethylene Products); Manchester and Londonderry, New Hampshire; Correction [B-25-2018]</a>

## FTR: Clarification on the Collection and Confidentiality of Kimberley Process Certificates

On April 24, 2018, the Bureau of the Census published in the *Federal Register* a [final rule](#) [Docket Number: 140905758-8166-02] amending its *Foreign Trade Regulations* (FTR; (15 C.F.R. part 30) to clarify that the data collected from the Kimberley Process Certificates (KPCs) are not collected under Title 13, United States Code (U.S.C.) but rather are collected in compliance with the *Clean Diamond Trade Act* (CDTA) (Pub. L. 108-19, 19 U.S.C. 3901, *et seq.*) and Executive Order 13312. In addition, this rule clarifies the submission requirements and permissible uses of the KPCs. The CDTA and Executive Order 13312 require that the importation into, and exportation from, the United States of any rough

diamonds be controlled through the Kimberley Process Certification Scheme (KPCS). The KPCS calls on Participants (*i.e.*, governments participating in the KPCS), including the United States, to ensure that any shipment of rough diamonds exported to, or imported from, the territory of a Participant be accompanied by a valid KPC, and maintain and publish statistics on the importation and exportation of rough diamonds. The CDTA further provides that the United States should produce statistics on imports and exports of rough diamonds and make these statistics available for analysis by interested parties, including other governments participating in the KPCS.

Consistent with the CDTA, Executive Order 13312, and the KPCS, the Office of Foreign Assets Control's *Rough Diamonds Control Regulations* (31 C.F.R. part 592) require that an original KPC accompany all shipments of rough diamonds imported into, or exported from, the United States. The FTR requires that Participants provide an original KPC to the Census Bureau for all import and export shipments of rough diamonds. The data collected from the KPCs are separate and distinct from the statistical data collected under Title 13, U.S.C., and are not governed by the confidentiality provisions of that title.

The final rule is effective July 23, 2018.

## Homeland Security publishes civil monetary penalty adjustments for inflation

On April 2, 2018, the Department of Homeland Security (DHS) published in the *Federal Register* a [final rule](#) making the 2018 annual inflation adjustment to its civil monetary penalties. The *Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (2015 Act) was signed into law on November 2, 2015. Pursuant to the 2015 Act, all agencies must adjust civil monetary penalties annually and publish the adjustment in the *Federal Register*. Accordingly, this final rule adjusts DHS's civil monetary penalties for 2018 pursuant to the 2015 Act and OMB guidance. The new penalties will be effective for penalties assessed after April 2, 2018 whose associated violations occurred after November 2, 2015.

Covered penalties include penalties in titles 6, 8, 19, 33 and 49 U.S. Code, but no penalties in the *Tariff Act of 1930*, since those are excluded from the 2015 Act. There are several tables in the *Federal Register* which show the penalty, its citation, the 2017 penalty, the multiplier and the new adjusted penalty. The agencies covered are the:

- National Protection and Programs Directorate (NPPD) [6 U.S. Code]
- U.S. Customs and Border Protection (CBP) [8, 19 and 46 U.S. Code]
- U.S. Immigration and Customs Enforcement (ICE) [8 U.S.C.]
- U.S. Coast Guard (USCG) [14, 16, 19, 33, 42, 46, and 49 U.S. Code]
- Transportation Security Administration (TSA) [49 U.S. Code]

## State releases fact sheet concerning UAS Export Policy

On April 19, 2018, the Department of State posted the following [Fact Sheet](#) on its website:

The President has approved a new policy on the export of unmanned aerial systems (UAS). This policy updates and replaces the previous policy announced February 17, 2015. This policy will apply to all U.S.-origin UAS transfers, whether

under the authority of the United States Munitions List (USML) or the Commerce Control List (CCL).

This policy advances five primary objectives with respect to UAS transfers:

1. Increases trade opportunities for U.S. companies: We will remove barriers to the global UAS market and avoid ceding export opportunities to competitors where such self-imposed restrictions are unwarranted.
2. Bolsters partner security and counterterrorism capabilities: We will facilitate international partners' access to U.S. UAS in situations where it will enhance those partners' security and their ability to advance shared security or counterterrorism objectives.
3. Strengthens bilateral relationships: We will use UAS transfers as a means to strengthen U.S. security relationships when stronger bilateral ties and greater interoperability serve broader U.S. national security and foreign policy interests.
4. Preserves U.S. military advantage: We will work to prevent state or non-state actors from gaining capabilities that would undermine the safety and security of the United States and our allies and partners.
5. Prevents the proliferation of weapons of mass destruction (WMD) delivery systems: We will protect the integrity of international nonproliferation agreements and arrangements that prevent proliferators, non-state actors, and other programs of concern from acquiring missile technology and other technologies that would substantively advance their ability to deliver WMD, or otherwise lead to a transfer to potential adversaries of capabilities that would threaten the superiority of the U.S. military or the shared security or counterterrorism objectives of our allies and partners.

All potential military UAS transfers will be subject to Department of State-led assessment under the Conventional Arms Transfer (CAT) Policy and Department of Defense (DOD)-led assessment regarding technology security, as applicable. All UAS transfers, to include military UAS transfers, will be reviewed consistent with U.S. international nonproliferation commitments, including under the Missile Technology Control Regime.

#### Transfer Conditions:

- **Armed UAS:** Transfers of armed UAS may be made via Direct Commercial Sales (DCS) or Foreign Military Sales (FMS), unless other guidance or restrictions relevant to that particular case requires the transfer to take place using FMS. Recipients must agree as a condition of transfer not to arm armed UAS with a foreign system or unauthorized U.S. system without prior U.S. government authorization.
- **Unarmed UAS:** Transfers of unarmed UAS may be made via Direct Commercial Sales (DCS) or Foreign Military Sales (FMS), unless other guidance or restrictions relevant to that particular case requires the transfer to take place using FMS. Recipients must agree as a condition of transfer not to arm, whether with U.S. or foreign equipment, a U.S.-origin UAS without United States Government permission.
- **Civil UAS:** All Civil UAS will continue to be subject to the licensing requirements and policies of the Export Administration Regulations and will take into account the objectives outlined in this policy and the six non-proliferation factors in section 3 of the MTCR Guidelines.

#### Provisions to Guard Against Proliferation and Ensure Proper Use:

**End-Use Assurances for Military UAS:** Each recipient state shall agree to use U.S.-origin military UAS in accordance with applicable international law, applica-

ble provisions of the Arms Export Control Act (AECA) and its implementing regulation, the International Traffic in Arms Regulations (ITAR), other relevant provisions of U.S. law, and for FMS cases, the transfer agreement. Specifically, each recipient state must agree not to transfer title to or possession of any defense article or related training or other defense service associated with a U.S.-origin military UAS so furnished to it to anyone not an officer, employee, or agent of that country.

Recipient nations must agree not to use or permit the use of a U.S.-origin military UAS for purposes other than those for which the UAS was furnished unless the consent of the United States Government has first been obtained. Prior to a potential transfer, the recipient country shall have agreed that it will maintain the security of the military UAS and its related components and will provide substantially the same degree of security protection afforded to such article or service by the United States Government. All military UAS systems will also be transferred only with appropriate technology security measures.

End-Use Monitoring and Additional Security Conditions: all military UAS transfers may be subject to enhanced end-use monitoring and may also be subject to additional security conditions. Transfers of U.S.-origin armed and MTCR Category I UAS shall require periodic consultations with the United States Government on their use of U.S.-origin UAS systems.

#### Principles of Proper Use:

To promote and ensure proper use of U.S.-origin military UAS, all FMS and DCS sales or transfers must include the following principles related to use:

1. Recipients are to use these systems in accordance with international law, including international humanitarian law and international human rights law, as applicable.
2. Armed UAS are to be used in operations involving the use of force only when there is a lawful basis for resorting to the use of force under international law, such as national self-defense.
3. Recipients are not to use UAS to conduct unlawful surveillance or use unlawful force against their domestic populations.
4. As appropriate, recipients must provide UAS operators technical and doctrinal training on the use of such systems to reduce the risk of unintended injury or damage.

### **BIS activates suspended denial of export privileges against ZTE in response to repeated false statements to the US Government**

On April 15, 2018, the US Department of Commerce's Bureau of Industry and Security ("BIS") [issued an order activating a suspended denial order](#) (the "Order") concerning ZTE Corporation and ZTE Kangxun Telecommunications Ltd. (collectively, "ZTE" or the "Company"). In explaining the activation, BIS described repeated misleading or false statements made to the US Government both before and since a March 2017 settlement agreement concerning violations of the *Export Administration Regulations* ("EAR") ("Settlement Agreement"). More information on the ZTE investigation and the Settlement Agreement can be found in our previous posts [here](#) and [here](#).

Under the terms of the Settlement Agreement, ZTE was denied US export privileges for seven years; however, the Order was suspended. It has now been activated.

### Effects of the Activation of the Suspended Denial Order

As a result of the activation of the Order, until March 13, 2025, ZTE may not directly or indirectly, participate in any way in any transactions involving any commodity, software or technology exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR, including, but not limited to:

- Applying for, obtaining or using any license, license exception, or export control document;
- Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or engaging in any other activity subject to the EAR; or
- Benefiting in any way from any transactions involving any item exported or to be exported from the United States that is subject to the EAR or from any other activity subject to the EAR.

Furthermore, no person (US or non-US) may, directly or indirectly, do any of the following:

- Export or reexport to or on behalf of ZTE any item subject to the EAR;
- Take any action that facilitates the acquisition or attempted acquisition by ZTE of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby ZTE acquires or attempts to acquire such ownership, possession or control;
- Take any action to acquire from or to facilitate the acquisition or attempted acquisition from ZTE of any item subject to the EAR that has been exported from the United States;
- Obtain from ZTE in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be exported from the United States; or
- Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by ZTE, or service any item, of whatever origin, that is owned, possessed or controlled by ZTE if such service involves the use of any item subject to the EAR that has been or will be exported from the United States. For purposes of this prohibition, servicing includes installation, maintenance, repair, modification or testing.

Any person, firm, corporation or business organization related to ZTE by affiliation, ownership, control or position of responsibility in the conduct of trade or related services may also become subject to the provisions of the Order.

The activation of this Order essentially cuts ZTE off from the US export market until 2025, making it nearly impossible for the Company to acquire, export, reexport, transfer, or engage in most any activities involving items subject to the EAR until that time.

## International Response

On Monday as well, the National Cyber Security Centre (“NCSC”) sent a [letter](#) to UK telecom providers warning them that the use of ZTE’s equipment and services could pose a national security risk. While the NCSC does not have formal powers to blacklist any companies, the Office of Communications, which reportedly was one of the recipients of the letter from NCSC, has the power to impose conditions on communications providers.

If you have any questions, please contact any of the authors, [Ross L. Denton](#), [Sunny Mann](#), [Bart M. McMillan](#), [Hannah N. Zarkar](#) or [Andrea Tovar](#).

## US to include digital currency addresses on list of sanctioned parties

The US Government is considering adding digital currency addresses affiliated with individuals and entities identified to the List of Specially Designated Nationals and Blocked Persons (“SDN List”). This would put US persons on notice that doing business with those digital addresses may be prohibited, increasing compliance considerations for businesses delving into the world of virtual currency.

### What it means for you

On March 19, 2018, the Office of Foreign Assets Control (“OFAC”) updated its [FAQs](#) to include a section on virtual currency. In the new section, OFAC provides guidance about the various money laundering and terrorist financing risks associated with virtual currency. In particular, OFAC states that it will use sanctions to “fight against criminal and other malicious actors abusing digital currencies and emerging payment systems.” One of the strategies under consideration is the inclusion of digital currency addresses associated with blocked persons to OFAC’s SDN List.

OFAC implements and enforces US sanctions against parties on the SDN List and sanctioned countries (e.g., Cuba, Iran, North Korea, Russia, Syria, Venezuela). All US persons must comply with OFAC regulations, including prohibitions on dealing with parties on the SDN List. US persons must also block the property (including goods, contracts, and funds of any form) of sanctioned persons and make timely reports to OFAC. Failure to do so may result in significant civil and criminal penalties. The maximum civil penalty per violation of OFAC’s regulations amounts to the greater of USD 295,141 or twice the amount of the underlying transaction.

Once OFAC starts adding digital currency addresses to the SDN List, parties will be on notice that those addresses are affiliated with sanctioned persons, and payments through such means may result in a violation of OFAC regulations. OFAC’s plans represent another step in the march towards fully regulating virtual currency operations. Little by little, virtual currencies are being brought under existing regulatory schemes, or new schemes (like the New York Bit-License) are being created to cover perceived gaps. OFAC’s plans to add digital currency addresses to the SDN List will mean greater risk for companies and a matching increase in compliance cost.

### Actions to take

Companies dealing in virtual currency may already be regulated under US federal and state anti-money laundering (“AML”) regulations. If your company is already AML compliant, then it may be an easy lift to adjust to this new development. Such companies should:

- Check whether their AML compliance program covers OFAC issues.
- Ensure that their customer identification/verification and due diligence processes consider digital profiles and virtual currency issues.
- Ensure that your transaction monitoring systems consider the unique issues presented by dealing in virtual currency.
- Confirm whether relevant employees are trained on OFAC regulations. For companies dealing in virtual currency, but are unaware as to their AML or OFAC regulatory obligations, we suggest conducting a risk assessment at your next opportunity.

If you have any questions, please contact any of the authors, [Nicholas F. Coward](#), [Ryan Fayhee](#), [Alexandre \(Alex\) Lamy](#), [Patrick Dennien](#) or any member of the US Outbound Trade group or the Compliance and Investigations group with whom you normally work. [*The authors thank [Matthew F. Kluchenek](#) and [Samuel G. Kramer](#) for their contribution to the above article.*]

## US imposes additional sanctions on Russian oligarchs, government officials, and entities

On April 6, 2018, the US Treasury Department’s Office of Foreign Assets Control (“OFAC”) [announced](#) new sanctions measures designating as Specially Designated Nationals (“SDNs”) seven Russian oligarchs and 17 Russian government officials previously [identified](#) in a report issued pursuant to Section 241 of the *Countering America’s Adversaries Through Sanctions Act* (“CAATSA”; see our previous blog post on this report [here](#)) under the authority of Executive Orders [13661](#) and [13662](#), pertaining to destabilizing activities by Russia in Ukraine. OFAC also designated 12 entities owned or controlled by those newly designated oligarchs and, under the separate authority of Executive Order [13582](#), pertaining to support for the Government of Syria, a Russian weapons-trading company and related bank. A complete list of the designated individuals and entities is available [here](#).

OFAC has [stated](#) that these designations are “to impose costs on Russia for its malign behavior” around the world, and are meant to put pressure on the oligarchs and government officials that OFAC [says](#) benefit disproportionately from the Russian government.

### Effect on US and Non-US Persons and Foreign Financial Institutions

As a result of the OFAC designations, all of the property and interests in property within US jurisdiction of the designated individuals and entities are blocked. Accordingly, “US Persons” are generally prohibited from engaging in transactions involving these SDNs [and any entities 50% or more owned by these SDNs](#). “US Persons” include (i) entities organized under US laws and their non-US branches, (ii) individuals or entities in the United States, or (iii) US citizens or permanent resident aliens (“Green Card” holders) wherever located or employed. Activities involving non-US persons, including separately incorporated non-US subsidiaries of US companies, may trigger US jurisdiction if they cause US Persons to engage in a prohibited SDN-related transaction..

Additionally, CAATSA Section 228 provides for mandatory sanctions against non-US persons that OFAC determines, *inter alia*, knowingly facilitate “significant” transactions, including deceptive or structured transactions, for or on behalf of any person subject to US sanctions with respect to the Russian Federation, such as the new SDNs. Further, CAATSA Section 226 makes foreign financial institutions susceptible to restrictions on the opening or maintenance of correspondent or payable through accounts in the United States if the Secretary of the Treasury determines, *inter alia*, that they knowingly facilitate “significant” financial transactions on behalf of any Russian person sanctioned under the Ukraine-related Russia sanctions, including the new SDNs.

### New General Licenses and FAQs

In order to permit certain limited activities to minimize disruption to US Persons, partners, and allies caused by these new designations, OFAC also announced two new general licenses:

- [General License No. 12](#) authorizes certain activities “ordinarily incident and necessary” to maintenance or wind down of operations, contracts, or other agreements in existence as of April 6, 2018 with 12 of the new SDN entities (and other entities 50% or more owned by these entities) before June 5, 2018.
- [General License No. 13](#) authorizes certain transactions “ordinarily incident and necessary” to divest or transfer debt, equity, or other holdings in three of the new SDN entities before May 7, 2018. Note that General License No. 13 is limited to only three entities (EN+ Group PLC, GAZ Group, and United Company RUSAL PLC) and does not cover other entities 50% or more owned by these entities (as opposed to General License No. 12).

Reliance on these general licenses is subject to compliance with certain conditions. Further, each general license requires US Persons that use either license to make a detailed report to OFAC, within 10 business days after the expiration date of the relevant general license, regarding their activities under these licenses.

OFAC also published [eight additional FAQs](#) and [one updated FAQ](#) to address the designations and related general licenses. Of note, [FAQ 574](#) makes clear that transactions by non-US persons and foreign financial institutions that would be permitted by these general licenses if performed by a US Person will not be deemed “significant” for purposes of CAATSA Sections 228 or 226 as described above.

### Potential Addition of SDN Entities to the Entity List

The US Commerce Department’s Bureau of Industry and Security (“BIS”), which administers and enforces US export controls under the *Export Administration Regulations* (“EAR”), has, in the recent past, added other SDNs designated by OFAC under the Executive Orders relating to Russia and Ukraine to the BIS Entity List. Accordingly, those Russian SDN entities are subject to license requirements for exports, reexports and in-country transfers of items (i.e., goods/commodities, software, technology) that are “subject to the EAR” (including all items in or originating in the United States and foreign goods/commodities, software, and technology that incorporate greater than a *de minimis* level of US-origin controlled content). Although it has not published a notice in the *Federal Register* to add the new oligarch-related SDN entities to the Entity List, BIS is likely to do so, consistent with its past practice.

Adding the 12 SDN entities listed in OFAC's General License No. 12 to the Entity List would not affect the export of most items to those entities because General License No. 12 already explicitly prohibits exports of "goods" from the United States to these entities. However, General License No. 12 does not explicitly prohibit exports of technology or software. Were these 12 SDN entities to be added to the Entity List and subjected to the same restrictions as previously applied to Russian SDN entities, companies could be surprised to find that some activities presumably authorized by General License No. 12 (e.g., certain exports of technology or software) are prohibited unless BIS creates carve-outs that mirror the OFAC general licenses as it has done in the past with [FAU Glavgosekspertiza Rossii](#) and the Russian [Federal Security Service \("FSB"\)](#).

If you have any questions, please contact any of the authors, [Sylwia A. Lis](#), [Eunkyung Kim Shin](#), [Lloyd Grove](#) or any member of the US Outbound Trade group with whom you normally work.

### **BIS amends EAR relating to reclassification of Targets for the Production of Tritium and Related Development and Production Technology Initially Classified Under the 0Y521 Series**

On April 5, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 160303184-8255-01] that amends the *Export Administration Regulations* (EAR) to impose a license requirement on exports and reexports of specified target assemblies and components for the production of tritium under new Export Control Classification Number (ECCN) 1A231, and for the related "production" technology for 1A231 commodities covered under ECCNs 1E001 and 1E201. The items identified in this rule are controlled for nuclear nonproliferation (NP) Column 1 and anti-terrorism (AT) Column 1 reasons. These new classifications are the result of a U.S. Government proposal submitted and agreed to by members of the relevant multilateral regime, the Nuclear Suppliers Group (NSG), in June 2017. This final rule, as required under the 0Y521 procedure and in fulfillment of multilateral commitments, implements the multilateral control for the items adopted by the NSG.

### **BIS amends EAR to implement Australia Group (AG) Intersessional Decisions and Plenary Understandings; Addition of India to the AG**

On April 2, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170306234-7234-01] to amend the *Export Administration Regulations* (EAR) to implement the recommendations presented at the February 2017 Australia Group (AG) Intersessional Implementation Meeting, and later adopted pursuant to the AG silent approval procedure, and the recommendations made at the June 2017 AG Plenary Implementation Meeting and adopted by the AG Plenary.

The rule amends the following Export Control Classification Numbers (ECCNs) on the Commerce Control List (CCL) to reflect the February 2017 Intersessional Implementation Meeting recommendations that were adopted by the AG: ECCN 2B350 (by adding certain prefabricated repair assemblies, and specially designed components therefor, that are designed for attachment to glass-lined reaction vessels, reactors, storage tanks, containers or receivers controlled by this entry); ECCN 2B351 (by clarifying that toxic gas monitoring equipment includes toxic gas monitors and monitoring systems, as well as their dedicated detecting components); and ECCN 2B352 (by adding certain nucleic acid assemblers and synthesizers to this entry and clarifying how the capacity of certain fermenters should be measured for purposes of determining whether they are controlled un-

der this entry). Consistent with the June 2017 AG Plenary Implementation Meeting recommendations that were adopted by the AG, this rule amends the following ECCNs on the CCL: ECCN 1C353 (to clarify that genetically modified organisms include organisms in which the nucleic acid sequences have been created or altered by deliberate molecular manipulation and that inactivated organisms containing recoverable nucleic acids are considered to be genetic elements) and ECCN 1C350 (by adding N,N-Diisopropylaminoethanethiol hydrochloride).

The rule also corrects several typographical errors in a note to ECCN 1C351 and updates the advance notification requirements in the EAR that apply to certain exports of saxitoxin. Finally, this rule amends the EAR to reflect the addition of India as a participating country in the AG.

### 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
04-03-18	OFAC: <a href="#">Notice of OFAC Sanctions Actions</a> (N) [Six persons]
04-04-18	STATE: <a href="#">In the Matter of the Amendment of the Designation of Laskar-e-Tayyiba (and other aliases) as a Specially Designated Global Terrorist</a> [Public Notice: 10375](N)
	STATE: <a href="#">In the Matter of the Amendment of the Designation of Lashkar-e-Tayyiba (and other aliases) as a Foreign Terrorist Organization pursuant to Section 219 of the Immigration and Nationality Act, as amended</a> [Public Notice: 10376] (N)
04-06-18	OFAC: <a href="#">Notice of OFAC Sanctions Action</a> (N) [7 individuals]
04-11-18	OFAC: <a href="#">Notice of OFAC Sanctions Actions</a> (N) [2 individuals, 1 entity]
04-24-18	OFAC: <a href="#">Notice of OFAC Sanctions Actions</a> (N) [1 individual, 1 entity]

### Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	Subject
04-16-18	BIS: <a href="#">In the Matter of: Stephen Edward Smith</a>
	BIS: <a href="#">In the Matter of: Peter Steve Plesinger</a>
	BIS: <a href="#">In the Matter of: Earl Henry Richmond</a>
04-18-18	BIS: <a href="#">In the Matter of: Erdal Kuyumcu</a>
04-23-18	BIS: <a href="#">In the Matter of: Zhongxing Telecommunications Equipment Corporation ZTE Plaza, Keji Road South Hi-Tech Industrial Park Nanshan District, Shenzhen China; ZTE Kangxun Telecommunications Ltd. 2/3 Floor, Suite A, Zte Communication Mansion Keji (S) Road Hi-New Shenzhen, 518057 China Respondent': Order Activating Suspended Denial Order Relating to Zhongxing Telecommunications Equipment Corporation and Zte Kangxun Telecommunications Ltd.</a>
04-25-18	STATE - BUREAU OF POLITICAL-MILITARY AFFAIRS: <a href="#">Statutory Debarment under the Arms Export Control Act and the International Traffic in Arms Regulations</a> [Public Notice 10397] [168 persons]

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

AGENCIES: BEA= BUREAU OF ECONOMIC ANALYSIS; BIS = BUREAU OF INDUSTRY AND SECURITY; CENSUS= BUREAU OF THE CENSUS; FINCEN = FINANCIAL CRIMES ENFORCEMENT NETWORK; ITA: INTERNATIONAL TRADE ADMINISTRATION; NIST- NATIONAL INSTITUTE OF STANDARDS AND TECH-

NOLOGY; 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
04-02-18	STATE: <a href="#">Renewal of Cultural Property Advisory Committee Charter</a> [Public Notice: 10318] (N)
04-04-18	STATE: <a href="#">Cultural Property Advisory Committee: Notice of Meeting</a> [Public Notice: 10373] (N) [May 2-4, 2018]
04-06-18	BIS: <a href="#">Proposed Information Collection; Comment Request; Statement by Ultimate Consignee and Purchaser</a> [MB Control Number: 0694-0021] (N) [Form Number: BIS-711]
04-10-18	ITA: <a href="#">Request for Applicants for the Appointment to the United States-India CEO Forum</a> (N)
04-20-18	STATE: <a href="#">Notice of Change of Ownership of Permit Holder of Presidential Permit for Detroit River Crossing Pipeline Facilities on the Border of the United States and Canada</a> [Public Notice 10392] (N)
04-24-18	CENSUS: <a href="#">Foreign Trade Regulations (FTR): Clarification on the Collection and Confidentiality of Kimberley Process Certificates</a> [Docket Number: 140905758-8166-02] (FR)
04-25-18	ITA: <a href="#">Environmental Technologies Trade Advisory Committee (ETTAC) Public Meeting</a> (N/H) [May 15, 2018] ITA: <a href="#">Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to In-Quota Rate of Duty</a> (N)
04-26-18	BIS: <a href="#">Materials Processing Equipment Technical Advisory Committee; Notice of Partially Closed Meeting</a> (N/H) [May 15, 2018] BIS: <a href="#">Materials Technical Advisory Committee; Notice of Partially Closed Meeting</a> (N/H) [May 10, 2018] BIS: <a href="#">Transportation and Related Equipment Technical Advisory Committee; Notice of Partially Closed Meeting</a> (N/H) May 9, 2018]
04-27-18	STATE: <a href="#">Advisory Committee On International Economic Policy; Notice of Open Meeting</a> [Public Notice 10401] (N/H) [May 16, 2018] STATE: <a href="#">Preparation for Forty-Second Session of International Maritime Organization's Facilitation Committee</a> [Public Notice 10402] (N/H) [May 24, 2018]

## 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
04-05-18	FTC: <a href="#">Energy Labeling Rule; Correction</a> (FR/C)
04-18-18	FTC: <a href="#">Deceptive Advertising as to Sizes of Viewable Pictures Shown by Television Receiving Sets</a> (PR)
04-26-18	CPSC: <a href="#">Labeling of Certain Household Products Containing Methylene Chloride; Supplemental Guidance; Correction</a> [Docket No. CPSC-2016-2019] (N)

## 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
04-02-18	<a href="#">Medical Devices: Technical Amendment</a> [Docket No. FDA-2018-N-0011] (FR/T)
04-09-18	<a href="#">International Drug Scheduling; Convention on Psychotropic Substances; Single</a>

F.R. Date	Subject
	<a href="#">Convention on Narcotic Drugs; Cannabis Plant and Resin; Extracts and Tinctures of Cannabis; Delta-9- Tetrahydrocannabinol; Stereoisomers of Tetrahydrocannabinol; Cannabidiol; Request for Comments</a> [Docket No. FDA-2018-N-1072] (N)
	<a href="#">Aker BioMarine; Filing of Color Additive Petition</a> [Docket No. FDA-2018-C-1007] (N)
04-11-18	<a href="#">E11(R1) Addendum: Clinical Investigation of Medicinal Products in the Pediatric Population; International Council for Harmonisation; Guidance for Industry; Availability</a> [Docket No. FDA-2016-D-3848] (N)
	<a href="#">Preparation for International Cooperation on Cosmetics Regulation Twelfth Annual Meeting; Public Meeting</a> [Docket No. FDA-2018-N-0981] (N/H)
04-17-18	<a href="#">Listing of Ingredients in Tobacco Products; Guidance for Industry; Availability</a> [Docket No. FDA-2009-D-0524] (N)
04-20-18	<a href="#">Q7 Good Manufacturing Practice Guidance for Active Pharmaceutical Ingredients: Questions and Answers; International Council for Harmonisation; Guidance for Industry; Availability</a> [Docket No. FDA-2018-D-1176] (N)
04-25-18	<a href="#">The Declaration of Added Sugars on Honey, Maple Syrup, and Certain Cranberry Products: Draft Guidance for Industry; Extension of Comment Period</a> [Docket No. FDA-2018-D-0075] (N/E)
04-27-18	<a href="#">Multiple Function Device Products: Policy and Considerations; Draft Guidance for Industry and Food and Drug Administration Staff; Availability</a> [Docket No. FDA-2018-D-1339] (N)

## 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, TFAA= Office of Trade and Foreign Agricultural Affairs, AMS=Agricultural Marketing Service, FSIS=Food Safety Inspection Service]:

F.R. Date	Subject
04-04-18	AMS: <a href="#">National Organic Program: USDA Organic Regulations (Notification of 2018 Sunset Review)</a> [Document Number AMS-NOP-17-0085; NOP-17-05] (N)
04-06-18	AMS: <a href="#">Subpart Nomenclature Change: Technical Amendment</a> [Doc. No. AMS-SC-17-0083; SC18-915-I FR] (FR/T)
	AMS: <a href="#">Mango Promotion, Research and Information Order: Amendment to Include Frozen Mangos</a> [Document No. AMS-SC-17-0002] (PR)
	APHIS: <a href="#">Importation of Lemons From Chile Into the Continental United States</a> [Docket No. APHIS-2015-0051] (FR)
04-11-18	APHIS: <a href="#">Rinderpest: Update of Communicable Animal Disease Provisions</a> [Docket No. APHIS-2017-0070] (FR)
04-12-18	TFAA: <a href="#">Codex Alimentarius Commission: Meeting of the Codex Alimentarius Commission</a> [Docket No. FSIS-2018-0008] (N/H) [May 31, 2018]
	APHIS: <a href="#">Branding Requirements for Bovines Imported Into the United States From Mexico</a> [Docket No. APHIS-2016-0050] (PR)
04-13-18	AMS: <a href="#">National Organic Program (NOP); Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock and Handling); Reopening of Comment Period</a> [Doc. No. AMS-NOP-14-0079; NOP-14-05] (PR/RO)
04-20-18	APHIS: <a href="#">Importation of Fresh Cape Gooseberry Fruit From Ecuador to the Continental United States</a> [Docket No. APHIS-2016-0009] (PR)
	APHIS: <a href="#">Importation of Peppers From the Republic of Korea: Mesh Screening Size</a> [Docket No. APHIS-2016-0094] (PR)
04-23-18	AMS: <a href="#">Oranges, Grapefruit, Tangerines and Pummelos Grown in Florida and Imported Grapefruit: Change of Size Requirements for Grapefruit</a> [Doc. No. AMS-SC-17-0063; SC17-905-1FIR] (FR)
	FAS: <a href="#">Request for Stakeholder Input Relevant to the North American Regional</a>

F.R. Date	Subject
	<a href="#">Priorities for the Food and Agricultural Organization of the United Nations</a> (RFI)
04-24-18	APHIS: <a href="#">Concurrence with OIE Risk Designations for Bovine Spongiform Encephalopathy</a> [Docket No. APHIS-2018-0012] (N)
04-30-18	AMS: <a href="#">National Organic Program; Proposed Amendments to the National List of Allowed and Prohibited Substances for 2017 NOSB Recommendations (Livestock and Handling)</a> [Document Number AMS-NOP-17-0080; NOP-17-09] (PR)

## NMFS will require reporting of shrimp and abalone through ACE Seafood Traceability Program

On April 24, 2018, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), published in the *Federal Register* a [final rule and compliance information](#) [Docket No. 180417378-8379-01] with respect to application of the Seafood Traceability Program to shrimp and abalone. NMFS issued a final rule on December 9, 2016 (81 Fed. Re. 88975, December 9, 2016) to establish the Seafood Traceability Program (also known as the Seafood Import Monitoring Program or SIMP). Implementation of the Program for shrimp and abalone species was stayed indefinitely due to NMFS' determination that current data collection for shrimp and abalone aquacultured in the U.S. is not equivalent to the data that would have been required to be reported for imports of these products. Section 539 of Division B of the *Consolidated Appropriations Act of 2018* directed the Secretary of Commerce, within 30 days of enactment of the Act, to lift the stay on the implementation of the Seafood Traceability Program with respect to shrimp and abalone. This rule informs the affected public of the effective and compliance dates for the reporting and recordkeeping requirements, applicable for imports of shrimp and abalone species originating from both wild capture fisheries and aquaculture operations.

The stay on 50 C.F.R. 300.324(a)(3) is lifted effective May 24, 2018. The compliance date for this rule for the species included at 50 C.F.R. 300.324(a)(3) is December 31, 2018. As of the December 31, 2018 compliance date established by this rule, importers of shrimp and abalone species will be required to obtain an International Fisheries Trade Permit as specified at 50 C.F.R. 300.322, submit harvest and landing information on those products into the U.S. Customs and Border Protection (CBP) International Trade Data System (ITDS) through the Automated Commercial Environment (ACE) portal prior to entry into U.S. Commerce, and maintain supply chain records from the point of harvest to the point of entry into U.S. Commerce for a period of two years after entry.

International Fishery Trade Permits are currently available for issuance and it is anticipated that ACE reporting will be available for testing prior to the compliance date. Prior to December 31, 2018, NMFS will publish a notice in the *Federal Register* to inform interested parties that ACE programming has been completed to allow U.S. importers to test software for ACE entry reporting for shrimp and abalone. For products harvested prior to the compliance date, U.S. importers should work with their foreign suppliers to ensure that the harvest event and supply chain records are available for any entries made on or after December 31, 2018.

## 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
04-02-18	NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION (NHTSA): <a href="#">Civil Penalties</a> [Docket No. NHTSA-2018-0017] (PR)
04-04-18	ENVIRONMENTAL PROTECTION AGENCY (EPA): <a href="#">Court Order; Compliance Date; Formaldehyde Emission Standards for Composite Wood Products</a> [EPA-HQ-OPPT-2016-0244; FRL-9976-22] (N)
04-11-18	EPA: <a href="#">Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities</a> [EPA-HQ-OPP-2017-0006; FRL-9975-57] (N)
	FISH AND WILDLIFE SERVICE (FWS): <a href="#">50 CFR Part 23 - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)</a> (C.F.R. Correction)
	ENERGY: <a href="#">Appliance Standards and Rulemaking Federal Advisory Committee: Notification of Intent To Establish a Working Group for Variable Refrigerant Flow Multi-Split Air Conditioners and Heat Pumps To Negotiate a Notice of Proposed Rulemaking for Test Procedures and Energy Conservation Standards</a> (N)
04-12-18	EPA: <a href="#">Clethodim; Pesticide Tolerances</a> [EPA-HQ-OPP-2016-0651; FRL-9975-01] (FR)
	EPA: <a href="#">Pesticide Product Registration; Receipt of Applications for New Uses</a> [EPA-HQ-OPP-2017-0008; FRL-9975-58] (N)
	EPA: <a href="#">Pesticide Product Registration; Receipt of Applications for New Active Ingredients</a> [EPA-HQ-OPP-2017-0007; FRL-9975-56] (N)
04-13-18	EPA: <a href="#">Mid-Term Evaluation of Greenhouse Gas Emissions Standards for Model Year 2022-2025 Light-Duty Vehicles</a> [EPA-HQ-OAR-2015-0827; FRL-9976-61-OAR] (N/W)
	EPA: <a href="#">Pesticide Maintenance Fee: Product Cancellation Order for Certain Pesticide Registrations</a> [EPA-HQ-OPP-2017-0350; FRL-9975-55] (N)
	EPA: <a href="#">Product Cancellation Orders: Certain Pesticide Registrations and Amendments To Terminate Uses; Correction</a> [EPA-HQ-OPP-2017-0466; FRL-9975-97] (N/C)
	EPA: <a href="#">Fluensulfone; Pesticide Tolerances</a> [EPA-HQ-OPP-2017-0169; FRL-9975-76] (FR)
	EPA: <a href="#">Sulfentrazone; Pesticide Tolerances</a> [EPA-HQ-OPP-2017-0072; FRL-9975-77] (FR)
04-16-18	EPA: <a href="#">Tetraconazole; Pesticide Tolerances</a> [EPA-HQ-OPP-2016-0573; FRL-9975-07] (FR)
	NHTSA: <a href="#">Federal Motor Vehicle Safety Standards; Seat Belt Assembly Anchorage</a> [Docket No. NHTSA-2012-0036] (N)
04-18-18	NHTSA: <a href="#">Federal Motor Vehicle Safety Standards Correction to 49 C.F.R.</a> (C)
	NHTSA: <a href="#">Correction to Decision That Nonconforming Model Year 2000 East Lancashire Coachbuilders Limited Double Decker Tri-Axle Buses (with Volvo B7L Chassis) Are Eligible for Importation</a> [Docket No. NHTSA-2013-0021, Notice 3] (N/C)
04-19-18	DRUG ENFORCEMENT ADMINISTRATION (DEA): <a href="#">Controlled Substances Quotas</a> [Docket No. DEA-480] (PR)
04-20-18	DEA: <a href="#">Schedules of Controlled Substances: Placement of Butyryl Fentanyl and U-47700 into Schedule I</a> [Docket No. DEA-478] (Final Order)
	EPA: <a href="#">Bacillus licheniformis strain FMCH001; Exemption from the Requirement of a Tolerance</a> [EPA-HQ-OPP-2017-0185; FRL-9971-54] (FR)
	EPA: <a href="#">Bacillus subtilis strain FMCH002; Exemption from the Requirement of a Tolerance</a> [EPA-HQ-OPP-2017-0186; FRL-9971-55] (FR)
04-23-18	ENERGY: <a href="#">Nuclear Classification and Declassification</a> [AU60-2016-1045] (PR/H)
04-24-18	ENERGY: <a href="#">Energy Conservation Program: Energy Conservation Standards for Dishwashers, Notification of Petition for Rulemaking</a> (N/RFC)
	ENERGY: <a href="#">Energy Conservation Program for Consumer Products: Representative Average Unit Costs of Energy</a> (N)
	EPA: <a href="#">User Fees for the Administration of the Toxic Substances Control Act (TSCA)</a> [EPA-HQ-OPPT-2016-0401; FRL-9976-74] (PR/E)
	NATIONAL MARINE FISHERIES SERVICE (NMFS), NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA): <a href="#">Magnuson-Stevens Fishery Conservation and</a>

F.R. Date	Subject
	<a href="#">Management Act; Lifting the Stay on Inclusion of Shrimp and Abalone in the Seafood Traceability Program</a> [Docket No. 180417378-8379-01] (FR)
04-25-18	ENERGY: <a href="#">Energy Conservation Program: Test Procedures for Cooking Products, Notification of Petition for Rulemaking</a> (N) EPA: <a href="#">Chloromequat Chloride; Pesticide Tolerances</a> [EPA-HQ-OPP-2016-0661; FRL-9974-42] (FR)
04-27-18	DEPARTMENT OF DEFENSE (DoD): <a href="#">DEFENSE ACQUISITION REGULATIONS SYSTEM 48 CFR Parts 225 and 252 - Foreign Acquisition; Solicitation Provisions and Contract Clauses: CFR Correction</a> (FR/C) [Adds "Czech Republic" as qualifying country]

## Antidumping and countervailing duty cases

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

## The Americas - South America

### ARGENTINA

#### Boletin Oficial publications

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

BO Date	Subject
03-04-18	<a href="#">Decree 264/2018 (28-03-18) Exempting goods from the payment of import and other taxes for the International Fair: "XXXII Union of Nations Expo"</a>
05-04-18	FED. ADM. OF PUBLIC REVENUES (AFIP): <a href="#">Resolution 11/2018 (28-03-18) with respect to a bonded warehouse authorization</a>
09-04-18	AFIP: <a href="#">General Resolution 4224 /2018 (06-04-18) Economic Complementation Agreement No. 18 - Eighty-third Additional Protocol. Certificate of Digital Origin (COD) between the Argentine Republic and the Oriental Republic of Uruguay. RG N° 4.137-E. Complementary rule.</a> AFIP: <a href="#">General Resolution 4225 (06-04-18) Single Airport Tax for Immigration and Customs Services. Suspension of its collection at the Foz do Iguacu International Airport, Federative Republic of Brazil.</a>
11-04-18	AFIP: <a href="#">General Resolution 4226 (10-04-18) Process. Law No. 27.260. Book II "Rég. of Tax Sincereness". Title I "Sist. voluntary and exceptional declaration of possession of national currency, foreign currency and other goods in the country and abroad". Goods subject to registration. CIE</a>
12-04-18	AFIP: <a href="#">Resolution 13/2018 (06-04-18) Service fees for import and export documents</a>
16-04-18	AFIP: <a href="#">General Resolution 4228 (13-04-18) Import. Merchandise Identification Regime. Resolution No. 2.522 / 87 (ANA), its amendments and complementary. Complementary rule.</a> PRODUCTION/INDUSTRY: <a href="#">Resolution 20/2018 (12-04-18) regarding importation of certain hybrid, electric and fuel cell vehicles (hydrogen)</a>
24-04-18	PRODUCTION/INDUSTRY: <a href="#">Resolution 28/2018 (20-04-18) regarding verification and certification for imports of hybrid vehicles</a>
26-04-18	AFIP: <a href="#">Resolution 14/2018 (23-04-18) regarding importation of goods for the 27th Contemporary Art Fair "arteBA.2018"</a>

## Antidumping and countervailing duty cases

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

### BRAZIL

#### Diário Oficial da União publications

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

Date	Subject
05-04-18	<a href="#">CAMEX Res. № 81 (17-10-17) Rectification 05-04-18 Changes to 0% (zero percent) the Import Tax rates on Capital Goods, in the condition of Ex-tariffs.</a>
	<a href="#">SECEX Ordinance № 17 (04-04-18) Closes the review of the special non-preferential origin verification procedure, with the disqualification of India origin for the product pens, classified under subheading 9608.10.00 of the Mercosur Common Nomenclature (NCM), declared as produced by Millennium Writing Products PVT LTD.</a>
09-04-18	<a href="#">SECEX Ordinance № 16 (04-04-18) Correction - Closes the revision of the special non-preferential origin verification procedure, with the qualification of India origin for the product of dishware, classified in sub-items 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00 of the Mercosur Common Nomenclature (NCM), declared as produced by Raghavar India LTD.</a>
25-04-18	<a href="#">CAMEX Res. № 26 (24-04-18) Alters the Brazilian List of Exceptions to the Mercosur Common External Tariff.</a>
	<a href="#">CAMEX Res. № 27 (24-04-18) Grants temporary reduction of the Import Tax rate pursuant to Resolution nº 08/08 of the Mercosur Common Market Group.</a>

## Antidumping and countervailing duty cases

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

### CHILE

#### National Customs postings and Diario Oficial

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

Date	Subject
12-04-18	HACIENDA: <a href="#">Res. 1385 Extract of resolution exempt number 1.385, of 2018.- Establishes requirements and conditions for the authorization of the temporary admission for inward processing</a>
13-04-18	HACIENDA: <a href="#">Exempt Decree № 119, of 2018. - Applies reductions of customs duties for the importation of wheat and wheat or morcajo flour (tranquillum)</a>
18-04-18	HACIENDA: <a href="#">Exempt Resolution № 1,415, of 2018.- Modifies Compendium of Customs Rules</a>
21-04-18	HACIENDA: <a href="#">Exempt Resolution № 1,627, of 2018.- Modifies Compendium of Customs Rules</a>
24-04-18	HACIENDA: <a href="#">Exempt Decree № 555, of 2017. - Declares international the Expo-nor 2019 fair</a>
25-04-18	HACIENDA: <a href="#">Exempt Decree № 123, of 2018. - Applies reductions of customs duties for the importation of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and sub-standards</a>

## Classification opinions, advance rulings and classification valuation and origin decisions

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

## COLOMBIA

### TPTA information

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

### Tariff Classification Resolutions

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

### MinCIT, MinHacienda and DIAN Documents

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

Date	Subject
01-04-18	DIAN: <a href="#">Cir. 003151 Ad valorem charges applicable to agricultural products of reference, their substitutes, agro-industrial products or by-products.</a>
10-04-18	<a href="#">Law 1879 "By means of which the" Protocol of amendment of the Marrakesh agreement establishing the World Trade Organization "is approved Adopted by the General Council of the World Trade Organization in Geneva, Switzerland, on November 27 of 2014 "</a>
	MINCIT: <a href="#">Circular 12 "Measures taken by the United Nations Security Council against the Democratic People's Republic of Korea - DPRK"</a>
11-04-18	MINCIT: <a href="#">Decree 637 "By which the criteria are established to determine the rules of non-preferential origin that must be met by products subject to commercial defense measures"</a>
19-04-18	MINCIT: <a href="#">Decree 636 "By which article 2.2.4.4.10.13 of the Single Regulatory Decree of the Trade, Industry and Tourism Sector is modified, Decree 1074 of 2015."</a>
	<a href="#">Circular 013 "Resolution 00022747 of 2018 of the Colombian Agricultural Institute"</a>
20-04-18	HACIENDA: <a href="#">Decree 436 "By which Decree 2218 of 2017 is modified" published by Official Gazette No. 50,527 of March 6, 2018.</a>
	MINCIT: <a href="#">Decree 519 (15-03-18) "By which the customs tariff is partially modified" published by Official Gazette No. 50,536 of March 15, 2018.</a>
	MINCIT: <a href="#">Decree 659 "By which the Decrees 2685 of 1999 and 2147 of 2016 are modified" published by Official Gazette No. 50,567 of April 17, 2018.</a>
27-04-18	MINCIT: <a href="#">CIRCULAR 014 "REQUEST FOR INFORMATION FROM USERS OF SPECIAL IMPORT-EXPORT SYSTEMS IN THE COMPUTER APPLICATION OF THE FOREIGN TRADE SINGLE WINDOW - VUCE"</a>

## PERU

### Tariff Classification database

A searchable [Tariff Classification Resolution \(ruling\) database](#) (from 2006 through the present) is available. It may be searched by the tariff number, resolution number, or description. The database currently has approximately 9900 resolutions, some with photographs.

## Asia-Pacific

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

## AUSTRALIA

### Australia updates Consolidated List of sanctions

On 25 April 2018, the Department of Foreign Affairs and Trade (DFAT) issued an updated version of the [Consolidated List](#). The Consolidated List is a list of all persons and entities who are subject to targeted financial sanctions or travel bans under Australian sanctions laws, and includes all persons and entities to which the *Charter of the United Nations Act 1945* and the *Autonomous Sanctions Act 2011* currently applies. This follows the transition of Australia's targeted financial sanctions from the *Banking (Foreign Exchange) Regulations 1959* to the *Autonomous Sanctions Regulations 2011*.

### Amendments to Regulation 13E of the Customs (Prohibited Exports) Regulations 1958

Regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* (the Regulations) prohibits the export of goods listed on the Defence and Strategic Goods List (the DSGL) unless permission has been granted or an exemption applies.

Amendments to regulation 13E of the *Customs (Prohibited Exports) Regulations 1958* will come into force on 21 April 2018. The *Customs (Prohibited Exports) Amendment (Defence and Strategic Goods) Regulations 2018*, which came into effect on 21 April 2018, has replaced regulation 13E of the Regulations with new regulations 13E to 13EK. These amendments were introduced to align the defence and strategic goods provisions of the Regulations with the *Defence Trade Controls Act 2012*.

Regulation 13E was amended to include:

- new export exceptions (where a permit is not required):
  - for the temporary export of technology constituting, or stored on, a physical item (e.g. USB) for personal use, which will not be transferred to another person whilst overseas; and
  - for the export of technology constituting, or on a physical item (e.g. USB) that has been temporarily imported into Australia, and is being exported back to the country of import;
- additional review mechanisms;
- new ministerial revocation powers;
- decision criteria for granting/refusing a permit; and

- clarification regarding disclosure of information.

The amended Regulations can be found [here](#).

## Review of the Defence Trade Controls Act 2012

The Defence Minister has [announced](#) the appointment of Dr Vivienne Thom AM to conduct an independent review of the *Defence Trade Controls Act 2012* (Cth), which will be guided by the Terms of Reference. The announcement said:

Dr Thom will conduct consultation through a public submission process and individual consultations where required. Stakeholders can provide submissions to Dr Thom by email to [dtcact.review@defence.gov.au](mailto:dtcact.review@defence.gov.au)

### Overview

The Defence Trade Controls Act introduced offences which commenced operation on 2 April 2016 for the unauthorised supply, and in certain instances publication, of defence technology, and for the brokering of defence goods and technology without a permit. The Act also provided for a review of its operation to begin as soon as possible after 2 April 2018.

The review will include an assessment of whether the Act is fit for purpose, particularly whether it adequately safeguards national defence capability and prevents trade and collaboration that could unwittingly advance the military capabilities of potential adversaries. The Review will also identify gaps in the Act's controls, any unintended consequences arising from the Act, such as unnecessary regulatory burden, and other relevant matters.

### Consultation

Interested parties are invited to submit written comment during the consultation period. The closing date for submissions is 31 May 2018.

While submissions may be made electronically or by post, electronic lodgement is preferred.

Submissions will be published on this website as they are received. Comments on submissions can be made to Dr Thom by email to [dtcact.review@defence.gov.au](mailto:dtcact.review@defence.gov.au)

All information (including name and address details) contained in submissions will be uploaded to this website and publicly available, unless you indicate you would like all or part of your submission to remain in confidence. Automatically generated confidentiality statements in emails do not suffice for this purpose. Respondents who would like all or part of their submission to remain in confidence should provide this information marked as such in a separate attachment. The Secretariat may edit submissions before publishing where they contain offensive material.

The Department is required to comply with the *Freedom of Information Act 1982* (FOI Act) and any submissions provided for the review may be the subject of an FOI request. The FOI Act includes various exemptions for disclosing information, including where material was provided in confidence or where it constitutes personal information. All requests for access to submissions will be handled in accordance with the FOI Act.

For additional information on the Terms of Reference, Privacy Policy and submitting requests, please see the announcement.

## Trade and Customs Legislation Amendment (Miscellaneous Measures) Regulations 2018

[Department of Home Affairs Notice 2018/10](#) outlines amendments to the *Customs (Prohibited Imports) Regulation 1956* (Prohibited Imports Regulation) and the *Customs Regulation 2015* (Customs Regulation) which commenced on 4 April 2018.

## Unmanufactured tobacco and tobacco refuse

Amendments were made to the Prohibited Imports Regulation to ensure that Regulation 4D includes all types of unmanufactured tobacco products and tobacco refuse included in heading 2401 to Schedule 3 of the Customs Tariff Act 1995. The specific provisions amended were:

- the heading for Regulation 4D
- subregulation 4D (1)
- paragraphs 4D (1)(a) and (b), and
- paragraph (5)(b).

These amendments align the import prohibition on unmanufactured tobacco with the licensing requirements for the production, manufacture and dealing of unmanufactured tobacco under the *Excise Act 1901* (the Excise Act). This will ensure that no unmanufactured tobacco can be imported into Australia without proof of an Excise Act licence. The amendments also streamline border processing by ensuring that all unmanufactured tobacco products and refuse are treated consistently.

## Repeal of refund reason

Amendments were made to the Customs Regulation to repeal a redundant customs duty refund circumstance attributable to the period between 1 July 2014 and 17 July 2014 as a result of the *Customs Tariff Amendment (Carbon Tax Repeal) Act 2014*. Repealed sections include:

- table item 4 of clause 1 of Schedule 6
- subsections 109(2) and 112(7) of the Customs Regulation, and
- table item 20 of clause 1 of Schedule 6.

## Temporary importation of goods

A minor amendment was made to paragraph 99(3)(b) of the Customs Regulation to certain classes of goods that may be temporarily imported into Australia without the payment of duty or taxes under section 162 of the *Customs Act 1901*. This amendment clarifies that goods may be temporarily imported for public exhibition or public entertainment.

## Customs Duty Rate Changes for 1 April 2018: *Japan-Australia Economic Partnership Agreement*

[Department of Home Affairs \(DHA\) Notice 2018/06](#) advised the public that Australia has committed to progressively reduce the rates of customs duty on eligible Japanese originating goods through the *Japan-Australia Economic Partnership Agreement*.

The latest reduction of customs duty rates occurred on 1 April 2018 and affected certain imports of:

- plastic, rubber, and leather goods
- textile, clothing and footwear goods
- stone, plaster, cement or similar materials for use as components in passenger motor vehicles

- toughened (tempered) safety glass and laminated safety glass for use as components in motor vehicles
- base metal goods
- machinery and mechanical appliances
- electrical equipment, sound recorders and reproducers
- motor vehicles, seats for motor vehicles and their parts
- orthopaedic footwear goods
- measuring, checking or precision instruments and apparatus
- other miscellaneous manufactured goods.

Note: phasing rates do not affect the import restrictions and border controls for prohibited goods as regulated by the *Customs (Prohibited Imports) Regulations 1956*.

A full list of affected tariff subheadings is contained in Schedule 11 (Japanese Originating Goods) of the *Customs Tariff Act 1995*. Refer to [DHA webpage](#).

### Penalty for Non-Compliance with the Commerce (Trade Descriptions) Regulation 2016

[Department of Home Affairs \(DHA\) Notice 2018/08](#) advises the public that from 29 June 2018, a penalty will be introduced for non-compliance with the *Commerce (Trade Descriptions) Regulation 2016* (the CTD Regulation). The penalty will be up to 50 penalty units (\$10,500), consistent with Commonwealth Government guidelines.

#### Background

The *Commerce (Trade Descriptions) Act 1905* and the CTD Regulation set out labelling requirements at the border for the importation of certain goods. A Court has discretion to apply a penalty of up to 50 penalty units where a person is found guilty of contravening or failing to comply with the CTD Regulation. The penalty is consistent with Commonwealth Government guidelines (*Guide to Framing Commonwealth Offences, Infringement Notices and Enforcement Powers*).

Further information about the CTD Regulation is available on the [DHA website](#).

#### 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

#### DHA notices and advices

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

Date	Series and №	Title
29-03-18	<a href="#">DHA № 2018/06</a>	Customs Duty Rate Changes for 1 April 2018: <i>Japan-Australia Economic Partnership Agreement</i>
04-04-18	<a href="#">DHA № 2018/07</a>	Cheese and Curd Quota Scheme – Allocations for 2018-2019
29-03-18	<a href="#">DHA № 2018/08</a>	Penalty for Non-Compliance with the <i>Commerce (Trade Descriptions) Regulation 2016</i>
04-04-18	<a href="#">DHA № 2018/09</a>	Drugs and Drug Precursors: Changes to <i>Customs (Prohibited Imports) Regulations 1956</i> and <i>Customs (Prohibited Exports) Regulations 1958</i>
03-04-18	<a href="#">DHA № 2018/10</a>	<i>Trade and Customs Legislation Amendment (Miscellaneous Measures) Regulations 2018</i>
21-04-08	<a href="#">DHA № 2018/12</a>	Amendments to Customs (Prohibited Exports) Regulations 1958 – Defence and Strategic Goods

## 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
09-04-18	<a href="#">Act of Parliament assented to: No. 20 of 2018—An Act to amend the <i>Imported Food Control Act 1992</i>, and for related purposes. (<i>Imported Food Control Amendment (Country of Origin) Act 2018</i>).</a>
11-04-18	<a href="#">TC18-13</a>
18-04-18	<a href="#">TC18-14</a>
26-04-18	<a href="#">TC18-15</a>

## Antidumping and countervailing duty cases

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

## CHINA (INCLUDING HONG KONG SAR)

### China imposes 15% or 25% additional duties on certain US products

China takes the view that the section 232 steel and aluminum measures of the United States are safeguard measures although they were taken in the name of national security. China believes the measures taken by the United States are not consistent with its obligations under the relevant provisions of the GATT 1994 and WTO Safeguards Agreement.

On March 29, 2018, China filed a [notification](#) with the WTO pursuant to Article 12.5 of the *Agreement on Safeguards*, providing the immediate notification to the Council for Trade in Goods of its proposed suspension of concessions and other obligations because of the measures imposed by the United States on imports of steel and aluminum from 23 March 2018. Attached to the notification was a list of 128 products from the United States that would be subject to the suspension.

On April 1, 2018, the Ministry of Finance (MOF) [announced](#) that with the approval of the State Council, the Customs Tariff Commission of the State Council has decided to suspend duty concessions on certain imported goods originating in the United States as of April 2, 2018. The unofficial English translation of the announcement states:

On March 8, 2018, US President Trump signed an announcement confirming that imported steel and aluminum products threatened US national security and decided to impose tariffs (ie 232 measures) on imported steel and aluminum products from March 23. The 232 measures violated the relevant rules of the World Trade Organization and did not comply with the “security exceptions” provision, which actually constituted safeguard measures. This measure was implemented on March 23 and caused serious damage to our country’s interests. In order to safeguard China’s interests and balance the losses caused by the U.S. 232 measures to China’s interests, I have suspended duties on seven categories of 128 imported goods originating in the United States from duty duties on April 2, 2018, based on the current applicable tariff rates. Tariffs have been imposed on the importation of tariffs on 120 items of imported goods such as fruits and products, and a tariff rate of 25% on 8 items such as pork and products. The current policy of tax-free and tax-exemption remains unchanged.

China’s advocacy and support for the multilateral trading system and the suspension of tariff concessions to the United States are legitimate measures taken by China to use the rules of the World Trade Organization and safeguard its interests.

In addition, the Customs Tariff Committee issued the following [Announcement \[2018 No. 13\]](#) (unofficial English translation):

In order to safeguard China’s interests and balance the losses caused by the United States adding tariffs (that is, 232 measures) to imported steel and aluminum products to China’s interests, the State Council Tariff Commission decided to suspend tariff reduction obligations on certain imported products originating in the United States. The relevant issues are hereby notified as follows:

First. To suspend tariff reduction obligations on 120 imported goods such as fruits and products originating in the United States, impose additional tariffs on the basis of the current applicable tariff rates, and impose a tariff rate of 15%.

Second, 8 import goods such as pork and products originating in the United States shall be subject to tariff reduction obligations. Tariffs shall be imposed on the basis of the current applicable tariff rates, and the tariff rate shall be increased by 25%.

Third, the current policy of taxation, tax relief and tax exemption remains unchanged.

Fourth, after adding tariffs, the relevant formula:

Tariff = duty paid price × (current applicable tariff rate + imposed tariff rate)

Import Consumption Tax = Consumption Tax Calculated Price of Import × Consumption Tax Rate of Import

Taxes for consumption tax at the import = (tariff duty + duty)/(1-tax for importation tax)

Value-added tax for import = Value-added tax for import × Tax rate for import VAT

Import VAT taxation price = Customs Duty paid price + Customs duty + Import consumption tax

Fifth. This Circular shall be implemented as of April 2, 2018.

Annex: [List of Commodity Tariff Obligations Concerning Tariff Reduction and Tariff Increase](#) (Chinese with tariff subheadings)

## China releases sec. 301 retaliatory list

On April 4, 2018, MOFCOM issued [Announcement 34](#), which states that China will impose retaliatory tariffs of 25% on soybeans, agricultural products, automobiles, chemicals, airplanes and a total of 106 US products in retaliation for the United States' action under sec. 301. A complete list of the US products subject to the additional 25% duty (in Chinese and English, with tariff numbers, prepared by the US-China Business Council and used with their permission) is available [here](#), although the implementation date is unclear.

## Tariff classification rulings

Rulings on the tariff classification of goods issued by the General Administration of Customs of the PRC may be found, in Chinese, [here](#).

## 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
03-29-18	<a href="#">MOFCOM, GAC Joint Ann. № 35</a>	Regulations on Adjusting the Automatic Import License of Certain Auto Products Authorities
	<a href="#">GAC Ann. № 24</a>	Announcement on Expanding the Application Scope of Self-declared and Self-paying Taxes
04-01-18	<a href="#">Customs Tariff Committee Ann. 2018 No. 13</a>	Imposition of additional 15% and 25% tariffs on certain US goods
04-04-18	<a href="#">MOFCOM Order № 2</a>	Anti-dumping and Countervailing Investigations Hearing Rules
	<a href="#">MOFCOM Order № 3</a>	Anti-dumping Questionnaire Rules
	<a href="#">MOFCOM Order № 4</a>	Dumping and Dumping Review Period Rules
	<a href="#">MOFCOM Ann. № 34</a>	Tariff Increase on Certain Commodities Originating in the United States
04-08-18	<a href="#">MOFCOM, MIIT, NAEA, GAC, NDI Notice № 36, 2018</a>	UNSC Resolution 2375 Adding a list of Dual-use items and technologies forbidden to be exported to N. Korea
04-09-18	<a href="#">GAC Ann. № 26</a>	Announcement on the Complete Cancellation of Printing Export Commodities Declaration Form Certification (Export Tax Refund Special Purpose) Notice)
04-13-18	<a href="#">MOFCOM Order № 5</a>	Measures for the Formulation and Administration of Regulatory Documents of the Ministry of Commerce
	<a href="#">GAC Ann. № 27</a>	On Regulating the Registration Administration of Cross-border Electronic Commerce Payment Enterprises
	<a href="#">MOFCOM, Environment, NDRC, GAC Joint Ann. № 6</a>	Announcement on Adjusting the "Catalogue of Imported Waste Management"
04-16-18	<a href="#">GAC Ann. № 28</a>	Announcement Concerning the Merger of Qualifications for the Declaration of Qualifications for the Customs Clearance of Enterprises
	<a href="#">GAC Ann. № 30</a>	Announcement on Starting the Implementation of the TIR Convention Pilot Project
04-27-18	<a href="#">GAC Ann. № 32</a>	Announcement on the "Regulations of the People's Republic of China on Customs Enterprise Credit Management" and Related Supporting System Implementation

## 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
03-04-18	<a href="#">Strategic Trade Controls Cir. № 5/2018 - Officers Authorized to Sign on Strategic Commodities Licences and Delivery Verification Certificates under Import and Export Ordinance, Cap 60 Import and Export (Strategic Commodities) Regulations</a>
20-04-18	<a href="#">Circular on United Nations Sanctions (Somalia) (Amendment) Regulation 2018</a>

## INDIA

### Indian Government promotes implementation of internal compliance programs for export controls

The Indian Director General of Foreign Trade, Mr Alok Vardhan Chaturvedi, has called upon industry to introduce internal compliance programs (ICP) for export controls.

India's entry into new multilateral export control regimes has presented a number of new opportunities for business, however, Mr Chaturvedi highlighted the responsibilities that are incumbent on Indian industry, which include the adoption and implementation of appropriate ICP.

His comments came at the launch of the Federation of Indian Chambers of Commerce and Industry (FICCI) ICP module for Indian industry, proposed as an industry template. Mr Chaturvedi also suggested the evolution of an institutional structure, with an active "To Do" list that is subject to regular monitoring.

FICCI has previously confirmed in a statement that the adoption of ICP introduces checks and balances which are necessary for industry to request exemption or bulk licenses. This in turn will facilitate the expansion of India's export market, which the recently released draft Defense Production Policy envisages reaching US\$ 50 billion by 2032.

For additional information, please contact [Philippe Reich](#) or [Meera Rolaz](#).

### CBEC is now CBITC

The Central Board of Excise and Customs (CBEC) has been renamed Central Board of Indirect Taxes and Customs (CBIC) to reflect the board's additional responsibilities under the CGST and IGST laws.

### Other CBEC and DGFT notifications, circulars and instructions

The following Central Board of Excise and Customs (CBEC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than anti-dumping, countervailing duty and safeguard) and Directorate General of Foreign Trade (DGFT) notifications (N) were issued during the period covered by this Update [Note; BCD is basic customs duty]:

Date	Series and No	Subject
<b>CBEC/CBIC</b>		
02-04-18	<a href="#">36/2018-Cus (T)</a>	seeks to increase tariff rate of BCD on populated, loaded or stuffed printed circuit boards, falling under tariff item 8517 70 10, of the First Schedule to the Customs Tariff Act, 1975 from Nil to 10%.
	<a href="#">37/2018-Cus (T)</a>	seeks to further amend notification No. 57/2017-Customs dated 30.06.2017 so as to withdraw exemption from BCD on Printed Circuit Board Assembly (PCBA), Camera Module and Connectors, of cellular mobile phones and impose 10% BCD on them.
	<a href="#">38/2018-Cus (T)</a>	seeks to further amend notification No. 24/2005-Customs dated 01.03.2005 so as to withdraw exemption from BCD on Printed Circuit Board Assembly (PCBA), of cellular mobile phones and impose 10% BCD on them.
	<a href="#">39/2018-Cus (T)</a>	seeks to further amend notification No. 25/2005-Customs dated 01.03.2005 so as to withdraw exemption from BCD on Camera Module and Connectors, of cellular mobile phones and impose 10% BCD on them.
	<a href="#">40/2018-Cus (T)</a>	seeks to further amend notification No. 50/2017-Customs dated 30.06.2017 so as to withdraw exemption from BCD on Camera Module and Connectors, of cellular mobile phones and impose 10% BCD on them.
	<a href="#">29/2018-Cus (NT)</a>	Pre-notice consultation regulations, 2018
04-04-18	<a href="#">30/2018-Cus (NT)</a>	Non-levy of additional duty of customs to jute importers from Nepal u/s 28 A of Customs Act, 1962"
05-04-18	<a href="#">31/2018-Cus (NT)</a>	Exchange Rates Notification No.31/2018-Custom(NT) dated 5.4.2018
06-04-18	<a href="#">41/2018-Cus (T)</a>	seeks to amend notification Nos.11/2018-Customs, 12/2018-Customs, 13/2018-Customs and 21/2018-Customs, all dated 2nd February 2018.
	<a href="#">42/2018-Cus (T)</a>	seeks to rescind notification nos. 7/2018-Customs, 8/2018-Customs, 19/2018-Customs and 20/2018-Customs all dated 2nd February 2018..
10-04-18	<a href="#">43/2018-Cus (T)</a>	seeks to increase tariff rate of BCD on tariff items covered under tariff sub head 0404 10 ie. Whey and modified Whey, whether or not concentrated or containing added sugar or other sweetening matter, and under tariff item 0404 90 00 ie. Other Whey from present 30% to 40% by invoking section 8A (1) of the Customs Tariff Act, 1975.
	<a href="#">44/2018-Cus (T)</a>	seeks to amend notification No. 50/2017 Customs dated 30.06.2017 so as to maintain effective rate of BCD on Whey, concentrated, evaporated or condensed, liquid or semi-solid (0404 10 10) and Other Whey (0404 90 00) at 30%.
13-04-18	<a href="#">32/2018-Cus (NT)</a>	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver.
19-04-18	<a href="#">33/2018-Cus (NT)</a>	Exchange Rates Notification No.33/2018-Custom(NT) dated 19.4.2018
27-04-18	<a href="#">34/2018-Cus (NT)</a>	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver- Reg
<b>DGFT</b>		
06-04-18	<a href="#">N 01/2015-2020</a>	Export Policy of Edible Oils - Removal of Prohibition on Export of all varieties of Edible Oil, except Mustard Oil
16-04-18	<a href="#">N 02/2015-2020</a>	Incorporation of new HS Codes for laying down import policy for Kabuli Chana, Bengal gram and Others under Exim Code 0713 of Chapter 07 of ITC (HS), 2017, Schedule - I (Import Policy).
	<a href="#">N 03/2015-2020</a>	Amendment in import policy conditions under Exim Code

Date	Series and No	Subject
		9022 of Chapter 90 of ITC (HS), 2017, Schedule - I (Import Policy).
25-04-18	<a href="#">N 04/2015-2020</a>	Amendment in import policy of Peas under Chapter 7 of the ITC (HS) 2017, Schedule I (Import Policy)
	<a href="#">N 05/2015-2020</a>	Amendment in Para 1.05(b) Foreign Trade Policy 2015-2020

## Antidumping and countervailing duty cases

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

## INDONESIA

### Safeguard investigation launched on ceramic flags and paving, hearth or wall tiles; ceramic mosaic cubes and the like

On 3 April 2018, Indonesia notified the WTO's Committee on Safeguards that it initiated on 29 March 2018 a safeguard investigation on ceramic flags and paving, hearth or wall tiles; ceramic mosaic cubes and the like, whether or not on a backing.

In the notification Indonesia indicated, among other things, as follows:

#### "4. POINT OF CONTACT FOR THE INVESTIGATION

The contact information of the Investigating Authority for correspondence is:  
 THE INDONESIAN SAFEGUARDS COMMITTEE  
 (Komite Pengamanan Perdagangan Indonesia/KPPI)  
 Jl. M.I. Ridwan Rais No.5, Building I, 5th floor, Jakarta 10110  
 Telephone / Facsimile: (62-21) 385 7758  
 E-mail: [kppi@kemendag.go.id](mailto:kppi@kemendag.go.id)

#### 5. DEADLINES AND PROCEDURES TO PRESENT EVIDENCE AND VIEWS BY INTERESTED PARTIES

(i) Those having substantial interest and wishing to be considered as interested parties in this investigation should submit written request within a period of 15 working days in Indonesia from the date of initiation to the Investigating Authority. All submissions and request made by interested parties must be sent both in written letter and in electronic format, and must indicate the name, address, e-mail address, telephone and fax number of the interested parties.

(ii) In Accordance with article 3.1 WTO Agreement on Safeguard, the Government of the Republic of Indonesia will conduct a hearing in order to provide opportunities for those Members who having a substantial interest to present their evidence and views, Hearing is scheduled to be held on Friday, 20 April 2018 at 10.00 -11.30 am. All interested parties, who wish to participate in the hearing and all written evidence and views, submitted to the Investigating Authority not later than 19 April 2018. Registration on the day of the hearing (20 April 2018) will start at 09.00 am and only authorized representatives will have access to the hearing. "

Further information is available in [G/SG/N/6/IDN/28](#).

## MALAYSIA

### Federal Government Gazette

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

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

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Date	Matter
04-04-18	<a href="#">P.U. (A) 86/2018- Customs Duties (Exemption) (Amendment) Order 2018 - Customs Act 1967</a>
05-04-18	<a href="#">P.U. (B) 162/2018- Free Zones (Declared Area) Notification 2018 - Free Zones Act 1990</a>
	<a href="#">P.U. (B) 163/2018- Free Zones (Amendment Of First Schedule) Notification 2018 - Pasir Gudang, Johor - Free Zones Act 1990</a>
09-04-18	<a href="#">P.U. (B) 169/2018 Free Zones (Declared Area) Notification 2018 - Tanjung Langsat, Johor - Free Zones Act 1990</a>
	<a href="#">P.U. (B) 170/2018 - Free Zones (Amendment Of First Schedule) Notification 2018 - Tanjung Langsat, Johor - Free Zones Act 1990</a>
10-04-18	<a href="#">P.U. (B) 172/2018 - Notification of Values of Crude Petroleum Oil (No.8) 2018 Under Section 12 - Customs Act 1967</a>
23-04-18	<a href="#">P.U. (B) 210/2018 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967</a>
27-04-18	<a href="#">P.U. (B) 216/2018 - Notification of Values of Palm Kernal Under Section 12 - Customs Act 1967</a>

## Customs rulings

Monthly compendiums of Customs classification rulings (with images where available) are available on the 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](#).

## PHILIPPINES

Entry into force of the multilateral EFTA-Philippines free trade agreement on 1 June 2018

[See article under SWITZERLAND in EU-EFTA section below.](#)

## SINGAPORE

Notices, circulars, etc.

Date	Reference	Matter
20-04-18	<a href="#">Notice 05/2018</a>	National Trade Platform (NTP) rolls out Business - To - Business (B2B) Tier of Services, Charges to commence only in January 2019
26-04-18		<a href="#">Summary of responses to public feedback on proposed amendments to Customs Act</a>

## VIETNAM

Decree No. 27/2018/ND-CP amending and supplementing Decree No. 72/2013/ND-CP on Internet Services and Online Information

The Government of Vietnam recently issued Decree No. 27/2018/ND-CP ("Decree No. 27") to amend and supplement Decree No. 72/2013/ND-CP dated 15 July 2013 on the management, provision, and use of Internet services and online information ("Decree No. 72"). Decree No. 27 took effect on 15 April 2018.

The notable updates are as below:

- Consolidated regulations from circulars;
- Consolidated requirements for aggregated information websites and social networks; and

- Suspension and revocation of license to establish an aggregated information website, social network, or online game service.

Click [here](#) to read our full Client Alert. Should you wish to obtain further information or want to discuss any issues raised in this alert with us, please contact: [Seck Yee Chung](#) or [Dang Thanh Son](#).

## Europe, Middle East and North Africa

### *EUROPEAN UNION AND EFTA*

#### Myanmar/Burma: EU strengthens arms embargo and adopts framework against serious human rights violations

On 27 April 2018, the EU published legislation imposing further restrictive measures on Myanmar/Burma, strengthening the EU's arms embargo and targeting the Myanmar/Burma army and border guard police officials. These measures, which came into force today, are contained in [Council Regulation 2018/647](#), and are a direct follow up to the [Foreign Affairs Council conclusions](#) of 26 February 2018 on the situation in Myanmar/Burma.

Firstly, the measures adopt a legal framework for targeted restrictive measures against certain persons from the Myanmar Armed Forces (Tatmadaw) and the border guard police. The measures will make it possible to impose travel bans and asset freezes on individuals responsible for:

- serious human rights violations, for example inciting violence, discrimination and acts of violence against persons belonging to minorities in Rakhine and obstructing the voluntary and safe return process of displaced persons from Rakhine State to their place of origin;
- obstructing the conduct of independent investigations into alleged serious human rights violations or abuses; or
- obstructing the rapid and unimpeded passage of humanitarian assistance for civilians in need.

Secondly, the measures strengthen the EU's arms embargo on Myanmar/Burma in the following ways:

- extend for one year the existing embargo on arms and equipment that can be used for internal repression; and
- prohibit the provision of military training to and military cooperation with the Myanmar/Burma army.

Thirdly, the measures prohibit the export of dual-use goods for use by the military and border guard police and impose restrictions on the export of equipment for monitoring communications that might be used for internal repression.

In its conclusions on 26 April 2018 the Council referred to the situation in Myanmar/Burma, in particular Rakhine State, as "*extremely serious*", condemning ongoing widespread, systematic grave human rights violations committed by the Myanmar/Burma military and security forces, including rape and killings, and calling upon the Government of Myanmar/Burma and the security forces to ensure that security, the rule of law and accountability prevail.

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

## EU introduces surveillance of certain aluminium products

On 26 April 2018, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2018/640 of 25 April 2018 introducing prior Union surveillance of imports of certain aluminium products originating in certain third countries](#). The Regulation seeks to address the problem of significant oversupply of aluminium from the PRC and section 232 action by the United States. These activities may lead to substantial trade diversion and price depression on the Union market.

The release for free circulation in the Union of certain aluminium products listed in Annex I to the Regulation shall be subject to prior Union surveillance in accordance with [Regulation \(EU\) 2015/478](#) and [Regulation \(EU\) 2015/755](#). This applies to imports whose net weight exceeds 2 500 kg established for each individual tariff and statistical nomenclature of the Union ('TARIC') code subject to prior surveillance.

Products to which surveillance applies shall be put into free circulation in the Union only on production of a surveillance document issued by the competent authority designated by a Member State. The surveillance document (valid for four months) shall be issued automatically by the competent authorities in the Member States, free of charge and for any quantities requested, within five working days of the presentation of an application by any importer into the Union, wherever it may be established in the Union. Unused or partly used surveillance documents may be renewed for an equal period.

A finding that the unit price at which the transaction is effected varies from that indicated in the surveillance document by less than 5 % in either direction or that the total quantity of the products presented for import exceeds the quantity given in the surveillance document by less than 5 % shall not preclude the release for free circulation of the products in question.

Applications for surveillance documents and the documents themselves shall be confidential. They shall be restricted to the competent authorities and the applicant.

The classification of the products covered by the Regulation is based on TARIC. The origin of the products covered by this Regulation shall be determined in accordance with Article 60 of Regulation (EU) No 952/2013 of the European Parliament and of the Council.

Products originating in Norway, Iceland and Liechtenstein are exempted from the obligation set out above.

List of products subject to prior Union surveillance: 7601, 7604, 7605, 7606, 7607, 7608, 7609 and 7616.99.

Countries listed in [Regulation \(EU\) 2015/755 of the European Parliament and of the Council](#): Azerbaijan, Belarus, Kazakhstan, North Korea, Turkmenistan and Uzbekistan.

## Entry into force of the multilateral EFTA-Philippines free trade agreement on 1 June 2018

[See article under SWITZERLAND below.](#)

### EU lowers CDSOA retaliatory duties on US goods

On 25 April 2018, the *Official Journal* published [Commission Delegated Regulation \(EU\) 2018/632 of 19 February 2018 amending Council Regulation \(EC\) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America](#) which revises the amount of the additional duty on goods from the United States that are subject to retaliatory duties as a result of the United States' failure to bring the *Continued Dumping and Subsidy Offset Act* (CDSOA, also known as the 'Byrd Amendment') in compliance with its obligations under the WTO agreements. In conformity with the WTO authorisation to suspend the application of concessions to the United States, the Commission is required to adjust the level of suspension annually to the level of nullification or impairment caused by the CDSOA to the European Union at that time.

The CDSOA disbursements for the most recent year for which data are available relate to the distribution of anti-dumping and countervailing duties collected during the Fiscal Year 2017 (1 October 2016-30 September 2017). On the basis of the data published by the United States' Customs and Border Protection, the level of nullification or impairment caused to the Union is calculated at USD 682 823.

The level of nullification or impairment and consequently of suspension has decreased. However, the level of suspension cannot be adjusted to the level of nullification or impairment by adding or removing products from the list in Annex I to Regulation (EC) No 673/2005. By removing all of the products but one, the level of retaliation (4,3 % of additional import duty) would be in excess of, whereas by leaving the last product in Annex I, it would be below the 72 % of the CDSOA disbursement amount. As a consequence, in accordance with Article 3(1)(e) of that Regulation, the Commission is keeping list of products in Annex I unchanged and is instead amending the rate of the additional duty in order to adjust the level of suspension to the level of nullification or impairment. The four products listed in Annex I should therefore be maintained on the list and the rate of additional import duty should be amended and set at 0,3 %.

Accordingly, Regulation (EC) No 673/2005 is amended as follows:

(1) Article 2 of Regulation (EC) No 673/2005 is replaced by the following:

#### 'Article 2

An ad valorem duty of 0,3 % additional to the customs duty applicable under Regulation (EU) No 952/2013 (\*1) shall be imposed on the products originating in the United States of America listed in Annex I to this Regulation.

(2) Annex I to Regulation (EC) No 673/2005 is replaced by the text in the Annex to this Regulation.

#### ANNEX I

The products on which additional duties are to apply are classified under the eight-digit CN codes and match the given descriptions.

0710 40 00	Sweetcorn
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6204 62 31	Women's or girl's trousers and breeches, other than industrial and occupational, of denim cotton
8705 10 00	Crane lorries
ex 9003 19 00	Frames and mountings for spectacles, goggles or the like, of base metal

## EU and Mexico reach new agreement on trade

On 21 April 2018, the European Commission [announced](#) that the European Union and Mexico reached a new agreement on trade, part of a broader, modernised EU-Mexico Global Agreement. Practically all trade in goods between the EU and Mexico will now be duty-free, including in the agricultural sector. Excerpts from the announcement follow:

Simpler customs procedures will further benefit the EU's industry, including in sectors like pharmaceuticals, machinery and transport equipment. The agreement also lays down progressive rules on sustainable development. Among other things, the EU and Mexico have committed to effectively implementing their obligations under the Paris Agreement on climate change. It will also be the first EU trade agreement to tackle corruption in the private and public sectors.

\*\*\* [Quotes omitted.]

Today's agreement – once finalised and approved – will benefit both companies and consumers across Europe and advance the EU's values-based trade policy agenda. The agreement in principle struck today brings the EU's trade relationship with Mexico into the modern era, tearing down most of the remaining barriers to trade.

Since the previous EU-Mexico trade agreement came into force in 2000, trade between the EU and Mexico has risen at a rate of around 8% per year, resulting in an overall increase of 148% in trade in goods over the period. Despite these positive results, there was still a wide margin for improving the trade relationship that the new agreement is addressing, by making virtually all trade in goods duty-free.

### The main elements of the agreement

1) **Agricultural exports** from the EU are set to benefit the most, such as poultry, cheese, chocolate, pasta, and pork.

The agreement will, in particular:

- provide preferential access for many cheeses such as Gorgonzola and Roquefort, which currently are up to 20%, and gain significant new access for many others within annual quotas;
- secure a considerable volume for milk powder exports in one of the largest markets, starting with 30,000 tonnes from entry into force, rising to 50,000 tonnes after 5 years;
- allow the EU to substantially increase its pork exports to Mexico, with duty-free trade for virtually all pork products;
- eliminate tariffs for products like chocolate (currently up to 30%) and pasta (currently up to 20%);
- ensure the protection from imitation for 340 distinctive European foods and drink products in Mexico, so-called geographical indications, such as Comté cheese from France, Queijo São Jorge cheese from Portugal, Szegedi szalámi from Hungary, and Magiun de prune Topoloveni plums from Romania. This means that EU producers of traditional delicacies are not struggling against copies, and when consumers buy these products they can do so knowing they are buying the real thing.

When it comes to customs procedures, the new agreement will bring in new rules to simplify and speed up paperwork and physical checks at Mexican customs.

2) The agreement includes a comprehensive trade and sustainable development chapter, which sets the highest standards of labour, safety, environmental and consumer protection; introduces a new dialogue with civil society in all areas of the agreement, strengthens the EU and Mexico's actions on sustainable development and climate change, notably the obligations both sides undertook under the Paris Agreement on climate change; and maintains and fully safeguards Member States' right to organise public services the way they choose.

The agreement also includes an explicit reference to the precautionary principle that, already enshrined in the EU treaties, allows the EU to keep products out of its market as long as there is no scientific certainty that they are safe.

It will also be the very first EU trade agreement to include provisions to fight corruption, with measures to act against bribery and money laundering. The broader Global Agreement, of which the trade agreement is an integral part, also covers the protection of human rights, as well as chapters on political and development cooperation.

3) The agreement is a big step forward in giving companies mutual access to government contracts in both the EU and Mexico public procurement markets. EU and Mexican companies will be placed on an equal footing, irrespective of whether they present a bid in Mexico or in the EU. Mexico has also committed itself to enter into negotiations with the Mexican States to allow EU firms to tender for contracts at State level by the time the agreement is signed.

4) This opening goes hand in hand with setting a level playing-field: we agreed a high level of protection of intellectual property rights. This protects EU research and development and guarantees fair pay for EU artists, as well as the 340 traditional EU delicacies mentioned above.

5) The new agreement opens up trade in services, such as financial services, transport, e-commerce, and telecommunications. The agreement will also help develop an favourable environment for a knowledge-based economy, with a new chapter on digital trade. This will remove unnecessary barriers to online trade, like charging customs duties when downloading an app, and will put in place clear rules to protect consumers online.

6) On investment protection, the agreement improves investment conditions and includes the EU's new Investment Court System, ensuring transparency and the right of governments to regulate in the public interest, and will also ensure that Mexico and the EU work towards the setting up of a Multilateral Investment Court.

Overall, this agreement will strengthen Europe's leadership in shaping globalisation by putting in place trade rules that are in line with the EU's core values and safeguard the EU's interests and sensitivities. In doing so, it contributes to addressing challenges identified in the reflection paper on [Harnessing Globalisation](#) presented by the Commission as part of the [White Paper process](#).

#### Next Steps

Today's agreement in principle includes the most important elements of the agreement. In some chapters, technical details still need to be tied up. Based on today's agreement in principle, negotiators from both sides will continue their work to resolve the remaining technical issues and finalise the full legal text by the end of the year. Then, the Commission will proceed with the legal verification and translation of the agreement into all official EU languages, and will subsequently submit it for approval by the European Parliament and Council of the European Union.

- [The agreement in principle](#) (18 page summary)
- [Fact Sheet](#)

#### EU issues revised form for requesting customs IPR protection

On 18 April 2018, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2018/582 of 12 April 2018 amending Implementing Regulation \(EU\) No 1352/2013 establishing the forms provided for in Regulation \(EU\) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights](#) (the "amending Regulation"). The

amending Regulation revises the application form to be used when requesting customs action to enforce intellectual property rights (IPR). The form has been adapted to take account of the practical experience made in using the form established in [Regulation \(EU\) 1352/2013](#) as well as to ensure a trouble free transmission and exchange of information via the central database referred to in Article 31 of Regulation (EU) No 608/2013. The revisions are:

- Details concerning the applicant shall be entered in box 1 ('Applicant'). It shall contain information on the name and complete address of the applicant, his Taxpayer Identification Number, any other national registration number or his Economic Operator Registration and Identification Number (EORI-No), which is a number, unique throughout the Union, assigned by a customs authority in a Member State to economic operators involved in customs activities, his telephone, mobile telephone or fax number and his email address. The applicant may also enter, where appropriate, his website address;
- Where an application is submitted after the customs authorities have suspended the release of or detained the goods at their own initiative, in accordance with Article 18 of Regulation (EU) No 608/2013, this shall be indicated on the application form in box 2 by the applicant, by ticking the box 'National application (cf. Article 5(3))';
- The application was updated to reflect the replacement in [Regulation \(EU\) 2015/2424](#) of the term 'Community trade mark' by the term 'European Union trade mark';
- In case of a Union application, where the applicant requests the use of the procedure for the destruction of goods in small consignments in accordance with Article 26 of Regulation (EU) No 608/2013, he is now able to specify whether he wishes that procedure to be used in all the Member States or in one or several specific Member States, by ticking the appropriate box of the Member State, or Member States, in which he wishes to have the procedure applied;
- The applicant is required to provide in the application form the names and addresses of involved companies and traders as that information is relevant to the customs authorities' analysis and assessment of the risk of infringement;

Taking into account that, in accordance with Article 31 of Regulation (EU) No 608/2013, all exchanges of data on decisions relating to applications and detentions between the Member States and the Commission are to be made via the central database of the Commission and that that database needs to be adjusted to the new application form, the amendments to Annexes I and III to Implementing Regulation (EU) No 1352/2013 shall apply from 15 May 2018.

## EFTA Parliamentary Committee members discuss Brexit with counterparts in the UK

On 12 April 2018, the European Free Trade Association (EFTA) [announced](#) that:

A delegation of 19 members of the EFTA Parliamentary Committee (PC) met their counterparts in the Parliament of the United Kingdom (UK) and together they held a series of meetings with other high-ranking officials and stakeholders, during a three-day visit to London on 19-21 March. The main purpose of the visit is to discuss future trade relations between the UK and the EFTA States after Brexit.

The Parliamentary Committee (PC) is a forum for parliamentarians from the four EFTA states, providing the Association with a valuable link to political life in each EFTA country and, through its cooperation with parliamentarians in the European Union, serves as a link between political life in EFTA and the EU. Read more about the Committee [here](#).

The visit to London is one of the most important events of the year, as future relations with the UK are of utmost importance to all EFTA states. The Committee is currently chaired by Ms Karin Keller-Sutter from Switzerland.

In the morning of 20 March, the PC met with members of the Exiting the European Union Committee and the International Trade Committee at the House of Commons.

Ms Keller-Sutter reflected on how the UK exit from the EU will have a direct impact on the relationship between the UK and the EFTA States, as the current agreements (EEA Agreement and Swiss bilateral agreements) will no longer apply to the UK.

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See full [press release](#) for additional information.

## Commission amends CN to clarify test for 'inulin syrup'

On 9 April 2018, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2018/549 of 6 April 2018 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#) to clarify the test for 'inulin syrup'. Additional note 6 to Chapter 17 of the Combined Nomenclature defines 'inulin syrup' for the purposes of CN sub-headings 1702 60 80 and 1702 90 80. It is an immediate product obtained by hydrolysis of inulin or oligofructoses, containing in the dry state a definite amount of fructose in free form or as sucrose. However, it appears that customs laboratories in the Union interpret the phrase 'fructose in free form or as sucrose' mentioned in Additional note 6 to Chapter 17 differently. In order to clarify the matter, the following paragraph is added to Additional note 6 to Chapter 17 of Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87:

*'The quantity of "fructose in free form or as sucrose" shall be determined using the formula  $F + 0,5 S/0,95$  calculated on the dry matter, where "F" is the fructose content and "S" is the sucrose content, as determined by the High Performance Liquid Chromatography method.'*

## Commission issues tariff classification regulations

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

## Amendments to the CN Explanatory Notes

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

## Binding Tariff Information

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

Binding Tariff Information is issued on request to economic operators by the customs authorities of the Member States. It is valid throughout the Community, 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
03-04-18	<a href="#">Information concerning the entry into force of the Agreement for scientific and technological cooperation between the European Union and the Arab Republic of Egypt setting out the terms and conditions for the participation of the Arab Republic of Egypt in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)</a>
	<a href="#">Information concerning the entry into force of the Agreement for scientific and technological cooperation between the European Union and the Hashemite Kingdom of Jordan setting out the terms and conditions for the participation of the Hashemite Kingdom of Jordan in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)</a>
	<a href="#">Commission Implementing Regulation (EU) 2018/520 of 28 March 2018 amending Regulation (EU) No 37/2010 to classify the substance solvent naphtha, light aromatic, as regards its maximum residue limit</a>
	<a href="#">Commission Implementing Regulation (EU) 2018/521 of 28 March 2018 amending Regulation (EC) No 1296/2008 laying down detailed rules for the application of tariff quotas for imports of maize and sorghum into Spain and imports of maize into Portugal</a>
	<a href="#">Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) [2018/C 117/03]</a>
04-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/523 of 28 March 2018 amending Regulation (EU) No 37/2010 to classify the substance fluazuron as regards its maximum residue limit</a>
	<a href="#">Commission Implementing Regulation (EU) 2018/524 of 28 March 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances <i>Bacillus subtilis</i> (Cohn 1872) Strain QST 713, identical with strain AQ 713, clodinafop, clopyralid, cyprodinil, dichlorprop-P, fosetyl, mepanipyrim, metconazole, metrafenone, pirimicarb, <i>Pseudomonas chlororaphis</i> strain: MA 342, pyrimethanil, quinoxifen, rimsulfuron, spinosad, thiacloprid, thiamethoxam, thiram, tolclofos-methyl, triclopyr, trinexapac, triticonazole and ziram</a>
	<a href="#">Commission communication in the framework of the implementation of Directive 2009/142/EC of the European Parliament and of the Council relating to appliances burning gaseous fuels (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 181/05]</a>
05-04-18	<a href="#">Decisions of the EEA Joint Committee No 207/2016 through 215/2006 of 28 October 2016 amending Annexes II (Technical regulations, standards, testing and certification), XIII (Transport) and XX (Environment) to the EEA Agreement Corrigendum to various Decisions of the EEA Joint Committee</a>
06-04-18	<a href="#">Commission Delegated Regulation (EU) 2018/543 of 23 January 2018 correcting the Spanish language version of Commission Delegated Regulation (EU) No 812/2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of water heaters, hot water storage tanks and packages of water heater and solar device</a>
09-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/549 of 6 April 2018 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff</a>
	<a href="#">Commission Implementing Regulation (EU) 2018/550 of 6 April 2018 amending Annex II to Regulation (EC) No 684/2009 implementing Council Directive</a>

OJ Date	Subject
	<a href="#">2008/118/EC as regards the computerised procedures for the movement of excise goods under suspension of excise duty</a> <a href="#">Commission Implementing Decision (EU) 2018/552 of 6 April 2018 updating the references in Council Directive 2003/96/EC to the codes of the Combined Nomenclature for certain products</a> <a href="#">Commission notice on technical guidance on the classification of waste [2018/C 124/01]</a>
10-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/555 of 9 April 2018 concerning a coordinated multiannual control programme of the Union for 2019, 2020 and 2021 to ensure compliance with maximum residue levels of pesticides and to assess the consumer exposure to pesticide residues in and on food of plant and animal origin</a>
11-04-18	<a href="#">Commission Implementing Decision (EU) 2018/560 of 10 April 2018 amending the Annex to 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) 2191)</a> <a href="#">Commission notice on Community guides to good practice [2018/C 128/03]</a>
12-04-18	<a href="#">Commission Delegated Regulation (EU) 2018/561 of 29 January 2018 amending Delegated Regulation (EU) 2016/127 with regard to protein requirements for follow-on formula</a> <a href="#">Commission Implementing Regulation (EU) 2018/562 of 9 April 2018 amending Implementing Regulation (EU) No 1354/2011 opening annual Union tariff quotas for sheep, goats, sheepmeat and goatmeat</a> <a href="#">EFTA Surveillance Authority Decision No 226/17/COL of 19 December 2017 releasing Norway from the obligation to apply to certain species the Act referred to at point 2 of Part 1 of Chapter III of Annex I to the Agreement on the European Economic Area, Council Directive 66/401/EEC on the marketing of fodder plant seed [2018/564]</a>
13-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/567 of 12 April 2018 opening and providing for the administration of import tariff quotas of sausages and pig meat originating in Iceland</a>
16-04-18	<a href="#">Commission Delegated Regulation (EU) 2018/573 of 15 December 2017 on key elements of data storage contracts to be concluded as part of a traceability system for tobacco products</a> <a href="#">Commission Implementing Regulation (EU) 2018/574 of 15 December 2017 on technical standards for the establishment and operation of a traceability system for tobacco products</a> <a href="#">Commission Implementing Decision (EU) 2018/576 of 15 December 2017 on technical standards for security features applied to tobacco products (notified under document C(2017) 8435)</a>
17-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/578 of 13 April 2018 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds</a> <a href="#">Commission Implementing Regulation (EU) 2018/579 of 16 April 2018 amending Council Regulation (EC) No 312/2003 as regards an additional Union tariff quota for certain agricultural products originating in Chile</a> <a href="#">Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products [2018/C 135/06]</a>
18-04-18	<a href="#">Council Regulation (EU) 2018/581 of 16 April 2018 temporarily suspending the autonomous Common Customs Tariff duties on certain goods of a kind to be incorporated in or used for aircraft, and repealing Regulation (EC) No 1147/2002</a> <a href="#">Commission Implementing Regulation (EU) 2018/582 of 12 April 2018 amending Implementing Regulation (EU) No 1352/2013 establishing the forms provided for in Regulation (EU) No 608/2013 of the European Parliament and of the Council concerning customs enforcement of intellectual property rights</a>
19-04-18	<a href="#">Amendments to the Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention 1975)</a> <a href="#">Commission Regulation (EU) 2018/588 of 18 April 2018 amending Annex XVII</a>

OJ Date	Subject
	<p><a href="#">to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards 1-methyl-2-pyrrolidone</a></p> <p><a href="#">Commission Regulation (EU) 2018/589 of 18 April 2018 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards methanol</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/594 of 13 April 2018 on the identification of benzene-1,2,4-tricarboxylic acid 1,2 anhydride (trimellitic anhydride) (TMA) as a substance of very high concern according to Article 57(f) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (notified under document C(2018) 2112)</a></p> <p><a href="#">Decision No 1/2018 of the Geographical Indications Sub-Committee of 14 March 2018 modifying Annexes XVII-C and XVII-D to 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 [2018/577]</a></p>
20-04-18	<p><a href="#">Council Decision (EU) 2018/600 of 10 October 2016 on the signing, on behalf of the European Union, of the Agreement between the European Union and New Zealand on cooperation and mutual administrative assistance in customs matters</a></p> <p><a href="#">Council Decision (EU) 2018/601 of 16 April 2018 on the conclusion, on behalf of the European Union, of the Agreement between the European Union and New Zealand on cooperation and mutual administrative assistance in customs matters</a></p> <ul style="list-style-type: none"> <li><a href="#">Agreement between the European Union and New Zealand on cooperation and mutual administrative assistance in customs matters</a></li> </ul> <p><a href="#">Commission Implementing Regulation (EU) 2018/604 of 18 April 2018 amending Implementing Regulation (EU) 2015/2447 as regards the procedural rules to facilitate the establishment in the Union of the preferential origin of goods, and repealing Regulations (EEC) No 3510/80 and (EC) No 209/2005</a></p> <p><a href="#">Commission Implementing Regulation (EU) 2018/608 of 19 April 2018 laying down technical criteria for electronic tags for marine equipment</a></p>
23-04-18	<p><a href="#">Commission Implementing Regulation (EU) 2018/613 of 20 April 2018 approving PHMB (1415; 4.7) as an existing active substance for use in biocidal products of product-types 2 and 4</a></p> <p><a href="#">Commission Implementing Regulation (EU) 2018/614 of 20 April 2018 approving azoxystrobin as an active substance for use in biocidal products of product-types 7, 9 and 10</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/618 of 19 April 2018 amending Implementing Decision 2012/535/EU as regards measures to prevent the spread within the Union of <i>Bursaphelenchus xylophilus</i> (Steiner et Buhner) Nickle et al. (the pine wood nematode) (notified under document C(2018) 2227)</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/619 of 20 April 2018 not approving PHMB (1415; 4.7) as an existing active substance for use in biocidal products of product-types 1, 5 and 6</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/622 of 20 April 2018 not approving chlorophene as an existing active substance for use in biocidal products of product-type 3</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/623 of 20 April 2018 amending the Annex to 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) 2481)</a></p> <p><a href="#">Commission Recommendation (EU) 2018/624 of 20 April 2018 on cross-border market access for sub-suppliers and SMEs in the defence sector</a></p> <p><a href="#">Corrigendum to Commission Implementing Regulation (EU) No 652/2012 of 13 July 2012 correcting Regulation (EC) No 543/2008 laying down detailed rules for the application of Council Regulation (EC) No 1234/2007 as regards the marketing standards for poultrymeat ( OJ L 190, 19.7.2012 )</a></p> <p><a href="#">Corrigendum to Commission Regulation (EU) 2018/589 of 18 April 2018 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament</a></p>

OJ Date	Subject
	<p><a href="#">and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards methanol ( OJ L 99, 19.4.2018 )</a></p> <p><a href="#">Corrigendum to Commission Decision 2010/270/EU of 6 May 2010 amending Parts 1 and 2 of Annex E to Council Directive 92/65/EEC as regards the model health certificates for animals from holdings and for bees and bumble bees (notified under document C(2010) 2624) ( OJ L 118, 12.5.2010 )</a></p> <p><a href="#">Directive (EU) 2018/597 of the European Parliament and of the Council of 18 April 2018 amending Council Directive 92/66/EEC introducing Community measures for the control of Newcastle disease</a></p>
24-04-18	<p><a href="#">Commission Regulation (EU) 2018/627 of 20 April 2018 correcting certain language versions of Regulation (EC) No 1333/2008 of the European Parliament and of the Council on food additives</a></p>
25-04-18	<p><a href="#">Commission Delegated Regulation (EU) 2018/632 of 19 February 2018 amending Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/636 of 17 April 2018 on the identification of dicyclohexyl phthalate (DCHP) as a substance of very high concern according to Article 57(c) and (f) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council (notified under document C(2018) 2167)</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/638 of 23 April 2018 establishing emergency measures to prevent the introduction into and the spread within the Union of the harmful organism <i>Spodoptera frugiperda</i> (Smith) (notified under document C(2018) 2291)</a></p>
26-04-18	<p><a href="#">Council Decision (EU) 2018/639 of 19 March 2018 on the signing, on behalf of the Union, and provisional application of the Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)</a></p> <ul style="list-style-type: none"> <li>• <a href="#">Agreement for scientific and technological cooperation between the European Union and the Kingdom of Morocco setting out the terms and conditions for the participation of the Kingdom of Morocco in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA)</a></li> </ul> <p><a href="#">Commission Implementing Regulation (EU) 2018/640 of 25 April 2018 introducing prior Union surveillance of imports of certain aluminium products originating in certain third countries</a></p> <p><a href="#">Council Decision (EU) 2018/641 of 17 April 2018 on the position to be adopted on the behalf of the European Union within the EU-Algeria Association Committee as regards the modification of the conditions of application of the preferential tariffs for agricultural products and processed agricultural products set out in Article 14 of the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part</a></p> <p><a href="#">Commission Implementing Decision (EU) 2018/642 of 25 April 2018 amending the Annex to 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) 2640)</a></p> <p><a href="#">Communication in accordance with Article 34(7)(a)(iii) of Regulation (EU) No 952/2013 of the European Parliament and of the Council, on decisions relating to binding information issued by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature [2018/C 146/01]</a></p>
27-04-18	<p><a href="#">Commission Delegated Regulation (EU) 2018/649 of 23 January 2018 amending Annex I to Regulation (EC) No 443/2009 of the European Parliament and of the Council as regards the evolution of the mass of new passenger cars registered in 2014, 2015 and 2016</a></p> <p><a href="#">Regulation No 16 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of: I.Safety-belts, restraint systems, child restraint systems and ISOFIX child restraint systems for occupants of power-driven vehicles; II.Vehicles equipped with safety-belts, safe-</a></p>

OJ Date	Subject
	<a href="#">ty-belt reminders, restraint systems, child restraint systems, ISOFIX child restraint systems and i-Size child restraint systems</a> [2018/629]
	<a href="#">Regulation No 132 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of Retrofit Emission Control devices (REC) for heavy duty vehicles, agricultural and forestry tractors and non-road mobile machinery equipped with compression ignition engines</a> [2018/630]
28-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/658 of 25 April 2018 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin</a>
30-04-18	<a href="#">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</a>
	<a href="#">Commission Implementing Regulation (EU) 2018/660 of 26 April 2018 renewing the approval of the active substance bentazone 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</a>
	<a href="#">Commission Implementing Decision (EU) 2018/662 of 27 April 2018 designating the European Union reference laboratory for avian influenza and Newcastle disease and amending Annex VII to Council Directive 2005/94/EC (notified under document C(2018) 2459)</a>
	<a href="#">Commission Implementing Decision (EU) 2018/663 of 27 April 2018 concerning certain interim protective measures relating to African swine fever in Hungary (notified under document C(2018) 2690)</a>

### Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
05-04-18	<a href="#">Commission Implementing Regulation (EU) 2018/537 of 5 April 2018 amending for the 283rd time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations</a>
09-04-18	<a href="#">Council Implementing Regulation (EU) 2018/548 of 6 April 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea</a>
	<a href="#">Council Implementing Decision (CFSP) 2018/551 of 6 April 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea</a>
13-04-18	<a href="#">Council Implementing Regulation (EU) 2018/565 of 12 April 2018 implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran</a>
	<a href="#">Council Decision (CFSP) 2018/568 of 12 April 2018 amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran</a>
	<a href="#">Council Implementing Regulation (EU) 2018/566 of 12 April 2018 implementing Article 9 of Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo</a>
20-04-18	<a href="#">Council Implementing Regulation (EU) 2018/602 of 19 April 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea</a>
	<a href="#">Council Decision (CFSP) 2018/611 of 19 April 2018 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea</a>
23-04-18	<a href="#">Corrigendum to Council Implementing Regulation (EU) 2018/286 of 26 February</a>

OJ Date	Restrictive Measure
	<a href="#">2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea ( OJ L 55, 27.2.2018 )</a>
27-04-18	<a href="#">Council Decision (CFSP) 2018/655 of 26 April 2018 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma</a>
	<a href="#">Council Regulation (EU) 2018/647 of 26 April 2018 amending Regulation (EU) No 401/2013 concerning restrictive measures in respect of Myanmar/Burma</a>
	<a href="#">Council Implementing Decision (CFSP) 2018/656 of 26 April 2018 implementing Decision 2011/486/CFSP concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan</a>
	<a href="#">Council Implementing Regulation (EU) 2018/648 of 26 April 2018 implementing Article 11(4) of Regulation (EU) No 753/2011 concerning restrictive measures directed against certain individuals, groups, undertakings and entities in view of the situation in Afghanistan</a>

## Antidumping and countervailing duty cases

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

## Individual Countries

### FRANCE

#### Official Gazette (*Journal officiel*)

Date	Measure
07-04-18	<a href="#">10 Order of 29 March 2018 amending the amended Decree of 19 January 2016 on the list of authorized fuels under the provisions of Article 265b of the Customs Code</a>
08-04-18	<a href="#">19 Decree of 28 March 2018 amending the amended decree of 28 May 2015 on the terms of repayment of the domestic consumption tax provided for in Article 265 of the Customs Code and of the internal consumption tax on natural gas provided for in Article 266d of the same Code</a>
13-04-18	<a href="#">11 Decree No. 2018-263 of 11 April 2018 issuing the Treaty between the Government of the French Republic and the Government of the United Kingdom of Great Britain and Northern Ireland on Strengthening Cooperation for the Coordinated Management of their common border, signed at Sandhurst on January 18, 2018</a>
20-04-18	<a href="#">2 Law No 2018-281 of 19 April 2018 authorizing the approval of the Additional Protocol to the Agreement of 9 October 1997 between the Government of the French Republic and the Government of the Federal Republic of Germany on cooperation in their zones border crossing between police authorities and customs authorities concerning the cross-border use of aircraft</a>
	<a href="#">28 Decree No. 2018-284 of 18 April 2018 reinforcing the French anti-money laundering and terrorist financing system</a>
25-04-18	<a href="#">7 Decree No. 2018-293 of 23 April 2018 on the publication of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part Signed in Phnom Penh on July 11, 2012</a>

## Notices to importers

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

Release Date	Ref. No. and Subject
13-04-18	<a href="#">2018/21-Notice to importers of sausages and pork originating in Iceland</a>
17-04-18	<a href="#">2018/22-Notice to importers of meat of porcine species originating in Chile</a>
24-04-18	<a href="#">2018/23-Notice to Importers of Steel Cables from the People's Republic of China or Shipped from the Republic of Korea and Morocco</a>
26-04-18	<a href="#">2018/24-Notice to Importers of Certain Products Originating in the United States</a>
27-04-18	<a href="#">2018/25-Notice to importers of aluminum products originating in all third countries (Outside Norway, Liechtenstein and Iceland)</a>
	<a href="#">18-021 Duties and taxes applicable to energy products as of May 1, 2018.</a>

## SWEDEN

### Administrative sanction fees are being imposed by Sweden

On April 15<sup>th</sup> 2018, changes in legislation and guidelines on military equipment were introduced. The amendments apply to the *Military Equipment Act* (1992:1300) and the *Regulation on Military Equipment* (1992:1300), as well as the Swedish guidelines on export and other international cooperation.

A system for administrative sanction fees is introduced in the *Military Equipment Act*. The Inspectorate of Strategic Products (ISP) will be responsible of imposing the sanction fees. Systematic violations may cause significant consequences for the companies.

The violations that may lead to sanction fees are, including but not limited to, non-fulfillment of the obligations under accounting for marketing, end-use declaration etc. in case of export within the EEA, cooperation agreements or ownership in foreign legal entities, notification of use of general authorization etc.. These violations will not be subject to criminal penalties. However, revocation of a licence and prohibition on using a general authorization may be considered. For violations that have occurred before the entry into force of the administrative sanction fees, prior regulations apply; section 12, 15a, 17, 20b and 20c of the *Military Equipment Act* are subject to criminal penalties, whilst no penalties will be imposed for section 11 and 19.

It is the company, i.e., the licensee, that will be subject to the sanction fees. Even governmental agencies may be subject to sanction fees. Neither intent nor negligence is required for liability to be applicable; it is a matter of strict responsibility. Any mitigating circumstances in the individual case may result in being wholly or partly exempted from paying the fee.

The fee is set at a minimum of SEK 3,000 (approximately EUR 300) and a maximum of SEK 200,000 (approximately EUR 20 000) per violation. The amount of the fee will be determined by the extent of the company's business; i.e., SEK 3,000 if the company has an invoiced value not exceeding SEK 250,000, otherwise three percent of the invoiced value up to the maximum amount.

If it is deemed disproportionate to charge a full amount, ISP may, in whole or in part, exempt the company from paying the sanction fee. In its assessment, the ISP will take into account, in particular, if the violation is due to a circumstance that the company neither predicted nor should have had or could not influence, what the company has done to avoid the violation and whether the fee is not proportionate to the violation. However, inadequate internal compliance procedures, lack of knowledge of the regulations, time shortage etc. will in general not result in any exemptions from paying the fee.

In order to mitigate the risk of being imposed with multiple sanction fees, companies should review its internal compliance procedures to ensure that all applicable requirements are complied with.

If you have any questions, please contact one of the authors, [Olof Konig](#), [Seher Budak](#) and [Tristan Grimmer](#).

## SWITZERLAND

### Entry into force of the multilateral EFTA-Philippines free trade agreement on 1 June 2018

On 26 April 2018, the Swiss Federal Department of Finance (FDF) Federal Customs Administration (FCA) issued [Circular No. 071-16.1 PH R-30](#) regarding the entry into force on 1 June 2018 of the [Free Trade Agreement between the EFTA States and the Philippines](#) (FTA or Agreement).

The electronic customs tariff, [Tares](#) will be amended on the date of entry into force to reflect the preferential rates set in the FTA. From the same date, the Philippines will no longer benefit from the preferences of the Generalised System of Preferences for developing countries (GSP). A summary of some of the more important customs-related provisions follow:

The Rules of Origin are set out in [Annex I](#) to the FTA and the list rules in [Appendix 1](#) to Annex I.

For the list rules which require a change in tariff heading or chapter, a general value tolerance of 20% of the ex-works price of the product for non-originating materials applies. This also applies in cases where a list rule requires “wholly obtained”. This tolerance shall not apply to list rules based on value criteria and to products for which the status of wholly obtained or produced referred to in Article 3 of Annex I is to be claimed.

The FTA provides for the cumulation of originating products between EFTA countries and the Philippines. Cumulation with products of other free trade partners is not permitted.

In the case of agricultural products not covered by [Annex II](#), only bilateral cumulation of originating products is allowed, i.e. only between a single EFTA country (i.e. either Switzerland including Liechtenstein or Iceland or Norway) and the Philippines.

Only the origin declaration referred to in Article 13 of [Annex I](#) (see annex) shall be considered proof of origin. It may be issued by the exporter, irrespective of the value of the goods. The origin declaration is to be completed exclusively in English.

For most products in Chapters 25-97, tariff dismantling is asymmetric. While EFTA countries abolish their duties in one step on entry into force, the Philippines will gradually apply duty reductions/exemptions. Tariff dismantling can be seen in detail at the following links: for industrial products: [Philippines Schedule of Tariff Commitments on non-agricultural products](#); for agricultural products: [Tariff concessions Agriculture Philippines - Switzerland](#).

If no valid proof of origin exists at the time of the customs declaration, the person subject to the declaration obligation can request a provisional import assessment for goods that are covered by the Agreement. According to established administrative practice, the proof of origin has to be submitted within two months (period of validity of provisional assessment; moreover, the person subject to the declaration obligation can submit a written and substantiated request for an extension of the deadline before this period of validity expires).

If a provisional assessment was not requested, the customs declaration can be reclaimed at the preferential rate only if all of the prerequisites in accordance with [Article 34](#) of the *Customs Act* are met in full. This means, among other things, that the proof of origin (even if issued retrospectively) must have existed at the time of the

original customs declaration and that the person subject to the declaration obligation made a request to the competent customs office within the set timeframe (within 30 days after leaving customs supervision).

## Tightening of sanctions against North Korea

On 25 April 2018, the Swiss Federal Council [announced](#) that it once again tightened sanctions against the Democratic People's Republic of Korea (North Korea) thereby implementing UN Security Council Resolution 2397 (2017). The new provisions entered into force at 6 pm on 25 April. The announcement said:

Following the North Korean ballistic missile tests of 28 November 2017, which violated all previous Security Council resolutions, the UN Security Council adopted Resolution 2397 (2017) on 22 December 2017, thereby once again significantly strengthening measures against North Korea. The resolution introduces additional measures on trade in goods, further maritime measures and bans on providing work authorisation for North Korean nationals.

As a new measure, North Korean nationals earning income must have their *residence permits* revoked. Permits which cannot be withdrawn due to national or international legal norms are exempt. This measure tightens the existing ban on issuing work authorisations.

The existing *trade restrictions* have been extended. North Korea's imports of refined petroleum products have been reduced to a maximum of 500,000 barrels a year. Crude oil imports are limited to 4 million barrels a year. Compliance with these limits will be monitored by the UN. The supply, sale, export, transit and shipment of industrial machinery, metals and any vehicles is now prohibited. The procurement, purchase, import, transit and shipment of wood, food of plant origin, agricultural products, machinery, electrical equipment and vessels from North Korea is also now prohibited. Compliance with the bans in goods transport will continue to be strictly monitored; all shipments to and from North Korea will be subject to physical inspections by customs authorities.

In terms of *vessel-related measures*, the provision of certain additional insurance and classification services will be prohibited. In addition, the Federal Council can remove ships from the Swiss register if they have been involved in prohibited activities.

The UN Security Council had already imposed sanctions against North Korea due to the state's nuclear programme. The Federal Council adopted the Ordinance on Measures against the Democratic People's Republic of Korea on 25 October 2006, which has since been tightened on a number of occasions. In so doing Switzerland is implementing UN Security Council Resolutions 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2270 (2016), 2321 (2016), 2371 (2017) and 2375 (2017).

If you have any questions, please contact [Philippe Reich](#).

## Recueil Officiel)

Date	Measure
03-04-18	<a href="#">FSVO Order instituting measures to prevent the introduction in Switzerland of avian influenza in certain Member States of the European Union</a> (RS 916.443.102.1)
04-04-18	<a href="#">Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou)</a> (RS 631.012)
10-04-18	<a href="#">Ordinance on Foodstuffs and Usual Items (ODAIous)</a> (RS 817.02)
	<a href="#">DFI Ordinance on Residues of Pharmacologically Active Substances and Feed Additives in Foods of Animal Origin (ORésDAJan)</a> (RS 817.022.13)
	<a href="#">Ordinance of the DFI on food of plant origin, mushrooms and edible salt (ODA-IOV)</a> (RS 817.022.17)
	<a href="#">Ordinance on the enforcement of food legislation (OELDAI)</a> (RS 817.042)
	<a href="#">Ordinance on the Control of Property Usable for Civilian and Military Purposes, Specific Military Goods and Strategic Goods (Ordinance on the Control of As-</a>

Date	Measure
	<a href="#">sets, OCB</a> ) (RS 946.202.1)
16-04-18	<a href="#">FSIV Ordinance instituting measures to prevent the introduction of avian influenza present in certain Member States of the European Union</a> (RS 916.443.102.1)
17-04-18	<a href="#">Ordinance of the DFI on Maximum Levels for Pesticide Residues in or on Products of Plant and Animal Origin (OPOVA)</a> (RS 817.021.23)
	<a href="#">Ordinance of the DFI on food supplements (OCAL)</a> (RS 817.022.14)
	<a href="#">Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr)</a> (RS 916.01)
24-04-18	<a href="#">Ordinance of the FDF on Mobile Components Applicable to the Importation of Processed Agricultural Products</a> (RS 632.111.722.1)
	<a href="#">Ordinance on customs duties applicable to goods in trade with the Free Trade Partner States (except the EU and EFTA Member States) (Free Trade Order 2)</a> (RS 632.319)
	<a href="#">Order Fixing Preferential Tariffs for Developing Countries (Ordinance on Tariff Preferences)</a> (RS 632.911)
	<a href="#">DFI Ordinance on Residues of Pharmacologically Active Substances and Feed Additives in Foods of Animal Origin (ORésDALan)</a> (RS 817.022.13)
	<a href="#">DFI Ordinance on Maximum Levels of Contaminants (Ordinance on Contaminants, OCont)</a> (RS 817.022.15)
	<a href="#">Ordinance of the DFI on new types of food</a> (RS 817.022.2)
	<a href="#">Ordinance of the DFI on flavorings and food additives with flavoring properties used in or on foodstuffs (Ordinance on Flavors)</a> (RS 817.022.41)
	<a href="#">Ordinance of the DFI on the safety of toys (Ordinance on toys, OSJo)</a> (RS 817.023.11)
	<a href="#">Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr)</a> (RS 916.01)
	<a href="#">Ordinance of the FOAG on the assortment of grape varieties</a> (RS 916.140.1)
	<a href="#">Federal Order approving the Free Trade Agreement between the EFTA States and Georgia</a>
	<a href="#">Free Trade Agreement between the EFTA States and Georgia</a> (RS 0.632.313.601)
25-04-18	<a href="#">Ordinance of the DFI regulating the import, transit and export of animals and animal products with third countries (OITE-PT-DFI)</a> (RS 916.443.106)
26-04-18	<a href="#">FSIV Ordinance instituting measures to prevent the introduction of avian influenza present in certain Member States of the European Union</a> (RS 916.443.102.1)
Date	Restrictive Measure
03-04-18	<a href="#">Amendment to the Ordinance of 2 October 2000 instituting measures against persons and entities related to Osama bin Laden, the "Al Qaeda" group or the Taliban</a> (RS 946.203) [Entry into force 29-03-18]
	<a href="#">Amendment to the Ordinance of 18 May 2016 instituting measures against the Democratic People's Republic of Korea</a> (RS 946.231.127.6) [Entry into force 30-03-18]
11-04-18	<a href="#">Amendment to the Ordinance of 2 October 2000 instituting measures against persons and entities related to Osama bin Laden, the "Al Qaeda" group or the Taliban</a> (RS 946.203) [Entry into force 10-04-18]
23-04-18	<a href="#">Amendment to the Ordinance of 22 June 2005 instituting measures against the Democratic Republic of the Congo</a> (RS 946.231.12) [Entry into force: 24-04-18]
	<a href="#">Amendment to the Ordinance of 11 November 2015 instituting measures against the Islamic Republic of Iran</a> (RS 946.231.143.6) [Entry into force: 24-04-18]
24-04-18	<a href="#">Amendment to the Ordinance of 5 December 2014 instituting measures against Yemen</a> (RS 946.231.179.8) [Entry into force: 23-04-18]
25-04-18	<a href="#">Amendment to the Ordinance instituting measures against the Democratic People's Republic of Korea</a> (RS 946.231.127.6) [Entry into force: 25-04-18]

## UNITED KINGDOM

### Customs (Contravention of a Relevant Rule) (Amendment) Regulations 2018

On 17 April 2018, the UK Government posted [SI 2018/483 - The Customs \(Contravention of a Relevant Rule\) \(Amendment\) Regulations 2018](#). These Regulations amend the *Customs (Contravention of a Relevant Rule) Regulations 2003* (S.I. 2003/3113) ('the 2003 Regulations'). The 2003 Regulations provide in part for penalties for contravention of rules set out in EU legislation. These Regulations replace references to the *Community Customs Code* and associated legislation which have lapsed with references to the *Union Customs Code* and associated legislation that are currently in force.

### Export (Penalty) (Amendment) Regulations 2018

On 17 April 2018, the UK Government posted [SI 2018/484 - The Export \(Penalty\) \(Amendment\) Regulations 2018](#). These Regulations amend the [Export \(Penalty\) Regulations 2003](#) (S.I. 2003/3102) ('the 2003 Regulations'). The 2003 Regulations provide in part for penalties for contravention of rules on exports set out in EU legislation. These Regulations replace references to the *Community Customs Code* and associated legislation which have lapsed with references to the *Union Customs Code* and associated legislation that are currently in force.

Regulation 1 introduces these Regulations and sets out when they come into force.

Regulation 2 provides that the 2003 Regulations are amended.

Regulation 3 amends Regulation 2 of the 2003 Regulations so that they make accurate reference to the current provisions.

Regulation 4 amends the Schedule to the 2003 Regulations so that they make reference to the current provisions as well as make any consequential amendments necessary as a result of the changes in the relevant EU legislation.

### Legislation ([legislation.gov.uk](http://legislation.gov.uk))

Date	Measure
03-04-18	<a href="#">SI 2018/451 - The Poisons Act 1972 (Explosives Precursors) (Amendment) Regulations 2018</a>
04-04-18	<a href="#">SI 2018/468 - The Finance Act 2009, Sections 101 and 102 and Schedules 55 and 56 (Soft Drinks Industry Levy) (Appointed Day) Order 2018</a>
11-04-18	<a href="#">SI 2018/477 - The Electronic Commerce Directive (Miscellaneous Provisions) Regulations 2018</a>
17-04-18	<a href="#">SI 2018/483 - The Customs (Contravention of a Relevant Rule) (Amendment) Regulations 2018</a>
	<a href="#">SI 2018/484 - The Export (Penalty) (Amendment) Regulations 2018</a>
	<a href="#">SSI 2018/122 - The Common Agricultural Policy (Miscellaneous Amendments) (Scotland) Regulations 2018</a>
	<a href="#">SR 2018/87 - The Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 2018</a>
	<a href="#">SR 2018/86 - The Goods Vehicles (Testing) (Amendment) Regulations (Northern Ireland) 2018</a>
	<a href="#">SR 2018/85 - The Motor Vehicles Testing (Amendment) Regulations (Northern Ireland) 2018</a>
23-04-18	<a href="#">SI 2018/507 - The Export (Penalty) (Amendment) Regulations 2018</a>
27-04-18	<a href="#">SSI 2018/132 - The Plant Health (Export Certification) (Scotland) Order 2018</a>
Date	Restrictive Measure
30-04-18	<a href="#">SI 2018/539 - The Burma (European Union Financial Sanctions) Regulations 2018</a>

## HMRC updates

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

Release Date	Ref. No. and Subject
<b>Tariff and Anti-Dumping Notices</b>	
03-04-18	<a href="#">Tariff Stop Press Notice 11 (2018): investigation into Indica rice from Cambodia and Myanmar</a>
	<a href="#">Tariff Stop Press Notice 12 (2018): changes to the monthly trade euro rate UK Trade Tariff: document, certificate and authorisation codes</a>
04-04-18	<a href="#">Tariff Notice 12 (2018): brown fused alumina slag</a>
10-04-18	<a href="#">Tariff Notice 13 (2018): food preparations</a>
19-04-18	<a href="#">Tariff Notice 14 (2018): fructose in free form or as sucrose</a>
	<a href="#">Tariff Notice 15 (2018): changes to the Combined Nomenclature codes</a>
23-04-18	<a href="#">Tariff Notice 16 (2018): welded aluminium alloy tubes and pipes</a>
27-04-18	<a href="#">Tariff Quota Notice 56 (2018): new tariff quotas for sausages and pig meat originating in Iceland</a>
	<a href="#">Biodiesel originating in Argentina and Indonesia (Anti-Dumping Duty 2266)</a>
30-04-18	<a href="#">Tariff Stop Press Notice 14 (2018): changes to the monthly trade euro rate Ceramic tableware and kitchenware imported from China (Anti-Dumping Duty 2267)</a>
	<a href="#">Steel ropes and cables imported from China, Korea and Morocco (Anti-Dumping Duty 2268)</a>
<b>Other Documents and Notices</b>	
03-04-18	<a href="#">Notice 831: European Union - Binding Origin Information</a>
10-04-18	<a href="#">Notice 361: importing museum and gallery exhibits free of duty and VAT</a>
	<a href="#">Notice 341: importing donated medical equipment free of duty and VAT</a>
12-04-18	<a href="#">Notice 342: importing miscellaneous documents and other related articles free of duty and VAT</a>
	<a href="#">Notice 340: importing scientific instruments free of duty and VAT</a>
	<a href="#">Notice 366: importing biological and chemical substances for research free of duty and VAT</a>
13-04-18	<a href="#">Notice 117: Authorised Economic Operator</a>
	<a href="#">VAT Notice 700/1: should I be registered for VAT?</a>
17-04-18	<a href="#">Enterprise Zones</a>
18-04-18	<a href="#">Notice 275: Customs export procedures</a>
	<a href="#">Notice 368: importing inherited goods free of duty and VAT</a>
	<a href="#">Notice 372: importing commercial samples free of duty and VAT</a>
19-04-18	<a href="#">Notice 199A: temporary storage and approved depositories</a>
	<a href="#">Notice 236: Returned Goods Relief</a>
	<a href="#">Notice 301: civil penalties for contraventions of customs law</a>
	<a href="#">Notice 343: importing capital goods free of duty and VAT</a>
	<a href="#">Notice 364: importing decorations and awards free of duty and VAT</a>
20-04-18	<a href="#">Notice 760: Customs Freight Simplified Procedures (CFSP)</a>
	<a href="#">Notice 3001: customs special procedures for the Union Customs Code</a>
	<a href="#">Apply for an Authorised Economic Operator (AEO) certificate (C117)</a>
	<a href="#">Compliance checks: alternative dispute resolution - CC/FS21</a>
	<a href="#">Application for transit and other simplifications: Union/Common transit, Customs status and TIR (C1343)</a>
24-04-18	<a href="#">Compliance checks: The Human Rights Act and penalties - CC/FS9</a>
	<a href="#">Import Control System: technical specifications for software developers</a>
	<a href="#">Anti Money Laundering: service availability and issues</a>
25-04-18	<a href="#">Notice 600: classifying your imports or exports</a>
	<a href="#">Export penalties: changes to the Export (Penalty) Regulations 2003</a>
25-04-18	<a href="#">Penalties: changes to the Customs (Contravention of a Relevant Rule) Regulations 2003</a>
25-04-18	<a href="#">Import Control System: technical specifications for software developers</a>

Release Date	Ref. No. and Subject
27-04-18	<a href="#">Notice 252: valuation of imported goods for customs purposes, VAT and trade statistics</a>
30-04-18	<a href="#">Bill of discharge for Inward Processing goods with full customs authorisation (BOD1)</a>
	<a href="#">Rates and allowances: monthly euro conversion rates for calculating customs duty</a>

## ECO Notices to Exporters and DIT documents

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

Date	Notice No. and Subject
03-04-18	<a href="#">Notice to exporters 2018/07: guidance on the 'Cryptography Note'</a>
06-04-18	- <a href="#">Open general export licence (X)</a>
	- <a href="#">Open general export licence (technology for dual-use items)</a>
	- <a href="#">Open general export licence (PCBs and components for dual-use items)</a>
	- <a href="#">Open general export licence (oil and gas exploration: dual-use items)</a>
	- <a href="#">Open general export licence (low value shipments)</a>
	- <a href="#">Open general export licence (export for repair/replacement under warranty: dual-use items)</a>
	- <a href="#">Open general export licence (cryptographic development)</a>
	- <a href="#">Open general export licence (export after repair/replacement under warranty: dual-use items)</a>
	- <a href="#">Open general export licence (export after exhibition: dual-use items)</a>
	- <a href="#">Open general export licence (chemicals)</a>
	- <a href="#">Open general export licence (vintage aircraft)</a>
	- <a href="#">Open general export licence (military surplus vehicles)</a>
	- <a href="#">Open general export licence: exports under the US-UK defense trade co-operation treaty</a>
	- <a href="#">Open general export licence (military and dual-use goods: UK forces deployed in non-embargoed destinations)</a>
- <a href="#">Open general export licence (military and dual-use goods: UK forces deployed in embargoed destinations)</a>	
- <a href="#">Open general export licence (military goods: collaborative project typhoon)</a>	
- <a href="#">Open general export licence (military goods, software and technology: government or NATO end use)</a>	
- <a href="#">Open general export licence (military goods, software and technology)</a>	
- <a href="#">Open general export licence (military components)</a>	
- <a href="#">Open general export licence (exports in support of joint strike fighter: F-35 Lightning II)</a>	
- <a href="#">Open general export licence (historic military vehicles and artillery pieces)</a>	
- <a href="#">Open general export licence (exports or transfers in support of UK government defence contracts)</a>	
- <a href="#">Open general export licence (exports of non-lethal military and dual-use goods: to UK diplomatic missions or consular posts)</a>	
- <a href="#">Open general export licence (export for exhibition: military goods)</a>	
- <a href="#">Open general export licence (certified companies)</a>	
11-04-18	<a href="#">Notice to exporters 2018/08: new open general export licence published and 26 OGELs updated</a>
	<a href="#">Export Control (Belarus) and (Syria Amendment) Order 2011: post implementation review</a>
	<a href="#">Regulatory policy committee report</a>
	<a href="#">Open general export licence (information security items)</a> <ul style="list-style-type: none"> <li>• <a href="#">Information security OGEL technical data and reporting template</a></li> </ul>
12-04-18	<a href="#">Notice to exporters 2018/09: UK company fined six-figure sum for illegal exports</a>
25-04-18	<a href="#">Notice to exporters 2018/10: HMRC prosecutes company for unlicensed exports</a>

## 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
<b>ICELAND</b>	
28-02-18	<a href="#">№ 10/2018 Notice amending Annex I to Customs Act no. 88 May 18, 2005, with subsequent amendments</a>
27-03-03	<a href="#">№ 318/2018 Regulation on the allocation of customs duties for imports of agricultural products from the countries of the European Union</a>
28-03-18	<a href="#">№ 328/2018 Regulation (2) amendment of Regulation no. 674/2017 on health rules for animal by-products and derived products not intended for human consumption.</a>
	<a href="#">№ 329/2018 Regulation (13.) amendment to Regulation no. 397/2013 on the entry into force of Commission Regulation (EU) No. 231/2012 on the detailed definitions of additives in foodstuffs specified in Annex II. and III. Annex to Regulation (EC) No 2096/2004 of the European Parliament and of the Council. 1333/2008.</a>
	<a href="#">№ 330/2018 Regulation (18) amendment of Regulation no. 978/2011 on the entry into force of Regulation (EC) No. 1333/2008 on food additives.</a>
28-03-18	<a href="#">№ 332/2018 Regulation (2) 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.</a>
12-04-18	<a href="#">№ 357/2018 Regulation (12.) amendment of Regulation No. 167/2015 on pharmacologically active substances and their classification for maximum residue limits in foodstuffs of animal origin.</a>
	<a href="#">№ 359/2018 Regulation (7) amendment of Regulation no. 187/2015 on flavorings and certain food ingredients which have flavoring properties for use in and on foods.</a>
	<a href="#">№ 361/2018 Regulation (3) amendment of Regulation no. 834/2014 on foods intended for infants and young children, foods used for special medical purposes and weight management foods in place of all other foods</a>
	<a href="#">№ 362/2018 Regulation (3) amendment of Regulation no. 674/2017 on health rules for animal by-products and derived products not intended for human consumption.</a>
13-04-18	<a href="#">№ 374/2018 Regulation (1) amendment of Regulation no. 318/2018 on the allocation of customs duties for imports of agricultural products from the European Union.</a>
17-04-18	<a href="#">№ 380/2018 Regulation on coercive action in view of the situation in Venezuela.</a>
	<a href="#">№ 381/2018 Regulation on constraints concerning Mali.</a>
	<a href="#">№ 382/2018 Regulation on the entry into force of decisions and implementing decisions of the Commission (EU) on the compilation and amendment of the list of herbal substances, herbal remedies and combinations thereof for use in herbal medicinal products as usual.</a>
18-04-18	<a href="#">№ 383/2018 Regulation amending Regulation No. 260/2012, on aerosol dispensers, with subsequent amendments.</a>
	<a href="#">№ 390/2018 Regulation on the verification of the weight of loaded containers on board ships.</a>
<b>IRELAND (EIRE)</b>	
16-04-18	<a href="#">S.I. No. 117 of 2018 Commercial Vehicle Road worthiness (Vehicle Testing) (Amendment) Regulations 2018</a>
27-04-18	<a href="#">S.I. No. 130 of 2018 European Union (Detailed Technical Measures Designation) Regulations 2018</a>

Date*	Measure
<b>LUXEMBOURG</b>	
16-04-18	<a href="#">Mem A 243: Law of 8 April 2018 on public procurement</a>
20-04-18	<a href="#">Mem A 264: Law of April 10, 2018 amending</a> 1) <a href="#">the amended law of July 25, 2015 establishing the system of control and sanctions automated</a> 2) <a href="#">the amended law of February 14, 1955 concerning the regulation of traffic on all public roads</a> 3) <a href="#">the Act of 19 December 2008 on inter-governmental and judicial cooperation and strengthening of the means of the Administration of Direct Taxation, the Registration and Domain Administration and the Customs and Excise Administration</a> 4) <a href="#">the law amendment of 23 February 2010 on the application of the principle of mutual recognition to financial penalties</a> 5) <a href="#">the law of 5-15 September 1807 on the method of recovery of court costs for the benefit of the public treasury, in criminal, correctional and police matters.</a>
	<a href="#">Mem A 272: Grand-Ducal Regulation of 17 April 2018 amending the Grand-Ducal Regulation of 5 May 2017</a> 1. <a href="#">Implementing the Law of 5 May 2017 on certain Implementing Rules and the Sanctions of Regulation (EU) No 98/2013 of the European Parliament and of the Council of 15 January 2013 on the marketing and use of explosive precursors;</a> 2. <a href="#">on the training and checking of the knowledge of officials responsible for recording infringements of Regulation (EU) No 98/2013.</a>
23-04-18	<a href="#">Mem A 275: Grand-Ducal Regulation of 17 April 2018 amending the amended Grand-Ducal Regulation of 9 January 2006 laying down protection measures against the introduction and spread of pests of plants or plant products.</a>
24-04-18	<a href="#">Mem A 306: Grand-Ducal Regulation of 10 April 2018 amending the amended Grand-Ducal Regulation of 3 September 1993 concerning extraction solvents used in the manufacture of foodstuffs and their ingredients.</a>
<b>MALTA</b>	
03-04-18	<a href="#">103 of 2018 –Enforcement of various European Union Regulations on Food Safety (Amendment) Regulations, 2018</a> <a href="#">Gazzetta tal-Gvern ta' Malta Nru. 19,972– 03.04.2018</a>
13-04-18	<a href="#">117 of 2018 –National Coordinating Committee on Combating Money Laundering and Funding of Terrorism Regulations, 2018</a> <a href="#">Gazzetta tal-Gvern ta' Malta Nru. 19,977– 13.04.2018</a>
<b>NORWAY</b>	
03-04-18	FOR-2018-03-23-516 Ministry of Health and Care Services <a href="#">Regulations amending the Regulation on Food Additives</a>
04-04-18	FOR-2018-03-26-522 Ministry of Agriculture and Food <a href="#">Regulations concerning change in pesticide regulation</a>
	FOR-2018-03-26-523 Ministry of Health and Care Services <a href="#">Regulations amending the regulation on cosmetics and body care products</a> FOR-2018-04-03-527 Ministry of Agriculture and Food <a href="#">Regulations amending the regulation on animal health conditions for the import and export of equidae</a>
09-04-18	FOR-2018-03-23-537 Ministry of Agriculture and Food <a href="#">Regulations amending the regulation on administrative tariff reductions for agricultural products</a>
10-04-18	FOR-2018-04-09-544 Ministry of Transport and Communications <a href="#">Regulations amending the Regulation on Technical Requirements and Approval of Vehicles, Parts and Equipment (Vehicle Regulations)</a>
17-04-18	FOR-2018-04-16-572 Ministry of Children and Equality <a href="#">Regulation amending Regulation (EU) No. 1007/2011 on Textile Fiber Name and Related Labeling of Textile Fiber Composition</a>
18-04-18	FOR-2018-04-17-575 Ministry of Food and Fisheries <a href="#">Regulations on amendment to the Animal Control Regulations and the Animal Hygiene Regulations</a>
20-04-18	LAW-2018-04-20-7 Ministry of Justice and Emergency Affairs <a href="#">Law on weapons, firearms, weaponry and ammunition (weapons law)</a>
	LAW-2018-04-20-8 Ministry of Justice and Emergency Affairs <a href="#">Law on border inspection and border control of persons (boundary act)</a>

Date*	Measure
26-04-18	FOR-2018-04-25-628 Ministry of Agriculture and Food <a href="#">Regulations amending the regulation of animal by-products</a>
<b>POLAND</b>	
04-04-18	№ 662 <a href="#">Regulation of the Minister of Finance of March 22, 2018 amending the ordinance on the official positions of the officers of the Customs and Tax Service, the mode of promotion and making changes to official positions</a>
	№ 665 <a href="#">Regulation of the Council of Ministers of March 21, 2018 amending the ordinance on the Special Economic Zone of Legnica</a>
12-04-18	№ 723 <a href="#">The Act of March 1, 2018 on Counteracting Money Laundering and Financing of Terrorism</a>
13-04-18	№ 731 <a href="#">Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, done at Phnom Penh on 11 July 2012.</a>
13-04-18	№ 732 <a href="#">Government statement of 1 March 2018 regarding the binding force of the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, done at Phnom Penh on 11 July 2012.</a>
17-04-18	№ 743 <a href="#">Regulation of the Minister of Finance of April 5, 2018 regarding the change of the free zone area in Gdańsk</a>
26-04-18	№ 785 <a href="#">Announcement of the Prime Minister of 26 March 2018 regarding the publication of a uniform text of the regulation of the Council of Ministers regarding the Mielec Special Economic Zone</a> № 790 <a href="#">Regulation of the Minister of Internal Affairs and Administration dated 13 April 2018 amending the ordinance on the registration of vehicles of the Government Protection Bureau, Police, Internal Security Agency, Foreign Intelligence Agency, Central Anticorruption Bureau, Border Guard and National Fiscal Administration used by the Customs and Treasury Service</a>
<b>SPAIN</b>	
02-04-18	ECONOMY, INDUSTRY, ETC.: <a href="#">Resolution of March 15, 2018, of the Secretary of State for Commerce, which corrects errors in the December 18, 2017, which approves the official calendar of international trade fairs of the year 2018. (BOE-A-2018-4546)</a>
10-04-18	AGRICULTURE, ETC.: <a href="#">Resolution of April 4, 2018, of the General Directorate of Quality and Environmental and Natural Environment Assessment, publishing the Agreement of the Council of Ministers of February 16, 2018, approving the Spanish Action Plan against illegal trafficking and international poaching of wild species. (BOE-A-2018-4891)</a>
12-04-18	ECONOMY: <a href="#">Resolution of April 3, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Company, by which the UNE standard projects that the Spanish Standardization Association has in process, corresponding to the month of March, are submitted to public information of 2018. (BOE-A-2018-4990)</a> ECONOMY: <a href="#">Resolution of April 3, 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 March 2018 as Spanish standards. (BOE-A-2018-4991)</a> ECONOMY: <a href="#">Resolution of April 3, 2018, of the General Directorate of Industry and of the Small and Medium-sized Enterprise, by which the list of annulled UNE regulations is published during the month of March 2018. (BOE-A-2018-4992)</a> ECONOMY: <a href="#">Resolution of April 3, 2018, of the General Directorate of Industry and of the Small and Medium-sized Enterprise, by which the list of UNE standards approved by the Spanish Association for Standardization is published, during the month of March 2018. (BOE-A-2018-4993)</a> ECONOMY: <a href="#">Resolution of April 3, 2018, of the General Directorate of Industry and of the Small and Medium-sized Enterprise, by which the European and international standards projects that have been processed as UNE standard projects by the Spanish Association are submitted to public information. of Normalization, corresponding to the month of March 2018. (BOE-A-2018-4994)</a>
14-04-18	FOREIGN AFFAIRS: <a href="#">Correction of errors in the Amendments to Annexes A and B of the Europe Agreement on international transport of dangerous goods by road</a>

Date*	Measure
	<a href="#">(ADR 2017), adopted in Geneva on July 3, 2017. (BOE-A-2018-5060)</a>
25-04-18	FOREIGN AFFAIRS: <a href="#">Provisional application of the Protocol to the Partnership and Cooperation Agreement establishing cooperation between the European Communities and their Member States, on the one hand, and the Republic of Kyrgyzstan, on the other, to take into account the accession of the Republic of Croatia to the European Union, done in Brussels on February 6, 2018. (BOE-A-2018-5615)</a>
26-04-18	FOREIGN AFFAIRS: <a href="#">Framework Agreement for Collaboration and Cooperation between the European Union and its Member States, on the one hand, and the Republic of the Philippines, on the other, made in Phnom Penh, on July 11, 2012. (BOE-A-2018-5679)</a>

### 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
<b>LIECHTENSTEIN</b>	
13-04-18	<a href="#">LGBI № 2018.066 Ordinance of 10 April 2018 amending the Regulation on Measures against Venezuela (LR № 946.224.7)</a>
27-04-18	<a href="#">LGBI № 2018.075 Order of 24 April 2018 amending the Regulation on measures against the Democratic Republic of the Congo (LR № 946.222.5)</a>
	<a href="#">LGBI № 2018.076 Ordinance of 24 April 2018 amending the Ordinance on Measures against the Islamic Republic of Iran (LR № 946.222.3)</a>

### 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
04-04-18	<a href="#">Decision on the Approval of the Documents Regarding the Amendments Made in the Temporary Import Agreement (Istanbul Convention) 2018/11498 to the Amendments Made on 11-12 March 2002, 3-4 March 2008 and 25-26 March 2013</a>
05-04-18	<a href="#">Turkish Food Codex Regulation on the Substances and Materials in Contact with Food</a>
	<a href="#">Turkish Food Codex Communiqué on Active and Smart Substances and Materials Contact with Food (No: 2018/9)</a>
08-04-18	<a href="#">Communiqué on the Implementation of Imports Surveillance (No: 2018/2)</a>
11-04-18	<a href="#">Decision No 2015/11510 No 4458 on the Amendment of the Decision on the Implementation of Certain Articles of the Customs Code</a>
	<a href="#">2018/11512 Annex to Decision on Import Regime and Resolution on the Application of Tariff Procurement in the Importation of Certain Agricultural Products of Bosnia and Herzegovina Origin</a>
12-04-18	<a href="#">Decision No 2018/12 dated 06/04/2018 of Money-Credit and Coordination Board on Export Special Benefits in Agricultural Products</a>
13-04-18	<a href="#">Communiqué on the Amendment of the Communiqué on the Implementation of Imports Surveillance (Communiqué No: 2018/3)</a>
	<a href="#">Communiqué Pertaining to the Amendment of the Communiqué on the Preven-</a>

Date	Subject
	<a href="#">tion of Unfair Competition in Imports (Communiqué No: 2008/29)</a>
14-04-18	<a href="#">Communiqué on the Amendment of the "Import Control of Goods Subject to the Special Permission of the Ministry of Health (Product Safety and Control: 2018/4)" (Product Safety and Control: 2018/24)</a>
15-04-18	<a href="#">Turkey Exporters Assembly of the Organization and Duties of the Exporters' Association Amending the Regulation</a>
16-04-18	<a href="#">Communiqué on the Implementation of Imports Surveillance (No: 2018/5)</a> <a href="#">Communiqué Pertaining to the Amendment of the Communiqué on the Prevention of Unfair Competition in Imports (Communiqué No: 2017/21)</a>
19-04-18	<a href="#">Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/12)</a>
20-04-18	<a href="#">Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/13)</a> <a href="#">Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/14)</a>
21-04-18	<a href="#">Communiqué on Arrangement of Control Document for the Importation of Cattle, Sheep, Breeder Poultry, One-Toed Animal, Bee and Other Animals and Reproductive Products (No: 2018/15)</a> <a href="#">Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/15)</a>
25-04-18	<a href="#">The Government of the Republic of Turkey 7121 between the Government of the Republic of Namibia Ratification of the Law on Trade and Economic Cooperation Agreement Currently Available</a>
27-04-18	<a href="#">Communiqué Pertaining to Safeguard Measures in Import (No: 2018/3)</a>

## 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
04-04-18	<a href="#">On the Establishment of the Interdepartmental Coordination Commission on Import Substitution</a> Decree of the Cabinet of Ministers of Ukraine; The composition of the collegial body, the Regulation of 04.04.2018 № 251 <a href="#">Some questions on the labeling of tobacco products</a> Resolution of the Cabinet of Ministers of Ukraine; Sample № 257 from 04.04.2018
05-04-18	<a href="#">On adoption as the basis of the draft Law of Ukraine on amendments to the Customs Code of Ukraine and some other laws of Ukraine on the introduction of a one-stop shop mechanism and optimization of control procedures when moving goods across the customs border of Ukraine</a> Resolution of the Verkhovna Rada of Ukraine dated April 5, 2018 No. 2393-VIII
17-04-18	<a href="#">On returning to finalization of the draft Law of Ukraine on amendments to certain legislative acts of Ukraine regarding the implementation of the provisions of certain international agreements and EU directives in the field of animal and plant protection</a> Resolution of the Verkhovna Rada of Ukraine dated April 17, 2018 No. 2405-VIII <a href="#">On Approval of the Action Plan of the Ministry of Economic Development and Trade of Ukraine on the Implementation of the Concept for Improving Public Information on Ukraine's Euro-Atlantic Integration for 2018 by the Ministry of Economic Development and Trade</a> Ukraine ; Order, Plan, Events from April 17, 2018 No. 513

## EURASIAN ECONOMIC UNION (EAEU)

### Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the [Eurasian Economic Commission documentation page](#). In general, only *Решения, Распоряжение* and Recommendations having a direct effect on international traders are listed. Draft decisions are not listed.

Publication Date	Title
<b>Council (Совет) of the Eurasian Economic Commission Решение</b>	
02-04-18	<a href="#">№ 23 (30-03-18) On the Concept of the Establishment and Operation of the Eurasian Technology Transfer Network</a>
	<a href="#">№ 24 (30-03-18) On Amending the Single Quarantine Phytosanitary Requirements for Quarantine Products and Quarantine Facilities at the Customs Border and on the Customs Territory of the Eurasian Economic Union</a>
	<a href="#">№ 25 (30-03-18) On Amending the Single List of Quarantine Facilities of the Eurasian Economic Union</a>
18-04-18	<a href="#">№ 27 (16-02-18) On the extension of the validity period for the import customs duty rate of the Single Customs Tariff of the Eurasian Economic Union with respect to terephthalic acid and its salts</a>
<b>Council Regulations/Orders</b>	
02-04-18	<a href="#">№ 9 (30-03-18) On some issues related to determining the origin of goods</a>
<b>Board (Коллегии) of the Eurasian Economic Commission Решения</b>	
02-04-18	<a href="#">№ 42 (27-03-18) On the specifics of the customs control of the customs value of goods imported into the customs territory of the Eurasian Economic Union</a>
	<a href="#">№ 43 (27-03-18) On the fulfillment by the Russian Federation of obligations with respect to the provision of industrial subsidies</a>
06-04-18	<a href="#">№ 44 (03-04-18) On the establishment of import customs duties rates of the Single Customs Tariff of the Eurasian Economic Union for certain types of gas turbines with a capacity of more than 5,000 kW, but not more than 50,000 kW</a>
	<a href="#">№ 45 (03-04-18) On approval of the list of goods in respect of which the customs authorities make decisions on the classification of goods transported across the customs border of the Eurasian Economic Union in an unassembled or disassembled state, including in incomplete or incomplete form</a>
	<a href="#">№ 46 (03-04-18) On the nomenclature of medical products of the Eurasian Economic Union</a>
	<a href="#">№ 47 (03-04-18) About the classifier of types of adverse events related to the use of medical devices</a>
	<a href="#">№ 48 (03-04-18) About the classifier of kinds of documents of the registration dossier of a medical device</a>
13-04-18	<a href="#">№ 49 (03-04-18) On the extension of the anti-dumping measure against cold-formed seamless stainless steel pipes originating in the People's Republic of China and Malaysia and imported into the customs territory of the Eurasian Economic Union</a>
	<a href="#">№ 50 (10-04-18) About anatomico-therapeutic chemical classifier of medicines</a>
	<a href="#">№ 51 (10-04-18) On Approval of the Procedure for Providing Preliminary Information on Goods Intended to be Imported into the Customs Territory of the Eurasian Economic Union by Water Transport</a>
	<a href="#">№ 52 (10-04-18) On the procedure for registration of preliminary information on goods expected to be imported into the customs territory of the Eurasian Economic Union</a>
	<a href="#">№ 53 (10-04-18) On the list of standards that result in voluntary compliance with the requirements of the technical regulations of the Eurasian Economic Union "On Safety of Attractions" (TR EAEA 038/2016) and the list of standards containing rules and methods of research (tests) and measurements, including the rules for sampling required for the application and implementation of the</a>

Publication Date	Title
	<a href="#">requirements of the technical regulations of the Eurasian Economic Union “On the Safety of Attractions” (TR EAEA 038/2016) and the implementation of the assessment of conformity such as are for technical regulation</a>
	<a href="#">№ 54 (10-04-18) On Amending the Decision of the Commission of the Customs Union of September 23, 2011 No. 799</a>
20-04-18	<a href="#">№ 55 (17-04-18) On the application of Annex 3 to the Free Trade Agreement between the Eurasian Economic Union and its member states, on the one hand, and the Socialist Republic of Vietnam, on the other hand, on May 29, 2015</a>
	<a href="#">№ 56 (17-04-18) On Approval of the Procedure for Providing Preliminary Information on Goods Intended to be Imported into the Customs Territory of the Eurasian Economic Union by Road Transport</a>
	<a href="#">№ 57 (17-04-18) On Approval of the Procedure for Providing Preliminary Information on Goods Intended to be Imported into the Customs Territory of the Eurasian Economic Union by Rail</a>
27-04-18	<a href="#">№ 59 (17-04-18) On Amending the Single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union and the Unified Customs Tariff of the Eurasian Economic Union with respect to certain types of components of two-story passenger railcars</a>
	<a href="#">№ 60 (24-04-18) On the establishment of import customs duties rates of the Single Customs Tariff of the Eurasian Economic Union with respect to certain types of components used in the manufacture of watches and on making changes to the List of goods and rates for which during the transition period the Republic of Armenia applies import customs duties other than rates of the Single Customs Tariff of the Eurasian Economic Union</a>
	<a href="#">№ 61 (24-04-18) On the introduction of an amendment to clause 27 of Section 2.22 of the list of goods in respect of which the licensing procedure for importation into the customs territory of the Eurasian Economic Union and (or) export from the customs territory of the Eurasian Economic Union</a>
	<a href="#">№ 62 (24-04-18) On Approval of the Procedure for Providing Preliminary Information on Goods Intended to be Imported into the Customs Territory of the Eurasian Economic Union by Air Transport</a>
	<a href="#">№ 63 (24-04-18) On the classification of drugs for the treatment of respiratory diseases in accordance with the single commodity nomenclature of foreign economic activities of the Eurasian Economic Union</a>
	<a href="#">№ 64 (24-04-18) About the statement of the classifier of kinds of documents of a registration case of a medicinal preparation</a>
	<a href="#">№ 65 (24-04-18) About the statement of the classifier of types of changes of the registration dossier of a medicinal preparation</a>
	<a href="#">№ 66 (24-04-18) On the approval of the form of the certificate of the Eurasian Economic Union on the testing of chains, steel ropes, textile ropes and ribbons used in the construction of rides, and rules for its design</a>
<b>Board Распоряжение</b>	
13-04-18	<a href="#">№ 67 (10-04-18) On the approval of the extension of the state regulation of prices for sugar white</a>
20-04-18	<a href="#">№ 72 (17-04-18) On Amending the Composition of the Advisory Committee on Informatization, Information and Communication Technologies and Information Protection</a>
	<a href="#">№ 73 (17-04-18) On the approval of the composition of the Advisory Council for the Interaction of the Eurasian Economic Commission and the Business Council of the Eurasian Economic Union</a>
27-04-18	<a href="#">№ 75 (24-04-18) On the creation of a working group to consider significant integration projects in the field of transport and infrastructure</a>
	<a href="#">№ 76 (24-04-18) On the establishment of working groups for the preparation of proposals on the development of transport and infrastructure</a>
	<a href="#">№ 83 (24-04-18) On the introduction of changes to the plan of scientific research work of the Eurasian Economic Commission for 2018 - 2019</a>
<b>Board Recommendations</b>	
27-04-18	<a href="#">№ 3 (24-04-18) On the Introduction of Amendments to Volume VI of the Explanatory</a>

Publication Date	Title
	<a href="#">nations to the Unified Commodity Nomenclature for Foreign Economic Activities of the Eurasian Economic Union</a>

## 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 18 April 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 April 2018. It may be searched by tariff code or description (in Russian).

## RUSSIAN FEDERATION

### Russia proposes harsh new counter-sanctions

Russian lawmakers have proposed a draft bill which if adopted could result in severe repercussions for almost all economic activity by foreign companies in Russia.

On Friday, 13 April 2018 the leaders of all the parties represented in the Russian Parliament introduced [Draft Bill No. 441399-7 "On Measures \(Countermeasures\) in Response to Unfriendly Actions of the USA and \(or\) other Foreign States"](#) (the "Draft").

The Draft provides for the following measures:

1. Prohibition or restriction on the import into Russia of agricultural products, raw materials and food products, originating from the US and/or other foreign states;
2. Prohibition or restriction on the import into Russia of alcohol and tobacco products originating from the US and/or other foreign states;
3. Visa ban for persons to be listed by the Ministry of Foreign Affairs of Russia;
4. Termination or suspension of international cooperation between Russia and Russian legal entities and US and/or other foreign states, including entities that are more than 25% directly or indirectly owned by entities under the jurisdiction of the US and/or other foreign states, relating to the sectors of atomic power, rocket engines, and aircraft production;
5. Prohibition or restriction on access to public procurement for technological equipment and software originating from the US and/or other foreign states;
6. Prohibition or restriction on the provision of consulting, audit and legal services by entities under the jurisdiction of the US and/or other foreign states (including entities that are more than 25% owned by entities under the jurisdiction of the US and/or other foreign states) for state and municipal needs, as well as with respect to certain types of entities (as yet undefined);

7. Prohibition or restriction on participation in privatizations for US persons and persons of other foreign states, including entities that are more than 25% owned by entities under the jurisdiction of the US and/or other foreign countries;
8. Prohibition or restriction on the provision of services related to the sale of public property owned by Russia by entities under the jurisdiction of the US and/or other foreign states (including entities that are more than 25% owned by entities under the jurisdiction of the US and/or other foreign states);
9. Exhaustion of IP rights to trademarks owned by US and/or other foreign countries (including entities that are more than 25% owned by entities under the jurisdiction of the US and/or other foreign states). The Russian Government will draw up the list of goods covered by this measure;
10. Increase of the fees for air navigation services for aircraft of the US and/or other foreign states for the transportation of goods while using Russian airspace;
11. Prohibition or restriction on the export from the Russian Federation of goods made from rare earth metals by citizens of the US and/or other foreign states and/or entities that are more than 25% directly or indirectly owned by entities under the jurisdiction of the US and/or other foreign states;
12. Prohibition or restriction on the employment in Russia of citizens of the US and/or other foreign states, including highly qualified specialists;
13. Prohibition or restriction on the import into Russia of medicinal products and preparations, originating from the US and/or other foreign states, except for cases when medicinal products and preparations do not have analogues produced in Russia. The Russian Government should draw up the relevant list;
14. Prohibition or restriction on the import of any other goods originating from the US and/or other foreign countries. The Russian Government should draw up the relevant list.

The countermeasures are drafted broadly, their focus and actual content would be implemented by Presidential decrees.

According to the Draft, foreign states should be understood as those following the decisions of the US on the introduction of economic sanctions against certain Russian economic sectors and specific Russian legal entities and individuals. The Draft does not specifically mention particular foreign states, except for the USA. The list of the affected foreign countries is likely to be specified in Presidential decrees and decisions of the Russian Government.

The countermeasures could be introduced gradually or simultaneously. The countermeasures would have to be introduced by the Russian Government on the basis of Presidential decrees.

The Draft would also make it possible to introduce a special regime for goods and services originating from the US and foreign states if such states introduce any restrictions for goods and services originating from Russia.

The State Duma is expected to consider the Draft on April 24 and it has a very high chance of being approved and introduced within the next few weeks.

For additional information, please contact the authors, [Alexander Bychkov](#), [Maxim Kalinin](#), [Sergei Voitishkin](#) and [Vladimir Efremov](#).

## Legislation (acts, resolutions, orders, etc.)

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

Date of Publication	Subject
03-04-18	<a href="#">Decree of the Government of the Russian Federation No. 388 of March 31, 1981 "On Amendments to the Rules for the Establishment, Opening, Operation (Operation), Reconstruction and Closure of Border Crossings across the State Border of the Russian Federation"</a> <a href="#">Federal Law No. 57-FZ of 03.04.2018 "On Ratification of the Agreement on the Procedure for the Voluntary Approval of Specific Subsidies for Industrial Goods by Member States of the Eurasian Economic Union with the Eurasian Economic Commission and the Conducting by the Eurasian Economic Commission of Proceedings Related to the Provision by Member States of the Eurasian Economic Union specific subsidies "</a>
05-04-18	<a href="#">Resolution of the Government of the Russian Federation No. 376 of 30 March 2018 "On Amendments to the State Program of the Russian Federation" Development of Foreign Economic Activities "</a>
06-04-18	<a href="#">Decree of the Government of the Russian Federation of 04.04.2018 No. 408 "On Amendments to the List of Technological Equipment (Including Components and Spare Parts to It), analogues of which are not produced in the Russian Federation, the import of which into the territory of the Russian Federation is not subject to the tax on the added cost "</a>
09-04-18	<a href="#">Decree of the Government of the Russian Federation No. 407 of 04.04.2018 "On Amending Certain Acts of the Government of the Russian Federation on Export Control Issues"</a> <a href="#">Decree of the Government of the Russian Federation No. 412 of 05.04.2018 "On some issues of management of special economic zones in the North Caucasus Federal District"</a>
12-04-18	<a href="#">Order No. 79 of the Federal Customs Service of 26.01.2018 "On the Recognition of Certain Legal Acts of the FCS of Russia for the Reduction of the List of Documents Presented at Customs Declaration of Goods" (registered on April 10, 2018 No. 50704)</a>
13-04-18	<a href="#">Order No. 349 of the Federal Customs Service of 15.03.2018 "On the recognition of the order No. 2711 of the Federal Customs Service of Russia as of December 30, 2010 on the approval of the form for the demand for payment of customs payments" (registered on April 12, 2018 No. 50735)</a>
16-04-18	<a href="#">Decree of the Government of the Russian Federation No. 438 of April 12, 2013, "On Amendments to the Methodology for Calculating the Rates of Export Customs Duties for Crude Oil, approved by Resolution No. 276 of the Government of the Russian Federation of March 29, 2013"</a>
19-04-18	<a href="#">Decree of the Government of the Russian Federation No. 455 of April 17, 2018 "On Amendments to the List of Technological Equipment (Including Components and Spare Parts to It), analogues of which are not produced in the Russian Federation, the import of which into the territory of the Russian Federation is not subject to the tax on the added cost "</a>
20-04-18	<a href="#">Decree of the Government of the Russian Federation of April 18, 2018 No. 466 "On approval of the list of codes of types of commodities in accordance with the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union"</a>
23-04-18	<a href="#">Federal Law of 23.04.2018 No. 101-FZ "On Amendments to Certain Legislative Acts of the Russian Federation in the Determination of the Competence of Federal Executive Bodies for the Implementation of Various Types of State Control (Supervision) at Border Crossings through the State Border of the Rus-</a>

Date of Publication	Subject
	<a href="#">sian Federation”</a> <a href="#">Federal Law No. 90-FZ of April 23, 2018 "On Amendments to Certain Legislative Acts of the Russian Federation Concerning Counteracting the Financing of the Spread of Weapons of Mass Destruction”</a> <a href="#">Order No. 410 of the Federal Customs Service of March 27, 2013, No 410, “On Approval of the Regulation on Verification of the Reliability and Completeness of Information Provided by Citizens Claiming to fill Positions, and Employees Replacing Positions Included in the List of Positions in Organizations Created to Perform the Tasks Set for the Federal customs service, when appointing citizens and when they are employed, employees are required to submit information about their income, property and liabilities of property nature, as well as For information on how the income, property and property obligations of his wife (husband) and minor children, and respect for persons who hold those positions, requirements for official behavior “ (Registration number 50851 20/4/2018)</a>
24-04-18	<a href="#">Order No. 450 of the Federal Customs Service of 02.04.2018 “On the recognition of the Order of the Federal Customs Service of Russia of February 21, 2012, No. 302.” On the Establishment of Fixed Amounts of Security for the Payment of Customs Duties and Taxes Relating to Excisable Goods “ (Registered April 23, 2018 No. 50870)</a> <a href="#">Decree of the Government of the Russian Federation of April 21, 1981 No. 485 “On the introduction of the Protocol on Amendments to the Agreement on the Rules of Determining the Country of Origin of Goods in the Commonwealth of Independent States on November 20, 2009” for ratification “</a> <a href="#">Resolution of the Government of the Russian Federation of April 21, 2018 No. 494 “On submitting to the President of the Russian Federation a proposal to sign the Protocol on Amendments to the Treaty on the Eurasian Economic Union of May 29, 2014 in connection with the accession of the Republic of Armenia and the Protocol on Amendments to the Treaty Eurasian Economic Union of May 29, 2014 in connection with the accession of the Kyrgyz Republic to it “</a>
28-04-18	<a href="#">Order of the Government of the Russian Federation of 26.04.2018 No. 760-r “On the signing of the Protocol on Amendments to the Agreement on Cooperation and Mutual Assistance in Customs Affairs of April 15, 1994”</a>

## Africa

### SOUTH AFRICA

#### South Africa launches safeguard investigation on certain screws

On 23 April 2018, South Africa notified the WTO's Committee on Safeguards that it initiated on 20 April 2018 a safeguard investigation on “other screws fully threaded with hexagon heads made of steel”.

In the notification South Africa indicated, among other things, as follows:

Interested parties must make themselves known within a period of 20 days after the initiation of the investigation.

Any information which the interested parties may wish to submit in writing and any request for a hearing before the Commission that they may wish to put forward should be submitted within 20 days following the initiation of this investigation to the Directorate: Trade Remedies I at the following address: The DTI Campus, 77 Meintjies Street, Sunnyside Pretoria, Block Uuzaji, Ground Floor, Tel: +27 12 394 3600, fax +27 12 394 0518.”

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

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

Date	Publication Details	Subject	Implementation Date
06-04-18	GG.41564 R.422	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 71,63c/kg and 107,45c/kg to 39,49c/kg and 59,23c/kg respectively, in terms of the existing variable tariff formula – Minute 01/2018 <ul style="list-style-type: none"> <li>• <a href="#">Notice R.422</a></li> </ul>	06-04-18
20-04-18	GG.41577 R.431	Amendment to Rule 47.03(a)(v) to extend the time period for applications for compulsory tariff determinations in respect of wine <ul style="list-style-type: none"> <li>• <a href="#">Notice R.431</a></li> </ul>	20-04-18
	GG.41577 R.430	Amendment to Rule 64E <ul style="list-style-type: none"> <li>• <a href="#">Notice R.430</a></li> </ul>	
	GG.41577 R.429	Rules under section 8 - Reporting of conveyances and goods <ul style="list-style-type: none"> <li>• <a href="#">Notice R.429</a> <ul style="list-style-type: none"> <li>○ <a href="#">DA 8 – Application for registration to submit report for Sea Cargo</a></li> <li>○ <a href="#">DA 8A – Application for registration to submit report for Air Cargo</a></li> <li>○ <a href="#">DA 8B – Application for registration to submit report for Rail Cargo</a></li> <li>○ <a href="#">DA 8C – Application for registration to submit report for Road Cargo</a></li> </ul> </li> </ul>	
26-04-18	GG.41599 R.462	Amendment to the General Notes to Schedule No. 1, by the substitution of Table 1 in paragraph 3.1 to Note IJ to implement the SACU allocation of cheese tariff rate quota under the EPA agreement between the EU and SADC EPA states <ul style="list-style-type: none"> <li>• <a href="#">Notice R.462</a></li> </ul>	With retrospective effect from 01-01-18

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

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

[AGENCY ABBREVIATIONS: **US agencies** - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FRB= Federal Reserve Board of Governors; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; USCG= US Coast Guard; USPIS=Postal

Inspection Service; USDA= US Department of Agriculture; ; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; **Non-US agencies** - CBSA= Canada Border Services Agency; CPS= Crown Prosecution Service (UK); RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; HKCE= Hong Kong Customs & Excise; HMRC= Her Majesty's Revenue & Customs; SC=Singapore Customs; SP=Singapore Police; SIRA= Singapore Inland Revenue Authority; SFO = UK Serious Fraud Office.]

Date of Release	Subject
04-04-18	<a href="#">Polaris Industries Inc., Provisional Acceptance of a Settlement Agreement and Order</a> [CPSC Docket No. 18-C0001] [\$27,250,000] (CPSC)
	<a href="#">Portland man sentenced for selling counterfeit Nike sneakers online</a> (DOJ, ICE, IRS)
04-10-18	<a href="#">Maine resident sentenced after conviction in ICE HSI, multiagency firearms trafficking probe</a> (DOJ, ICE, BIS, ATF)
04-11-18	<a href="#">Bulgarian National Arrested for Conspiracy to Defraud the United States and Illegally Export Prohibited Articles to Syria in Violation of U.S. Export Control Laws</a> (DOJ, BIS, FBI, ICE, CBP, DOD)
04-12-18	(F) <a href="#">UK company fined six-figure sum for illegal exports</a> (HMRC, CPS) <a href="#">Chinese Citizen Pleads Guilty to Mail Fraud Related to Dietary Supplement Scheme</a> (DOJ, FDA)
04-13-18	<a href="#">Former CFO Sentenced for Embezzling \$6.5 Million from KC Company (a U.S. Customs Broker)</a> (IRS, local PD, DOJ) <a href="#">Aruban Telecommunications Purchasing Official Pleads Guilty to Money Laundering Conspiracy Involving Violations of the Foreign Corrupt Practices Act</a> (DOJ, FBI)
04-15-18	<a href="#">Order Activating Suspended Denial Order Relating to Zhongxing Telecommunications Equipment Corp. and ZTE Kangxun Telecommunications Ltd.</a> (BIS, OFAC, DOJ)
04-18-18	(F) <a href="#">More than S\$1.5 million confiscated from man who dealt with duty-unpaid cigarettes</a> (SC, SP)
04-19-18	<a href="#">Former Venezuelan Official Pleads Guilty to Money Laundering Charge in Connection with Bribery Scheme</a> (DOJ, ICE, Swiss Justice Office, Span. Guardia Civil)
04-20-18	(F) <a href="#">Former Singapore Customs officer jailed for fraudulently obtaining GST tourist refunds</a> (SC, SP, SIRA) <a href="#">Former Mexican state governor extradited to South Texas from Italy</a> (DOJ, ICE, FBI, IRS, DEA)
04-25-18	(F) <a href="#">HMRC recently prosecuted Carbosynth Limited for unlicensed exports of controlled chemicals.</a> (HMRC, CPS)
04-27-18	<a href="#">Two Businessmen Charged With Conspiring to Commit Economic Espionage for Benefit of Chinese Manufacturing Company</a> (DOJ, FBI, IRS)
04-30-18	<a href="#">Panasonic Avionics Corporation Agrees to Pay \$137 Million to Resolve Foreign Corrupt Practices Act Charges</a> (DOJ, FBI, SEC)

## 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](mailto:jochen.meyer-burrow@bakermckenzie.com)
- Martin Morawski, Associate, [martin.morawski@bakermckenzie.com](mailto:martin.morawski@bakermckenzie.com)

## Publications, Alerts, Newsletters

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

Subject
<b>International Trade, Tax and Anti-corruption</b>
<a href="#">Global International Trade Compliance Update – April 2018</a> (older issues)
<a href="#">Client Alert: U.S. Government to Include Digital Currency Addresses on List of Sanctioned Parties</a>
<a href="#">International Trade Client Alert: US Government Imposes Additional Sanctions on Russian Oligarchs, Government Officials, and Entities</a>
<a href="#">International Commercial Client Alert - Trump on Trade: Section 301 Update – USTR Publishes Proposed List of Chinese Products Subject to Additional Tariffs</a>
<a href="#">Russia International Trade Client Alert: Russia Proposes Harsh New Counter-Sanctions</a>
<a href="#">Francophone Africa Newsletter April 2018</a> (Eng. & Fr.)
<b>Other areas</b>
<a href="#">Vietnam Technology, Media &amp; Telecommunications Client Alert: Decree No. 27/2018/ND-CP amending and supplementing Decree No. 72/2013/ND-CP on Internet Services and Online Information</a>
<a href="#">Singapore Intellectual Property Newsletter – April 2018</a>
<a href="#">Saudi Arabia Regulates Cloud Computing Services</a>
<a href="#">Rising Tension: Assessing China's FDI drop in Europe and North America</a>
<a href="#">Global IT/C Global Privacy Handbook 2018</a>
<a href="#">Kyiv Corporate M&amp;A Legal Alert: New Law on LLCs - New opportunities for your business</a> (Eng.); <a href="#">Новий закон про ТОВ - Нові можливості для Вашого бізнесу</a> (Ukr.)

## Webinars, Meetings, Seminars, Etc.



# Global Trade Conference

### Client Seminar May 15, 2018 Bellevue, WA

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### The Ever-Changing International Trade Landscape

We are pleased to invite you to our second annual Global Trade Conference in Bellevue, WA. The conference will be held on Tuesday, May 15 at The Bellevue Club.

Our international trade compliance lawyers from around the world will review the major trade developments impacting international trade, including President Trump's trade agenda, NAFTA negotiations, export controls and trade sanctions, as well as specific developments in the EU, Russia and China. The full agenda for the program is attached to the right.

About this event

AGENDA

**Date:** Tuesday, May 15

**Location:**  
[The Bellevue Club](#)  
[11200 SE 6th St.](#)

This event is complimentary but registration is required. If you or a colleague would like to attend please register by Thursday, May 10.

We look forward to your participation!

### Speakers

- **Paul Burns** Canada | +1 416 865 6912 | [Paul.Burns@bakermckenzie.com](mailto:Paul.Burns@bakermckenzie.com)
- **Alexander Bychkov** Russia | +7 495 7872715 | [Alexander.Bychkov@bakermckenzie.com](mailto:Alexander.Bychkov@bakermckenzie.com)
- **Jon Cowley** Hong Kong | +852 2846 1744 | [Jon.Cowley@bakermckenzie.com](mailto:Jon.Cowley@bakermckenzie.com)
- **Rod Hunter** USA | +852 2846 1744 | [Rod.Hunter@bakermckenzie.com](mailto:Rod.Hunter@bakermckenzie.com)
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- **John McKenzie** USA | +1 415 576 3033 | [John.McKenzie@bakermckenzie.com](mailto:John.McKenzie@bakermckenzie.com)
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- **Jennifer Revis** UK | +44 20 7919 1381 | [Jenny.Revis@bakermckenzie.com](mailto:Jenny.Revis@bakermckenzie.com)
- **Alison Stafford Powell** USA | +1 650 856 5531 | [Alison.Stafford-Powell@bakermckenzie.com](mailto:Alison.Stafford-Powell@bakermckenzie.com)

### Timing:

Registration/Breakfast  
8:15 am - 9:00 am

Program  
9:00 am - 5:00 pm

### Questions?

[Liz Rittinger](mailto:Liz.Rittinger@bakermckenzie.com)  
Sr. Business Development  
Coordinator  
Tel: +1 415 984 3853

**REGISTER**

[AGENDA](#)

### MCLE, CCS, CES credits:

Approved for 6.25 California general CLE credits, 6.25 Illinois general CLE credits, 7.5 New York areas of professional practice CLE credits, and 6.25 Texas general CLE credits. An application for 6.25 general CLE credits has been made to the Washington State Bar Association. Approval pending. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.

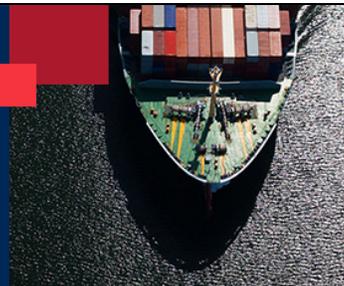
Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This program may earn newly admitted New York attorneys credit under Areas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

*NEI approval pending for CCS/CES credits.*

**Baker  
McKenzie.**

## 2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



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

This year, we will again expand our usual program to include our **Customs Academy**, which will feature 6 “Customs 101” webinars (**highlighted in green** below). The Customs 101 program will be primarily aimed at participants who are new to Customs and/or those who would like a refresher and will include introductory sessions on key Customs topics such as tariff classification, valuation and origin; and an overview of Customs in some key jurisdictions.

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

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

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

<b>January 30</b>	<p><a href="#">Human Rights, Forced Labor, and Ethical Supply Chains: Best Practices for Managing Growing Legal Obligations and Risks</a></p> <p><b>Speakers:</b> Reagan Demas (DC), John Foote (DC), Francesca Richmond (London), and Christopher Burkett (Toronto)</p>	<p>To register for this <b>complimentary webinar series</b>, click on the <b>REGISTER NOW</b> 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><b>Login Details:</b> Log-in details will be sent via email one week before the event.</p> <p><b>Webinar Series Lead:</b> <b>Teresa A. Gleason</b> Head, Global Customs Focus Group (San Francisco, CA) Tel: +1 415 576 3021 <a href="mailto:teresa.gleason@bakermckenzie.com">tere-sa.gleason@bakermckenzie.com</a></p> <p><b>These webinars are all complimentary.</b></p> <p style="text-align: center;"><b>REGISTER NOW</b></p> <p><b>Questions:</b> If you have any questions regarding this webinar series, please contact:</p> <p><b>Sal Gonzalez</b> Business Development Specialist Tel: +1 202 835 1661 <a href="mailto:sal.gonzalez@bakermckenzie.com">sal.gonzalez@bakermckenzie.com</a></p> <p><b>MCLE Credit:</b> Approved for 1.5 California general CLE credits, 1.5 Illinois general CLE credits, 1.5 New York areas of professional practice CLE credits, and 1.5 Texas general CLE credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.</p> <p>Baker &amp; McKenzie LLP is a California and Illinois CLE approved provider.</p>
<b>February 27</b>	<p><a href="#">Customs Basic: How to Classify Your Products</a></p> <p><b>Speakers:</b> Jose Hoyos-Robles (Mexico City), Olof Johannesson (Stockholm), Andrew Rose (London), and Riza Buditomo (Jakarta)</p>	
<b>March 27</b>	<p><a href="#">Hot Topics in US, European, and Asian Export Controls</a></p> <p><b>Speakers:</b> Marc Lager (Vienna), Anne Petterd (Singapore), and Alex Lamy (DC)</p>	
<b>April 24</b>	<p><a href="#">Customs Basic: How to determine the origin of your products</a></p> <p><b>Speakers:</b> Adrianna Ibarra-Fernandez (Mexico City), Jessica Mutton (London), and John McKenzie (Palo Alto)</p>	
<b>May 22</b>	<p><b>Russian and EU Customs Update</b></p> <p><b>Speakers:</b> Alexander Bychkov (Moscow), Nicole Looks (Frankfurt) and Jenny Revis (London)</p>	
<b>June 26</b>	<p><b>Customs Basic: How to value your products</b></p> <p><b>Speakers:</b> Kevin Nordin (London), Jon Cowley (Hong Kong) and Brian Cacic (Toronto)</p>	
<b>July 24</b>	<p><b>Update on US “Protectionism”, Brexit and TPP</b></p> <p><b>Speakers:</b> Terrie Gleason (San Francisco), Stu Seidel (DC) and Jenny Revis (London), and Fred Burke (Ho Chi Minh)</p>	
<b>August 28</b>	<p><b>Customs Basic: What you need to know about importing into China, Russia and the Middle East</b></p> <p><b>Speakers:</b> Frank Pan (Shanghai), Vladimir Efremov (Moscow), and Reggie Mezu (Middle East)</p>	

<b>September 25</b>	<p><b>Customs Audits and Enforcement Actions: Best Practices and Trends</b></p> <p><b>Speakers:</b> Adriana Ibarra-Fernandez (Mexico), Nicole Looks (Frankfurt), and Meredith DeMent (DC)</p>	<p>Baker &amp; 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 &amp; McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.</p>  <p><i>Pending - We have applied for CES and CCS credit for these webinars to the National Customs Brokers &amp; Forwarders Association of America, Inc.</i></p>
<b>October 30</b>	<p><b>Customs Basic: What you need to know about importing into Mexico, Brazil and Argentina</b></p> <p><b>Speakers:</b> Manuel Padron (Juarez), Alessandra Machado (Sao Paolo), and Esteban Ropolo (Buenos Aires)</p>	
<b>November 27</b>	<p><b>Hot Topics in US, European, and Asian Trade Sanctions</b></p> <p><b>Speakers:</b> Kerry Contini (DC), Ben Smith (London), and Jon Cowley (Hong Kong)</p>	
<b>December 18</b>	<p><b>Customs Basic: How to mitigate duties through use of customs procedures</b></p> <p><b>Speakers:</b> Eunkyung Kim Shin (Chicago), Edith Salcedo-Hinojosa (Guadalajara), and Daniel Sanchez-Elizondo (Guadalajara)</p>	




**2017 Year-End Review  
of Import/Export Developments**

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

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

AM Sessions Recording –

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

PM Sessions Recording –

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

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

AM Sessions Recording –

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

- United States and Canadian Customs Regulatory Update

[PM Sessions Recording](#) –

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

## 2017 Global Trade and Supply Chain Webinar Series

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

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

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

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

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

### Original Webinar Dates and Topics:

<b>January 31</b>	<a href="#">Major Customs Developments in North America and Asia</a>
<b>Speakers:</b> Stu Seidel (Washington, DC), Brian Cacic (Toronto), Eugene Lim (Singapore), and Adriana Ibarra-Fernandez (Mexico City)	
<b>February 28</b>	<a href="#">Customs Basic: How to Classify Your Products</a>
<b>Speakers:</b> Daniel Lund (London), Jose Hoyos-Robles (Mexico City), and Eunkyung Shin (Chicago)	
<b>March 28</b>	<a href="#">New Era of Protectionism? – Trump Presidency and Brexit Developments</a>
<b>Speakers:</b> Terrie Gleason and Stu Seidel (Washington DC), Ross Denton and Jessica Mutton (London)	
<b>April 25</b>	<a href="#">Customs Basic: How to Value Your Products</a>
<b>Speakers:</b> Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)	
<b>May 23</b>	<a href="#">Impact on Sanctions: Trump Administration’s Effects on US, EU, and Russian Sanctions</a>
<b>Speakers:</b> Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)	
<b>June 27</b>	<a href="#">Customs Basic: Determining the Origin of Your Products</a>
<b>Speakers:</b> Olivia Colville (Chicago), Jessica Mutton (London), and Adriana Ibarra-Fernandez (Mexico City)	
<b>July 25</b>	<a href="#">Major Developments in Data Privacy Laws – US, Canada and EU</a>
<b>Speakers:</b> Brian Hengesbaugh (Chicago), Dean Dolan (Toronto), Dyann Heward-Mills (London), Michael Egan (Washington, DC)	
<b>August 22</b>	<a href="#">Customs Basic: Reducing your Duty Liability Through the Use of Customs Pro-</a>

	<a href="#">cedures</a>
	<b>Speakers:</b> Roger van de Berg (Amsterdam), Eunkyung Kim Shin (Chicago), Manuel Padron-Castillo (Juarez), and Panya Sittisakosin (Bangkok)
<b>September 19</b>	<a href="#">Intellectual Property Considerations and Issues in Your Supply Chain</a>
	<b>Speakers:</b> Gary Shapiro (San Francisco), Lothar Determann (Palo Alto), Jochen Herr (Munich), Isabella Liu, Kei Matsumoto, Flavia, Rabello
<b>October 24</b>	<a href="#">Customs Basic: What You Need to Know about Customs in the EU, Russia and China</a>
	<b>Speakers:</b> Mariacristina Scarpa and Giulia Bettarini (Milan), Alexander Brychov and Vladimir Efremov (Moscow), and Frank Pan (Shanghai)
<b>November 28</b>	<a href="#">Major Developments in FCPA/Anti-Bribery Regulation</a>
	<b>Speakers:</b> John McKenzie (San Francisco), Mini vandePol (Hong Kong), and Peter Tomczak (Chicago)
<b>December 19</b>	<a href="#">Customs Basic: What You Need to Know about Customs in the US, Mexico and Brazil</a>
	<b>Speakers:</b> Alejandro Martinez-Galindo (Guadalajara), Alessandra S. Machado (Sao Paulo), Meredith DeMent (Washington, DC), and Meghan Hamilton (Chicago)

## WTO TBT Notifications

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

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Argentina	ARG/332	03/28/2018	Not given	Extruded non-alloy aluminium profiles and bars, and aluminium alloy products
 Argentina	ARG/166/Add.1	04/04/2018	Not given	Latex paints
 Argentina	ARG/297/Add.1	04/04/2018	Not given	Low-voltage electrical products
 Brazil	BRA/796/Add.1	04/04/2018	Not given	Non edible animals by-products (HS 05)
 Brazil	BRA/802	04/03/2018	04/24/2018	Pesticides, related products and wooden preservatives
 Brazil	BRA/803	04/03/2018	04/24/2018	Pesticides, components, related products and wooden preservatives
 Brazil	BRA/804	04/03/2018	05/02/2018	Sanitizing products
 Brazil	BRA/609/Add.5	04/09/2018	Not given	Semiconductor devices; light-emitting diodes; mounted piezoelectric crystals (HS 8541)
 Brazil	BRA/805	04/05/2018	04/23/2018	Personal care, cosmetics and perfumes
 Brazil	BRA/806	04/11/2018	05/07/2018	Portable tanks bulk containers (IBC) used in land transport of certain dangerous goods

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/807	04/11/2018	05/02/2018	Vegetation
 Brazil	BRA/808	04/12/2018	06/07/2018	Nasal and oral inhalants medicines
 Brazil	BRA/277/Add.2	04/17/2018	Not given	Fermented beverages (cider, perry, mead) (HS 2206)
 Brazil	BRA/280/Add.3	04/24/2018	Not given	Liqueurs and cordials (HS 2208)
 Brazil	BRA/764/Add.1	04/24/2018	Not given	Agriculture and livestock products
 Burundi	BDI/4	04/09/2018	06/08/2018	Edible palm oil (HS 1511)
 Burundi	BDI/5	04/09/2018	06/08/2018	Food and drink
 Canada	CAN/546	04/04/2018	05/23/2018	Wireless Device Testing Laboratories
 Canada	CAN/547	04/04/2018	06/14/2018	Cleaning products containing Phosphorus (HS 3401.19.0020; 3401.20.90; 3402.20.10; 3402.20.90; 3405.20; 3405.40)
 Canada	CAN/548	04/11/2018	06/14/2018	Contaminated fuels
 Canada	CAN/549	04/16/2018	06/10/2018	Radiocommunications
 Canada	CAN/487/Add.1	04/24/2018	Not given	Motor vehicles and trailers
 Canada	CAN/550	04/24/2018	06/17/2018	Disinfectant Drugs; Class II Medical Devices
 Canada	CAN/551	04/24/2018	06/17/2018	Energy efficiency standards for consumer and commercial products
 Canada	CAN/552	04/24/2018	06/15/2018	Radiocommunications; Electromagnetic compatibility (EMC) including radio interference
 Canada	CAN/553	04/24/2018	06/15/2018	Radiocommunications; Electromagnetic compatibility (EMC) including radio interference
 Chile	CHL/314/Add.1	03/28/2018	Not given	Nonmetallic floor junction boxes for household fixed electrical installations
 Chile	CHL/381/Add.3	03/22/2018	Not given	Cell phone chargers (switch mode units)
 Chile	CHL/376/Add.1	04/11/2018	Not given	Portable chain-saws with internal combustion engines powered by liquid fuel, for forestry use. Sawing machines (HS 8465.91)
 Chile	CHL/392/Add.1	04/11/2018	Not given	Double-capped LED lamps designed to retrofit linear fluorescent lamps
 Chile	CHL/399/Add.1	04/12/2018	Not given	Thermoplastic panel boards for household use
 Chile	CHL/399	04/18/2017	06/17/2017	Thermoplastic panel boards for household use
 Chile	CHL/409/Add.1	04/11/2018	Not given	Lawn mowers
 Chile	CHL/410/Add.1	04/09/2018	Not given	Grass trimmers
 Chile	CHL/414/Add.1	04/11/2018	Not given	Pedestrian-controlled combustion-engine-powered lawnmowers
 Chile	CHL/419/Add.1	04/11/2018	Not given	Electrical extension cords (extension cords and multi-socket extension cords)
 Chile	CHL/360/Add.1	04/12/2018	Not given	Self-ballasted and retrofit LED lamps for general street lighting services
 Chile	CHL/398/Add.1	04/12/2018	Not given	Emergency luminaires
 Chile	CHL/417/Add.1	04/16/2018	Not given	Portable general purpose luminaires (floor lamps, bedside lamps and desk lamps)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Chile	CHL/420/Add.1	04/12/2018	Not given	Type D and type SD elastomer hoses, with metallic connectors, for water heaters that use liquefied petroleum gas (LPG) or natural gas.
 China	CHN/1260	04/09/2018	01/08/2018	Drugs
 China	CHN/1261	04/09/2018	06/08/2018	Drugs
 China	CHN/1262	04/09/2018	06/08/2018	No.3 Jet fuel (HS 2710)
 China	CHN/1263	04/09/2018	06/08/2018	Aviation piston engine fuel (HS 2710)
 China	CHN/1264	04/09/2018	06/08/2018	Civil water heating coal stove (HS 7321)
 China	CHN/1265	04/09/2018	06/08/2018	Heavy duty gear oils for automobile (HS 2710)
 China	CHN/1266	04/24/2018	06/23/2018	Low pressure carbon dioxide gas inerting protection equipment (HS 87)
 China	CHN/1267	04/24/2018	06/23/2018	Early Suppression Fast Response (ESFR) automatic sprinklers for Automatic sprinkler system (HS 84)
 China	CHN/1268	04/24/2018	06/23/2018	Indoor fire hydrant (HS 8481)
 China	CHN/1269	04/24/2018	06/23/2018	Soft stuffed toys, bamboo and wood toys, paper and cardboard toys, active toys, and other toys (HS 9503002100, 9503002900, 9503006000, 9503008900, 9503009000)
 Colombia	COL/109/Add.4	03/22/2018	Not given	Tricycles, scooters, pedal cars and similar wheeled toys; dolls' carriages; dolls, whether or not dressed; reduced-size ("scale") models and similar recreational models, working or not; puzzles of all kinds; electric trains, including tracks, signals and other accessories; toys representing animals or non-human creatures; toy musical instruments and apparatus; motorized toys; and balloons of natural rubber latex
 Costa Rica	CRI/176	03/26/2018	05/25/2018	Dietary supplements
 Ecuador	ECU/58/Add.5	03/20/2018	Not given	Buses (HS 8702.10, 8706, 8707.90)
 Ecuador	ECU/3/Rev.1/Add.2/Corr.1	03/29/2018	Not given	Household refrigerating appliances (HS 8418)
 Ecuador	ECU/12/Rev.1	04/04/2018	Not given	Ceramic products
 Ecuador	ECU/34/Rev.1/Add.1	03/29/2018	Not given	Domestic refrigeration appliances (HS 8418)
 El Salvador	SLV/200	04/24/2018	06/23/2018	Non-automatic weighing instruments
 European Union	EU/566	04/11/2018	06/10/2018	Dithianon (pesticide active substance)
 European Union	EU/567	04/16/2018	06/15/2018	Short-range devices
 European Union	EU/527/Add.1	4/24/2018	Not given	Cosmetics
 European Union	EU/527	11/22/2017	01/21/2018	Cosmetics
 France	FRA/184	04/03/2018	06/02/2018	Radio equipment for which manufacturers are required to measure the specific absorption rate (SAR)
 France	FRA/185	04/03/2018	06/02/2018	Radio equipment for which manufacturers are required to measure the specific absorption rate (SAR)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Georgia	GEO/104	04/03/2018	Not given	Aerodromes/helicopter designs
 India	IND/74	04/04/2018	06/03/2018	Air conditioner and its related parts
 India	IND/75	04/24/2018	06/23/2018	Food Products
 India	IND/76	04/24/2018	06/23/2018	Aluminium and Aluminium Alloy Bare Foil for Food Packaging
 Indonesia	IDN/120	04/18/2018	06/17/2018	Paper and paperboard for food packaging, consisted in Paper and paperboard of a kind used for making food packaging (HS 4804.39.20; 4804.42.10; 4804.49.10; 4804.52.10; 4804.59.10) – Other (HS 480439) – Bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process (HS 480442) – Other (HS 480449) – Bleached uniformly throughout the mass and of which more than 95% by weight of the total fibre content consists of wood fibres obtained by a chemical process (HS 480452) – Other (HS 480459)
 Japan	JPN/594	04/03/2018	05/03/2018	Pharmaceutical products (HS 30)
 Japan	JPN/595	04/23/2018	06/22/2018	Wireless LAN system (5.2GHz band)
 Kenya	KEN/658	04/18/2018	05/08/2018	Paper plates, cups with lids
 Kenya	KEN/659	04/18/2018	04/08/2018	Paper used for maps and architectural drawings
 Kenya	KEN/660	04/18/2018	05/03/2018	Concrete structures
 Kenya	KEN/661	04/18/2018	05/08/2018	Coffee industry
 Kenya	KEN/662	04/18/2018	05/12/2018	Compounded pig feeds
 Kenya	KEN/663	04/18/2018	05/12/2018	Compounded poultry feeds
 Kenya	KEN/664	04/18/2018	05/12/2018	Compounded Fish feeds
 Kenya	KEN/665	04/18/2018	05/12/2018	Dairy goat feeds
 Kenya	KEN/666	04/18/2018	05/19/2018	Masonry
 Kenya	KEN/667	04/18/2018	05/19/2018	Masonry
 Kenya	KEN/668	04/23/2018	05/12/2018	Cattle feeds
 Kenya	KEN/669	04/23/2018	05/19/2018	Masonry
 Korea, Republic of	KOR/754	04/05/2018	06/04/2018	EMC (Electromagnetic Compatibility)
 Korea, Republic of	KOR/755	04/12/2018	06/11/2018	Cosmetics
 Korea, Republic of	KOR/756	04/12/2018	06/11/2018	Food
 Korea, Republic of	KOR/757	04/12/2018	06/11/2018	Raw timber, Lumber, Anti-decay wood, Fire retardant treated wood, Laminated wood, Plywood, Wood Pellets
 Korea, Republic of	KOR/758	04/12/2018	06/11/2018	Electrical Vehicles' Chargers and Components

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Korea, Republic of	KOR/759	04/23/2018	06/22/2018	Biological Products
 Korea, Republic of	KOR/760	04/24/2018	06/23/2018	Health/Functional Foods
 Malawi	MWI/17	04/18/2018	06/17/2018	Blend of sweetened condensed skimmed milk and vegetable fat (HS 0402)
 Malawi	MWI/18	04/18/2018	06/17/2018	Blend of skimmed milk and vegetable fat in powdered form
 Mexico	MEX/150/Add.3	04/03/2018	Not given	Combat and control of bark insects in plants
 Mexico	MEX/402	04/05/2018	Not given	Liquefied petroleum gas (LPG) and natural gas (2711)
 Mexico	MEX/300/Add.10	04/12/2018	Not given	Petroleum products (headings 27.01 to 2901.10)
 Mexico	MEX/300/Add.11	04/12/2018	Not given	Petroleum products (headings 27.01 to 2901.10)
 Paraguay	PRY/104	04/05/2018	Not given	Incandescent and Fluorescent Lamps
 Rwanda	RWA/108	04/17/2018	06/16/2018	Cookies
 Rwanda	RWA/109	04/17/2018	06/16/2018	Fresh tofu
 Rwanda	RWA/110	04/17/2018	06/16/2018	Bleaching agents - chemicals for purification of water
 Rwanda	RWA/111	04/17/2018	06/16/2018	Building sands
 Rwanda	RWA/112	04/17/2018	06/16/2018	Cooked beans
 Rwanda	RWA/113	04/17/2018	06/16/2018	Fire safety - ignitability and burning behaviour of materials and products
 Rwanda	RWA/114	04/17/2018	06/16/2018	Fire safety - ignitability and burning behaviour of materials and products
 Rwanda	RWA/115	04/17/2018	06/16/2018	Fire safety - ignitability and burning behaviour of materials and products
 Rwanda	RWA/116	04/17/2018	06/16/2018	Fire safety - ignitability and burning behaviour of materials and products
 Rwanda	RWA/117	04/17/2018	06/16/2018	Fire safety - ignitability and burning behaviour of materials and products
 Rwanda	RWA/118	04/17/2018	06/16/2018	Earthen floors
 Rwanda	RWA/119	04/17/2018	4/16/2018	Compressed straw panels
 Rwanda	RWA/120	04/17/2018	06/16/2018	Chemicals for purification of water
 Rwanda	RWA/121	04/17/2018	06/16/2018	Aftershave
 Rwanda	RWA/122	04/17/2018	06/16/2018	Bathing bars
 Rwanda	RWA/123	04/17/2018	06/16/2018	Antibacterial bathing bars
 Rwanda	RWA/124	04/18/2018	06/17/2018	Macadamia oil for cosmetic industry
 Rwanda	RWA/125	04/18/2018	06/17/2018	Cleaning chemicals
 Rwanda	RWA/126	04/18/2018	06/17/2018	Cakes
 Rwanda	RWA/127	04/18/2018	06/17/2018	Liquid detergents

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Rwanda	RWA/128	04/18/2018	06/17/2018	Acidic liquid toilet cleaners
 Rwanda	RWA/129	04/18/2018	06/17/2018	Calcium ammonium nitrate (CAN) fertilizer
 Rwanda	RWA/130	04/18/2018	06/17/2018	Potassium chloride (muriate of potash) fertilizer
 Rwanda	RWA/131	04/18/2018	06/17/2018	Potassium sulphate (sulphate of potash) fertilizer
 Rwanda	RWA/132	04/18/2018	06/17/2018	Single superphosphate fertilizer
 Rwanda	RWA/133	04/18/2018	06/17/2018	Organic fertilizer
 Rwanda	RWA/134	04/18/2018	06/17/2018	Finances, banking, monetary systems
 Rwanda	RWA/135	04/18/2018	06/17/2018	Compounded pig feeds
 Rwanda	RWA/136	04/18/2018	06/17/2018	Cattle feeds
 Rwanda	RWA/138	04/18/2018	06/17/2018	Organic production
 Rwanda	RWA/139	04/18/2018	06/17/2018	Compounded fish feeds
 Rwanda	RWA/140	04/18/2018	06/17/2018	Dairy goat feeds
 Rwanda	RWA/141	04/18/2018	06/17/2018	Fertilizers
 Rwanda	RWA/142	04/18/2018	06/17/2018	Fertilizers
 Rwanda	RWA/143	04/18/2018	06/17/2018	Fertilizers
 Saudi Arabia	SAU/1049	04/18/2018	05/18/2018	Plastic bottles made of Polyethylene Terephthalate (PET), formed by injection and blowing, for packing drinking water
 Sweden	SWE/133	04/23/2018	07/22/2018	Biofuels and bioliquids
 Taiwan Economy	TPKM/291/Rev. 1	04/04/2018	Not given	Chemical substances
 Taiwan Economy	TPKM/292/Add. 1	04/04/2018	Not given	Cosmetics
 Taiwan Economy	TPKM/306/Add. 2	04/04/2018	Not given	Prepackaged Food Products
 Taiwan Economy	TPKM/318	04/04/2018	05/30/2018	Base Station Radio Frequency Equipment
 Taiwan Economy	TPKM/319	04/09/2018	05/30/2018	Terminal equipment
 Taiwan Economy	TPKM/320	04/17/2018	06/16/2018	Fire Doors of Buildings
 Taiwan Economy	TPKM/293/Add. 1	04/18/2018	Not given	Hair dyes
 Taiwan Economy	TPKM/294/Add. 1	04/18/2018	Not given	Hair dyes
 Taiwan Economy	TPKM/302/Add. 1	04/18/2018	Not given	Active pharmaceutical ingredients (APIs)
 Tanzania	TZA/147	04/05/2018	06/04/2018	Carbonated soft drinks
 Tanzania	TZA/148	04/05/2018	06/04/2018	Sugar free carbonated soft drinks
 Tanzania	TZA/149	04/09/2018	06/08/2018	Natural gas

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Tanzania	TZA/150	04/23/2018	06/22/2018	Butter
 Tanzania	TZA/151	04/23/2018	06/22/2018	Ghee
 Tanzania	TZA/152	04/23/2018	6/22/2018	Milk powder and cream powder
 Tanzania	TZA/153	04/23/2018	6/22/2018	Raw milk
 Tanzania	TZA/154	04/23/2018	6/22/2018	Sweetened condensed milk
 Tanzania	TZA/155	04/23/2018	6/22/2018	UHT milk
 Tanzania	TZA/156	04/23/2018	6/22/2018	Lighting, signalling and warning devices
 Tanzania	TZA/157	04/23/2018	6/22/2018	Fuel systems
 Tanzania	TZA/158	04/23/2018	6/22/2018	Agricultural machines, implements and equipment
 Tanzania	TZA/159	04/23/2018	6/22/2018	Gas and steam turbines
 Tanzania	TZA/160	04/23/2018	6/22/2018	Honey Extractor
 Tanzania	TZA/161	04/24/2018	6/23/2018	Glass cleaner, liquid
 Tanzania	TZA/162	04/24/2018	6/23/2018	Baby toilet soap
 Turkey	TUR/75/Rev.1	04/04/2018	Not given	Consumer products covering children's high chairs, bicycles for young children, children's cots and folding cots for domestic use, manual toothbrushes, powered toothbrush, lighters, soothers for babies and young children, drinking equipment, seating and tables for camping, domestic and contract use, internal blinds, buoyant aids for swimming instruction, city and trekking-young adult- mountain and racing bicycles
 Turkey	TUR/111	04/03/2018	06/02/2018	Screws; bolts and nuts (HS 741533)
 Turkey	TUR/112	04/03/2018	06/02/2018	Bolts, screws, studs
 Uganda	UGA/21/Add.1	04/05/2018	Not given	Household consumer goods
 Uganda	UGA/22/Add.1	04/05/2018	Not given	Fertilizer
 Uganda	UGA/22/Add.2	04/05/2018	Not given	Fertilizer
 Uganda	UGA/22/Add.3	04/05/2018	Not given	Fertilizer
 Uganda	UGA/22/Add.4	04/05/2018	Not given	Fertilizer
 Uganda	UGA/22/Add.5	04/05/2018	Not given	Fertilizer
 Uganda	UGA/37/Add.1	04/05/2018	Not given	Used vehicles
 Uganda	UGA/467/Add.1	04/05/2018	Not given	Milk and processed milk products
 Uganda	UGA/834	04/12/2018	06/11/2018	Compounded fish feeds
 Uganda	UGA/835	04/12/2018	06/11/2018	Dairy goat feeds
 Uganda	UGA/836	04/12/2018	06/11/2018	Surgical instruments and materials

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/837	04/13/2018	06/12/2018	Needles Used in Surgical Sutures (HS 9018, 844851)
 Uganda	UGA/838	04/13/2018	06/12/2018	Needles Used in Surgical Sutures (HS 844851, 901832)
 Uganda	UGA/839	04/16/2018	06/15/2018	Toys; Electrical and electronics including solar panels and systems; Automotive products and inputs; Chemical commodities; Mechanical materials and gas appliances including construction materials and items; Textile, leather, plastic and rubber; Furniture including wood and metal articles; Paper and stationery; Protective safety Equipment; Food and food products; Used commodities including used motor vehicles Miscellaneous chemical products (HS 38), Rubber and articles thereof (HS 40), Headgear and parts thereof (HS 65), Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings (HS 94), Toys, games and sports requisites; parts and accessories thereof (HS 95), Articles of leather or of composition leather, of a kind used in machinery or mechanical appliances or for other technical uses. (HS 4204), Textile products and articles, for technical uses, specified in Note 7 to this Chapter. (HS 5911), Filing cabinets, card-index cabinets, paper trays, paper rests, pen trays, office-stamp stands and similar office or desk equipment, of base metal, other than office furniture of heading 94.03. (HS 8304), Cooking appliances and plate warmers: (HS 73211), Mechanical (HS 470691), Electrical (HS 870911)
 Uganda	UGA/813/Corr.1	04/17/2018	Not given	Surgical instruments and materials
 Uganda	UGA/814/Corr.1	04/17/2018	Not given	Surgical instruments and materials
 Uganda	UGA/815/Corr.1	04/17/2018	Not given	Lipstick
 Uganda	UGA/816/Corr.1	04/17/2018	Not given	Buses
 Uganda	UGA/825/Corr.1	04/17/2018	Not given	Fertilizers
 Uganda	UGA/826/Corr.1	04/17/2018	Not given	Fertilizers
 Uganda	UGA/836/Corr.1	04/17/2018	Not given	Surgical instruments and materials
 Uganda	UGA/817/Corr.1	04/23/2018	Not given	Organic production standard
 Uganda	UGA/818/Corr.1	04/23/2018	Not given	Fertilizers
 Uganda	UGA/824/Corr.1	04/23/2018	Not given	Fertilizers
 Uganda	UGA/840	04/23/2018	06/22/2018	Cotton T-Shirts (HS 6109)
 United States	USA/1352	04/03/2018	06/19/2018	Tobacco products (HS 24)
 United States	USA/1353	04/03/2018	06/27/2018	Bump-stock-type devices (HS 9303)
 United States	USA/1354	04/03/2018	05/21/2018	Closed-circuit escape respirators

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1355	04/03/2018	06/25/2018	Cigars (HS 24)
 United States	USA/1318/Add.1	04/11/2018	Not given	Oranges (HS 080510)
 United States	USA/1356	04/10/2018	Not given	Organic foods
 United States	USA/1357	04/10/2018	Not given	Household products containing Methylene Chloride (HS 290312)
 United States	USA/1358	04/10/2018	06/05/2018	Mangos (HS 080450)
 United States	USA/908/Corr.2	04/11/2018	Not given	Appliance labeling
 United States	USA/908/Add.4/Corr.1	04/12/2018	Not given	Appliance labeling
 United States	USA/908/Corr.3	04/12/2018	Not given	Appliance labeling
 United States	USA/740/Add.3	04/16/2018	Not given	Bedding and upholstered furniture (HS 9404, Chapter 94)
 United States	USA/827/Rev.2/Add.4	04/17/2018	Not given	Formaldehyde emissions, composite wood products
 United States	USA/1334/Add.1	04/16/2018	Not given	Organics
 United States	USA/693/Add.2	04/24/2018	Not given	Motor vehicles, seat belt assembly anchorages (HS 8708.21)
 United States	USA/1359	04/24/2018	04/30/2018	Volatile Organic Compound limits
 Viet Nam	VNM/120	04/24/2018	06/23/2018	Lead-acid batteries on motorcycles and mopeds other lead-acid accumulators (HS 850720)
 Viet Nam	VNM/121	04/24/2018	06/23/2018	Electric bicycles; electric accumulators, including separators therefor, whether or not rectangular (including square) (HS 8507)
 Viet Nam	VNM/122	04/24/2018	06/23/2018	Buses
 Viet Nam	VNM/123	04/24/2018	06/23/2018	Electric motorcycles and mopeds; electric accumulators, including separators therefor, whether or not rectangular (including square) (HS 8507)
 Viet Nam	VNM/124	04/24/2018	06/23/2018	Electric motorcycles and mopeds; parts and accessories of vehicles of headings 87.11 to 87.13 (HS 8714)
 Viet Nam	VNM/125	04/24/2018	06/23/2018	Electric bicycle; parts and accessories of vehicles of headings 87.11 to 87.13 (HS 8714)

## 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	TRS Number	Merchandise	Tariff Classification and Basis
10-19-16	<a href="#">275628</a>	<a href="#">Buffalo Horns and Hooves</a>	0511.99.90.90 [GIR 1, 6]
10-19-16	<a href="#">276299</a>	<a href="#">Buffalo Jerky</a>	0210.20.00.00 [GIR 1, 6]
10-19-16	<a href="#">275947</a>	<a href="#">Fuel for Fire Fruit &amp; Protein Fuel Pack (Tropical)</a>	2106.90.99.99 [GIR 1, 6]
10-19-16	<a href="#">275949</a>	<a href="#">Fuel for Fire Fruit &amp; Protein Fuel Pack various flavours</a>	2106.90.99.99 [GIR 1, 6]
10-28-16	<a href="#">276188</a>	<a href="#">Ladies Knit undergarment, Style # A04-84994S</a>	6212.90.00.00 [GIR 1, 6]
10-28-16	<a href="#">276171</a>	<a href="#">Ladies Woven outerwear padded waistcoat, A05-81962F</a>	6202.93.00.34 [GIR 1, 6]
10-19-18	<a href="#">275732</a>	<a href="#">Laser Tag Game Poncho</a>	9504.90.00.19 [GIR 1, 6, Canadian Rule 1, LN 3 to Chap. 95, and General Explanatory Notes to Chap. 95]
11-23-16	<a href="#">274803</a>	<a href="#">Santa Gift Bag with Handles</a>	6307.90.99.90 [GIR 1, 6; Note 7 (f) to Sec. XI, GN (1) to Chap. 63 and ENs 63.07]
10-19-18	<a href="#">275841</a>	<a href="#">Studex System 75 Ear Piercing Instrument</a>	8205.59.90.00 [GIR 1, 6; ENs, Note 1 to Chap. 82]
10-19-18	<a href="#">276053</a>	<a href="#">Styling Doll's Head</a>	9023.00.00.00 [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	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
<b>Proposed Revocations/modifications</b>						
<a href="#">(P) 04-18-18</a>	Tariff classification of natamycin 50% with lactose and natamycin 50% with sodium chloride	NY I82455	M	3003.20.00	HQ H261418	3808.92.50 [GRI 1, 6; Chap 30 Note 3(b)(1), Chap 39 Note 1(b); EN 30.03, 38.08] (C) 05-18-18
	Tariff classification of EZ Comb from China.	NY N048195	R	9615.11.5000	HQ H088397	Depending on value 9615.11.10 or 9615.11.30 [GRI 1, 6 ;EN 96.15]
<b>Revocations/Modifications</b>						
<a href="#">(A) 04-18-18</a>	Tariff classification of free-wheel bicycle cogs and cassettes.	HQ H174522 HQ H161003 NY N116976	M R R	8714.99.80	HQ H288022	8714.93.70 [GRI 1, 6] (E) 06-18-18

## 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
<p><a href="#">(EU) 2018/553 of 03-04-18</a></p>	<p>An article comprised of two tubes held by brackets, with a total length of approximately 150 cm and a diameter of each tube of approximately 0,8 cm. The tubes are welded and made of an aluminium alloy.</p> <p>The article is designed to be used in motor vehicles to convey the cooling liquid from the engine to the heat exchanger under the dashboard of the vehicle.</p> <p>See image</p> 	7608 20 20	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 7608 , 7608 20 and 7608 20 20 .</p> <p>Classification under CN code 8415 90 00 as parts of air-conditioning machines, under CN code 8419 90 85 as other parts of machinery for the treatment of materials by a process involving a change of temperature or under CN code 8708 91 99 as parts of radiators of motor vehicles is excluded, because, on the basis of its objective characteristics the article is not identifiable as being solely or principally suitable for use with such articles (see note 2 (b) to Section XVI and note 3 to Section XVII).</p> <p>The article is therefore to be classified under CN code 7608 20 20 as aluminium tubes and pipes, of welded aluminium alloys</p>
<p><a href="#">(EU) 2018/603 of 12-04-18</a></p>	<p>An inflatable cushion of plastics (so-called 'wheelchair cushion'), measuring approximately 40 x 40 cm, consisting of two rectangular interconnected chambers filled with air. Each chamber contains an air filled bag of plastics covered with a thin layer of silicone.</p> <p>The cushion is adjustable according to the degree to which the two chambers are inflated, which causes the position of the bag of plastics in each chamber to shift when the user is sitting on the cushion.</p> <p>The cushion has a removable anti-slip cover of textile materials that has two 'velcro'-type straps attached to its underside.</p> <p>The article is intended to prevent the user developing pressure sores. It provides a relieving effect on the seat bones and improves the comfort of the user.</p> <p>See images</p>	3926 90 97	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3926 , 3926 90 and 3926 90 97 .</p> <p>Classification of the article under heading 9404 (articles of bedding and similar furnishing) is excluded because pneumatic cushions are excluded from this heading within the meaning of note 1 (a) to Chapter 94 and, consequently, pneumatic cushions of plastics are classified under heading 3926 (see also the Harmonized System Explanatory Notes (HSEN) to heading 9404 , last paragraph, (b)).</p> <p>Classification under CN code 8714 20 00 as parts and accessories of carriages for disabled persons is also excluded, because the article is not identifiable as being suitable for use solely or principally with carriages for disabled persons within the meaning of note 3 to Section XVII. Considering its objective characteristics, the article can be used on many seats and chairs as well as on seats of wheelchairs. For example, the article is not designed for use with a specific seat, because it has no specific means by which it can be attached that would identify it for use with a specific seat. The anti-slip cover and the 'velcro'-type straps can be attached to many different types of seats. There is therefore nothing to identify the article as being designed for use with a specific type of seat (see also the HSEN to head-</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
			<p>ing 8714 , first paragraph, (i)).</p> <p>Moreover, classification under CN code 8714 20 00 as parts and accessories of carriages for disabled persons is excluded because the article is neither indispensable for the functioning of the wheelchair, nor does it adapt the wheelchair for a particular operation or increase its range of operations or enable it to perform a particular service connected with its main function which is enabling a handicapped person to move (see judgment of the Court of 16 June 2011, <i>Unomedical</i>, C-152/10, ECLI:EU:C:2011:402, paragraphs 29, 30 and 36). A wheelchair operates in the same way as it does without the cushion. The cushion merely makes the wheelchair more comfortable and durable for the user.</p> <p>Although the article consists of different components (the cushion of plastics and the cover of textile materials), the article is to be classified as if it consisted of the cushion of plastics because the cushion gives the article its essential character within the meaning of general rule 3 (b). The textile component is merely a cover that protects and keeps the essential component in place. The article is therefore to be classified according to its constituent material under CN code 3926 90 97 as 'other articles of plastics'.</p>

## Amendments to the CN Explanatory Notes

No amendments to the explanatory notes to the *Combined Nomenclature of the European Union* were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

## 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
<a href="#">337-TA-945</a>	Certain Network Devices, Related Software and Components Thereof (II)	Commission Determination to Modify the Remedial Orders to Suspend Enforcement as to U.S. Patent No. 7,224,668
<a href="#">337-TA-1031</a>	Certain UV Curable Coatings for Optical Fibers, Coated Optical Fibers, and Products Containing Same	Notice Of Commission Determination to Review In Part A Final Initial Determination Finding a Violation of Section 337; Extension of Target Date
<a href="#">337-TA-1033</a>	Certain Arrowheads with Arcuate Blades and Components Thereof	Commission Final Determination of Violation of Section 337; Issuance of a General Exclusion Order; Termination of Investigation

Inv. №	Commodity	Action
<a href="#">337-TA-1044</a>	Certain Graphics Systems, Components Thereof, and Consumer Products Containing the Same	Notice of Request for Statements on the Public Interest
<a href="#">337-TA-1085</a>	Certain Glucosylated Steviol Glycosides, and Products Containing Same	Notice of Commission Determination Not To Review an Initial Determination Granting a Joint Motion to Terminate the Investigation Based on Settlement; Termination of the Investigation
<a href="#">337-TA-1098</a>	Certain Subsea Telecommunications Systems and Components Thereof	Commission Determination Not To Review an Initial Determination Granting a Motion for Leave To Amend the Complaint and Notice of Investigation To Correct the Name of a Respondent and Withdrawal of the Complaint as to Other Respondents
<a href="#">337-TA-1102</a>	Certain Light Engines and Components Thereof	Commission Determination Not to Review an Initial Determination Granting a Joint Motion to Terminate the Investigation in Its Entirety Based Upon a Consent Order Stipulation; Issuance of Consent Order
<a href="#">337-TA-1107</a>	Certain Led Lighting Devices and Components Thereof	Institution of Investigation based on a complaint and supplement filed on behalf of Fraen Corporation alleging patent infringement
<a href="#">337-TA-1108</a>	Certain Jump Rope Systems	Institution of Investigation based on a complaint and supplement filed on behalf of Jump Rope Systems, LLC alleging patent infringement
<a href="#">337-TA-1109</a>	Certain Clidinium Bromide and Products Containing Same	Institution of Investigation based on a complaint and supplement filed on behalf of Valeant Pharmaceuticals North America LLC and Valeant Pharmaceuticals International, Inc. alleging unfair acts or methods of competition, the threat or effect of which is to destroy or substantially injure an industry in the United States.

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. Number	Commodity	Complaint filed on behalf of:
<a href="#">DN 3302</a>	Certain Modular LED Display Panels	Ultravision Technologies, LLC
<a href="#">DN 3303</a>	Certain Strontium-Rubidium Radioisotope Infusion Systems, and Components Thereof Including Generators	Bracco Diagnostics Inc.
<a href="#">DN 3305</a>	Certain Portable Gaming Console Systems with Attachable Handheld Controllers and Components Thereof	Gamevice, Inc.
<a href="#">DN 3306</a>	Certain Human Milk Oligosaccharides and Methods of Producing the Same	Glycosyn LLC
<a href="#">DN 3308</a>	Certain Radio Frequency Micro-Needle Dermatological Treatment Devices and Components Thereof	Syneron Medical Ltd.; Candela Corporation; and Massachusetts General Hospital
<a href="#">DN 3311</a>	Certain Submarine Telecommunication Systems and Components Thereof	NEC Corporation and NEC Corporation of America

## Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

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

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



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

Case №	Merchandise/Country	Action
<a href="#">C-533-882</a> <a href="#">C-570-078</a> <a href="#">C-580-898</a> <a href="#">C-489-834</a>	Large Diameter Welded Pipe From India, China, S. Korea, and Turkey	Postponement of Preliminary Determinations in the Countervailing Duty Investigations
<a href="#">A-570-924</a>	Polyethylene Terephthalate Film, Sheet, and Strip From China	Rescission of ADD Administrative Review; 2016-2017
<a href="#">A-570-045</a> <a href="#">C-570-046</a> <a href="#">A-588-873</a> <a href="#">A-570-028</a> <a href="#">A-570-914</a> <a href="#">C-570-915</a>	1-Hydroxyethylidene-1, 1-Diphosphonic Acid From China; Cold-Rolled Steel Flat Products From Japan; Hydrofluorocarbon Blends From China; Light-Walled Rectangular Pipe and Tube From China	Opening of Scope Segments and Opportunity To Comment
<a href="#">A-122-853</a>	Citric Acid and Certain Citrate Salts From Canada	Final Results of ADD Administrative Review; 2016-2017
<a href="#">C-552-824</a>	Laminated Woven Sacks From Vietnam	Initiation of CVD Investigation
<a href="#">A-469-805</a>	Stainless Steel Bar From Spain	Final Results of ADD Administrative Review; 2016-2017
<a href="#">A-570-073</a>	Common Alloy Aluminum Sheet From China	Postponement of Preliminary Determination of the LTFV Investigation
<a href="#">A-552-823</a>	Laminated Woven Sacks From Vietnam	Initiation of LTFV Investigation
<a href="#">A-570-905</a>	Certain Polyester Staple Fiber From China	Continuation of AD Order
<a href="#">A-520-803</a>	Polyethylene Terephthalate Film, Sheet, and Strip from the United Arab Emirates	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
<a href="#">A-469-805</a>	Certain Uncoated Paper from Portugal	Preliminary Results of ADD Administrative Review; 2015-2017
<a href="#">A-549-502</a>	Circular Welded Carbon Steel Pipes and Tubes From Thailand	Preliminary Results of ADD Administrative Review; 2016-2017
<a href="#">C-570-080</a>	Cast Iron Soil Pipe From China	Postponement of Preliminary Determination in CVD Investigation
<a href="#">A-560-828</a>	Certain Uncoated Paper From Indonesia	Preliminary Results of ADD Administrative Review; 2015-2017
<a href="#">C-570-980</a>	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China	Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results
<a href="#">A-351-842</a>	Certain Uncoated Paper From Brazil	Preliminary Results of ADD Administrative Review; 2015-2017
<a href="#">C-560-829</a>	Certain Uncoated Paper From Indonesia	Preliminary Results of CVD Administrative Review; 2015-2016
<a href="#">A-552-821</a>	Certain Tool Chests and Cabinets From Vietnam	Final Affirmative Determination of Sales at LTFV
<a href="#">A-570-056</a>	Certain Tool Chests and Cabinets From China	Final Affirmative Determination of Sales at LTFV
<a href="#">A-533-838</a>	Carbazole Violet Pigment 23 From India	Final Results of ADD Administrative Review; 2015-2016
<a href="#">C-549-836</a> <a href="#">C-570-070</a>	Rubber Bands From Thailand and China	Postponement of Preliminary Determinations in the CVD Investigations
<a href="#">C-570-065</a>	Stainless Steel Flanges From China	Final Affirmative CVD Determination
<a href="#">C-122-862</a>	Certain Uncoated Groundwood Paper From Canada	Amended Preliminary CVD Determination
<a href="#">C-489-819</a>	Steel Concrete Reinforcing Bar From Turkey	Final Results and Partial Rescission of CVD Administrative Review; 2015
<a href="#">A-533-843</a>	Certain Lined Paper Products From India	Final Results of ADD Administrative Review; 2015-2016
<a href="#">C-570-913</a>	Certain New Pneumatic Off-the-Road Tires From China	Final Results of CVD Administrative Review; 2015
<a href="#">A-533-873</a>	Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From India	Final Affirmative Determination of Sales at LTFV
<a href="#">A-475-838</a>	Certain Cold-Drawn Mechanical Tubing of	Final Determination of Sales at LTFV and Final Affirmative Deter-


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

Case №	Merchandise/Country	Action
	Carbon and Alloy Steel From Italy	mination of Critical Circumstances, in Part
<a href="#">A-441-801</a>	Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Switzerland	Final Determination of Sales at LTFV
<a href="#">A-580-892</a>	Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From S. Korea	Final Affirmative Determination of Sales at LTFV, Final Affirmative Determination of Critical Circumstances
<a href="#">A-570-058</a>	Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From China	Affirmative Final Determination of Sales at LTFV and Final Determination of Critical Circumstances, in Part
<a href="#">A-428-845</a>	Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From Germany	Final Affirmative Determination of Sales at LTFV
<a href="#">C-570-968</a>	Aluminum Extrusions From China	Correction of Notification of Rescission, in Part; 2016
<a href="#">A-570-912</a>	Certain New Pneumatic Off-the-Road Tires From China	Final Results of ADD Administrative Review and New Shipper Review; 2015-2016
<a href="#">A-201-830</a>	Carbon and Certain Alloy Steel Wire Rod From Mexico	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
<a href="#">A-580-870</a>	Certain Oil Country Tubular Goods From S. Korea	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2015-2016
<a href="#">A-570-053</a>	Certain Aluminum Foil From China	Amended Final Determination of Sales at LTFV and ADD Order
<a href="#">C-570-054</a>	Certain Aluminum Foil From China	Amended Final Affirmative CVD Determination and CVD Order
<a href="#">A-580-839</a> <a href="#">A-583-833</a>	Polyester Staple Fiber From S. Korea and Taiwan	Preliminary Results of Changed Circumstances Reviews, and Intent to Revoke ADD Orders in Part
<a href="#">A-570-900</a>	Diamond Sawblades and Parts Thereof From China	Final Results of ADD Administrative Review; 2015-2016
<a href="#">A-533-810</a>	Stainless Steel Bar From India	Final Results of Changed Circumstances Review and Reinstatement of Certain Companies in the ADD Order
<a href="#">A-489-822</a>	Welded Line Pipe From Turkey	Rescission of ADD Administrative Review; 2016-2017
<a href="#">C-570-074</a>	Common Alloy Aluminum Sheet From China	Preliminary Affirmative CVD Determination, Alignment of Final CVD Determination With Final ADD Determination, and Preliminary CVD Determination of Critical Circumstances
<a href="#">C-570-083</a>	Certain Steel Wheels From China	Initiation of CVD Investigation
<a href="#">A-560-832</a> <a href="#">A-580-896</a> <a href="#">A-583-862</a>	Polyethylene Terephthalate Resin From Indonesia, S. Korea, and Taiwan	Preliminary Determinations of Critical Circumstances
<a href="#">C-489-823</a>	Welded Line Pipe From Turkey	Rescission of CVD Administrative Review; 2016
<a href="#">A-570-082</a>	Certain Steel Wheels From China	Initiation of LTFV Investigation
<a href="#">A-533-808</a>	Stainless Steel Wire Rod From India	Rescission of ADD Administrative Review; 2016-2017
<a href="#">A-549-502</a>	Circular Welded Carbon Steel Pipes and Tubes From Thailand	Amended Final Results of ADD Administrative Review; 2015-2016
<a href="#">C-533-884</a> <a href="#">C-570-081</a> <a href="#">C-549-838</a>	Glycine From India, China, and Thailand	Initiation of CVD Investigations
<a href="#">A-570-828</a>	Silicomanganese From China	Notice of Correction to the Final Results of the Expedited Fourth Sunset Review of the ADD Order
<a href="#">A-533-883</a> <a href="#">A-588-878</a> <a href="#">A-549-837</a>	Glycine From India, Japan, and Thailand	Initiation of LTFV Investigations
<a href="#">A-357-820</a> <a href="#">A-560-830</a>	Biodiesel From Argentina and Indonesia	ADD Orders
<a href="#">A-570-863</a>	Honey From China	Continuation of ADD Order
<a href="#">A-580-868</a>	Large Residential Washers From S. Korea	Preliminary Results of the First Five-Year Sunset Review of the ADD Order
<a href="#">A-570-918</a>	Steel Wire Garment Hangers From China	2016-2017; Partial Rescission of the Ninth ADD Administrative


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

Case №	Merchandise/Country	Action
		Review
<a href="#">A-570-848</a>	Freshwater Crawfish Tail Meat From China	Initiation of ADD New Shipper Review
<a href="#">A-570-900</a>	Diamond Sawblades and Parts Thereof From China	Rescission of ADD Administrative Review, in Part; 2016-2017


**United States International Trade Commission (USITC)**

Inv. №	Merchandise/Country	Action
<a href="#">701-TA-584</a> <a href="#">731-TA-1382</a>	Uncoated Groundwood Paper From Canada	(Final) Scheduling of the Final Phase of CVD and ADD Investigations
<a href="#">701-TA-603-605</a> <a href="#">731-TA-1413-1415</a>	Glycine From China, India, Japan, and Thailand	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
<a href="#">701-TA-602</a> <a href="#">731-TA-1412</a>	Steel Wheels From China	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
<a href="#">731-TA-860</a>	Tin- and Chromium-Coated Steel Sheet from Japan	(Third Review) Revised schedule for full five-year review
<a href="#">731-TA-1189</a>	Large Power Transformers From Korea	(Review) Scheduling of a full five-year review
<a href="#">701-TA-570</a> <a href="#">731-TA-1346</a>	Aluminum Foil From China	(Final) Determinations that an industry in the United States is materially injured by reason of subject imports from China that have been found by Commerce to be sold in the United States at LTFV and to be subsidized by the government of China
<a href="#">701-TA-573-574</a> <a href="#">731-TA-1350, 1351, 1354, 1355, 1358</a>	Carbon and Certain Alloy Steel Wire Rod From Italy, Korea, Spain, Turkey, and the United Kingdom	(Final) Supplemental Schedule for the Subject Investigations
<a href="#">701-TA-567-569</a> <a href="#">731-TA-1343-1345</a>	Silicon Metal From Australia, Brazil, Kazakhstan, and Norway	(Final) Determinations that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially re-tarded by reason of imports of silicon metal from Australia, Brazil, and Norway, that have been found by Commerce to be sold in the United States at LTFV, and from Australia, Brazil, and Kazakhstan that have been found by Commerce to be subsidized by the governments of those countries
<a href="#">731-TA-1347-1348</a>	Biodiesel From Argentina and Indonesia	(Final) Determination that an industry in the United States is materially injured by reason of imports of subject products that have been found by Commerce to be sold in the United States at LTFV
<a href="#">731-TA-739</a>	Clad Steel Plate From Japan	(Fourth Review) Notice of Commission Determination to Conduct a Full Five-Year Review
<a href="#">731-TA-893</a>	Honey From China	(Third Review) Determination that revocation of the ADD order would be likely to lead to the continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time
<a href="#">701-TA-486</a> <a href="#">731-TA-1195-1196</a>	Utility Scale Wind Towers From China and Vietnam	(Review) Notice of Commission Determination to Conduct Full Five-Year Reviews
<a href="#">731-TA-1360-1361</a>	Tool Chests and Cabinets From China and Vietnam	(Final) Supplemental Schedule for the Subject Investigations
<a href="#">731-TA-1362-1367</a>	Cold-Drawn Mechanical Tubing From China, Germany, India, Italy, Korea, and Switzerland	(Final) Supplemental Schedule for the Subject Investigations
<a href="#">701-TA-606</a> <a href="#">731-TA-1416</a>	Quartz Surface Products From China	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
<a href="#">731-TA-891</a>	Foundry Coke From China	(Third Review) Determination that revocation of the ADD order



## United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
		would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time
<a href="#">701-TA-488</a> <a href="#">731-TA-1199-1200</a>	Certain Large Residential Washers From Korea and Mexico	(Review) Notice of Commission Determination to Conduct Full Five-Year Reviews
<a href="#">701-TA-601</a> <a href="#">731-TA-1411</a>	Laminated Woven Sacks from Vietnam	(Preliminary) Determination that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of subject goods that are alleged to be sold in the United States at LTFV and to be subsidized by the government of Vietnam.



## Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
<a href="#">LE-2018-001</a>	Carbon Steel Welded Pipe	Notice of Expiry of Order
<a href="#">PI-2017-004</a>	Certain Dry Wheat Pasta Originating in or Exported from Turkey	Preliminary Determination that there is evidence that discloses a reasonable indication that the dumping and subsidizing of the above-mentioned goods have caused or are threatening to cause injury to the domestic industry – Reasons Issued
<a href="#">RR-2017-004</a>	Certain hot-rolled carbon steel plate and high-strength low-alloy plate originating in or exported from China	Expiry Review: Order Issued to Russel Metals, Inc.



## Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
<a href="#">CPF2 2017 IN</a>	Certain copper pipe fittings from Vietnam	Notice of Final Determinations of Dumping and Subsidizing; Provisional duties will continue to be applied on imports of dumped and subsidized subject goods until the CITT concludes its inquiry and issues its finding on injury to domestic industry
<a href="#">DWP 2017 IN</a>	Certain Dry Wheat Pasta Originating in or Exported from Turkey	Statement of Reasons for Preliminary Determinations
<a href="#">GB 2018 RI</a>	Certain gypsum board originating in or exported from the United States of America, imported into Canada for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories (Western Canada)	Extension of Re-investigation



## NAFTA Panels

Ref. Number	Merchandise/Country	Action
<a href="#">MEX-USA-2016-1904-01</a>	Ethylene glycol monobutyl ether, originating in the USA	Notice of termination of the panel review of the final resolution



## Mexico - Ministry of Economy

Ref. №	Merchandise/Country	Action
<a href="#">EA 13/16</a>	Seamless carbon steel pipe from S. Korea, Spain, India and Ukraine, regardless of the country of export	Final AD resolution investigation



## European Union

Ref. Number	Merchandise/Country	Action
<a href="#">(EU) 2018/554</a>	Ceramic tableware and kitchenware, originating in China	Commission Implementing Regulation amending Council Implementing Regulation imposing a definitive ADD and collecting definitively the provisional duty
<a href="#">(EU) 2018/607</a>	Steel ropes and cables originating in China as extended to imports of steel ropes and cables consigned from Morocco and the Republic of Korea, whether declared as originating in these countries or not	Commission Implementing Regulation imposing a definitive ADD following an expiry review
<a href="#">2018/C 151/08</a>	Tubes and pipes of ductile cast iron (also known as spheroidal graphite cast iron) originating in India	Notice of reopening the AD investigation



## Australian Anti-Dumping Commission

Ref. №	Merchandise/Country/Case #	Action
<a href="#">2018/35</a>	Aluminium Extrusions from China #EX0063	Initiation of Exemption Inquiry
<a href="#">2018/49</a>	Steel Reinforcing Bar #411/412/423 from China	Findings in relation to a review of measures
<a href="#">2018/50</a>	Rod in Coil from China #413/414	Findings in relation to a review of measures
<a href="#">2018/56</a>	Rod in Coils from China	Initiation of a Review of Anti-Dumping Measures
<a href="#">2018/58</a>	Aluminium Extrusions From China #475	Initiation of an accelerated review
<a href="#">2018/59</a>	Railway Wheels From China and France #466	Initiation of an investigation in alleged dumping and subsidisation
<a href="#">2018/60</a>		Ministerial Exemption Instrument No. 1 of 2018 - Revocation of certain ministerial exemptions (1 & 6 of 2013 & 4 of 2014)
<a href="#">2018/61</a>	Various	Monthly Status Report - March 2018
<a href="#">2018/62</a>	Steel Reinforcing Bar from Thailand #471	Initiation of an accelerated review
<a href="#">2018/63</a>	Steel Reinforcing Bar from Thailand #472	Initiation of an accelerated review
<a href="#">2018/64</a>	Tomatoes from Italy	Expiry of anti-dumping measures
<a href="#">2018/65</a>	Wind Towers from China and Korea	Expiry of anti-dumping measures
<a href="#">2018/66</a>	Aluminium Extrusions from China and Thailand #442	Extension of time to issue Statement of Essential Facts & Final Report
<a href="#">2018/67</a>	Aluminium Extrusions from China #EX0055	Findings of exemption inquiry EX0055
<a href="#">2018/71</a>	Grinding Balls from China	Initiation of Accelerated Review



## China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
<a href="#">37, 2018</a>	Pulp Originating in the US, Canada and Brazil	Re-inquiry Based on WTO DSB Report
<a href="#">39, 2018</a>	Halogenated Butyl Rubber Originating in the US, EU and Singapore	Preliminary Ruling on AD Investigation
<a href="#">38, 2018</a>	Sorghum Originating in the US	Preliminary Ruling on AD Investigation



### China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
<a href="#">28, 2018</a>	Electrolytic Capacitor Paper Originating in Japan	Final Review of AD Measures
<a href="#">32, 2018</a>	Ethylene Glycol and Diethylene Glycol Monobutyl Ether Originating in the US and certain EU companies	Adjustment of Anti-dumping Rate



### Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
<a href="#">18/2018-Cus (ADD)</a>	Fishnet or fishing nets originating from China or Bangladesh	Imposes definitive ADD
<a href="#">19/2018-Cus (ADD)</a>	"Phosphorus Pentoxide" originating in or exported from China PR	Imposes definitive ADD
<a href="#">20/2018-Cus (ADD)</a>	Fishnet or fishing nets originating from China or Bangladesh.	Impose definitive ADD
<a href="#">21/2018-Cus (ADD)</a>	Soda Ash originating in or exported from Russia and Turkey	Extends the levy of ADD, imposed Notification No. 8/2013-Customs (ADD), dated the 18.04.2013 for a further period of one year (i.e. 16.04.2019) or till the conclusion of the sunset review investigations initiated by the Designated Authority vide initiation notification No.7/4/2018-DGAD dated the 16th April, 2018, whichever is earlier.
<a href="#">22/2018-Cus (ADD)</a>	Glassware, originating in, or exported from China and Indonesia	Imposes definitive ADD
<a href="#">23/2018-Cus (ADD)</a>	Methyl Ethyl Ketone or MEK originating in, or exported from China PR, Japan, South Africa and Taiwan	Imposes definitive ADD



### Argentina Ministry of Production – Secretary of Commerce

Ref. Number	Merchandise/Country	Action
<a href="#">173/2018</a>	Domestic dishwashers originating in Turkey and China	Definitive ADD for a term of 5 years
<a href="#">235/2018</a>	Shock absorbers, including spring-cushion assembly, forming a only body, of the types used in motorcycles (including mopeds), and velocípedos equipped with auxiliary engine with or without sidecar, originating in China	Proceed to open AD investigation; certificates of origin after 60 day
<a href="#">237/2018</a>	Emergency lighting equipment, originating in China	Closure of the present investigation due to lack of injury



### Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
<a href="#">CAMEX Res. 25</a>	Plain paper originating in Germany, Belgium, Finland and Sweden	Extends a definitive ADD for a period of up to five (5) years <a href="#">Correction</a>
<a href="#">SECEX Cir. 15</a>	Light coated paper originating in Canada and the US	End the review of the antidumping measure instituted by CAMEX Resolution No. 25 of 2012, initiated through SECEX Circular No. 19 of 2017.



## Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
<a href="#">CAMEX Res. 18</a> (Rectification)	Metallic magnesium originating in the Russian Federation	<a href="#">Rectification</a> Extends the definitive ADD for up to 5 years
<a href="#">CAMEX Res. 96</a> (Rectification)	Certain cast iron and / or chrome-plated steel grinding bodies for application in mills, ..., originating from India.	<a href="#">Rectification</a> Imposed provisional antidumping duty for a period of up to six (6) months



## Turkey – Ministry of Economy

Communique No	Merchandise/Country	Action
<a href="#">2018/12</a>	Certain non-bleached primary fiber surface (kraft paper) papers originating in Finland, the Russian Federation, Poland and Brazil	Decision taken on completion of the dumping investigation: goods are dumped and domestic industry is materially damaged
<a href="#">2018/13</a>	Polyester fiber originating in Indonesia and S. Korea	Determination that if dumping measures were lifted, dumping and damage was likely to continue or resume so measures continued
<a href="#">2018/14</a>	Fabric woven from synthetic or artificial staple fibers originating in China	Allegations that AD measures being applied are made ineffective through defection of origin through Bulgaria and Poland; Investigation opened; questionnaires to be sent
<a href="#">2018/15</a>	Pipe fittings (others) originating in Indonesia, India and Thailand	Continuation of measures
<a href="#">2018/3</a>	Various products in chapters 72, 73	Safeguard investigation



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## Opportunity to Request Administrative Review

In an April 2, 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 April anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
<b>Antidumping Duty Proceedings</b>		
Rep.of Korea: Phosphor Copper	A-580-885	10/14/16-3/31/18
The PR of China: 1,1,1,2-Tetrafluoroethane (R-134A)	A-570-044	10/7/16-3/31/18
Activated Carbon	A-570-904	4/1/17-3/31/18
Drawn Stainless Steel Sinks	A-570-983	4/1/17-3/31/18
Magnesium Metal	A-570-896	4/1/17-3/31/18
Non-Malleable Cast Iron Pipe Fittings	A-570-875	4/1/17-3/31/18
Stainless Steel Sheet and Strip	A-570-042	9/19/16-3/31/18
Steel Threaded Rod	A-570-932	4/1/17-3/31/18
<b>Countervailing Duty Proceedings</b>		
The PR of China: Drawn Stainless Steel Sinks	C-570-984	1/1/17-12/31/17
Stainless Steel Sheet and Strip	C-570-043	7/18/16-12/31/17
<b>Suspension Agreements</b>		
None		

## Requested Reviews

In an April 16, 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 April anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
<b>Antidumping Duty Proceedings</b>		
Brazil: Stainless Steel Bar	A-351-825	2/1/17-1/31/18
India: Stainless Steel Bar	A-533-810	2/1/17-1/31/18
Certain Frozen Warmwater Shrimp	A-533-840	2/1/17-1/31/18
Italy: Stainless Steel Butt-Weld Pipe Fittings	A-475-828	2/1/17-1/31/18
Malaysia: Stainless Steel Butt-Weld Pipe Fittings	A-557-809	2/1/17-1/31/18
Mexico: Large Residential Washers	A-201-842	2/1/17-1/31/18
Oman: Circular Welded Carbon-Quality Steel Pipe	A-523-812	6/8/16-11/30/17
Rep. of Korea: Large Residential Washers	A-580-868	2/1/17-1/31/18
Certain Cut-to-Length Carbon-Quality Steel Plate	A-580-836	2/1/17-1/31/18
SR of Vietnam: Certain Frozen Warmwater Shrimp	A-552-802	2/1/17-1/31/18
Steel Wire Garment Hangers	A-552-812	2/1/17-1/31/18
Utility Scale Wind Towers	A-552-814	2/1/17-1/31/18
Taiwan: Crystalline Silicon Photovoltaic Products	A-583-853	2/1/17-1/31/18
Thailand: Certain Frozen Warmwater Shrimp	A-549-822	2/1/17-1/31/18
The PR of China: Certain Preserved Mushrooms	A-570-851	2/1/17-1/31/18
Certain Crystalline Silicon Photovoltaic Products	A-570-010	2/1/17-1/31/18
Certain Frozen Warmwater Shrimp	A-570-893	2/1/17-1/31/18
Multilayered Wood Flooring	A-570-970	12/1/16-11/30/17
Small Diameter Graphite Electrodes	A-570-929	2/1/17-1/31/18
Uncovered Innerspring Units	A-570-928	2/1/17-1/31/18
Utility Scale Wind Towers	A-570-981	2/1/17-1/31/18
<b>Countervailing Duty Proceedings</b>		
SR of Vietnam: Steel Wire Garment Hangers	C-552-813	1/1/17-12/31/17
Rep. of Korea: Certain Cut-to-Length Carbon-Quality Steel Plate	C-580-837	1/1/17-12/31/17
The PR of China: Utility Scale Wind Towers	C-570-982	1/1/17-12/31/17
Certain Crystalline Silicon Photovoltaic Products	C-570-011	1/1/17-12/31/17
<b>Suspension Agreements</b>		
None		

## Advance Notification of Sunset Reviews

In an April 2, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for May.

AD/CVD Proceedings - Merchandise/Country	Case No.
<b>Antidumping duty proceedings</b>	
Solid Agricultural Grade Ammonium Nitrate from Ukraine	A-823-810 (3 <sup>rd</sup> Review)
<b>Countervailing duty proceedings</b>	
No Sunset Review of countervailing duty orders is scheduled for initiation in May 2018	
<b>Suspended investigations</b>	
No Sunset Review of suspended investigations is scheduled for initiation in May 2018.	



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