



In This Issue:

World Trade Organization (WTO)
World Customs Organization (WCO)
Other International Matters
The Americas - Central America
The Americas - North America
The Americas - South America
Asia-Pacific
Europe, Middle East and North Africa
Trade compliance enforcement actions - import, export, IPR, FCPA
Newsletters, reports, articles, etc.
Webinars, Meetings, Seminars, etc.
WTO TBT Notifications
CBP Rulings: Downloads and Searches
CBP Rulings: Revocations or Modifications
European Classification Regulations
Amendments to the CN Explanatory Notes
Section 337 Actions
Antidumping, Countervailing Duty and Safeguard Investigations, Orders & Reviews

Editor, *International Trade Compliance Update*

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

This may qualify as "Attorney Advertising" requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.

Please see copyright and acknowledgements on the last page

Register Today! 2017 Global Trade and Business Webinar Series



Please see our [Webinars, Meetings, Seminars](#) section for the full schedule of webinars in this series, 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 and links to video recordings of past webinars.

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

For International Trade Compliance Updates, please regularly visit www.internationaltradeupdate.com.

For additional articles and updates on trade sanctions, export controls and related subjects, 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 the UK referendum on exiting the EU (Brexit) 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.

Articles written by Baker McKenzie attorneys have their names and links to their e-mail addresses, usually at the end of the article.

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

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

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

A note on spelling, grammar and dates--

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

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

Credits:

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

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

This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).

World Trade Organization (WTO)

Trade Policy Review: Mexico, Belize

The sixth review of the trade policies and practices of Mexico took place on 5 and 7 April 2017. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Mexico](#).

The third review of the trade policies and practices of Belize took place on 24 and 26 April 2017. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Belize](#).

WTO members discuss trade facilitation provisions in RTAs

The WTO [announced](#) that WTO members discussed the relationship between trade facilitation provisions in regional trade agreements (RTAs) and the WTO's *Trade Facilitation Agreement* (TFA) at the 3-4 April meeting of the Committee on Regional Trade Agreements. The announcement said:

Delegates from the European Union, Japan and Australia delivered presentations comparing their existing and future RTAs with provisions of the WTO's landmark TFA, showing how bilateral, regional and multilateral trade agendas have influenced each other in this area.

This informal discussion was held to follow up on ministers' December 2015 instructions for the committee to discuss the systemic implication of RTAs for the multilateral trading system and their relationship to WTO rules, as reflected in paragraph 28 of the [Nairobi ministerial declaration](#). Besides instructions for holding these discussions, the ministerial declaration also called on WTO members to work towards the transformation of the provisional Transparency Mechanism, which is used to review RTAs, into a permanent one without prejudice to questions related to notification requirements.

The discussion looked at how certain RTAs of these members converge with or diverge from the provisions of the TFA. Members also heard how trade facilitation provisions in RTAs had evolved and shaped TFA negotiations and how, in turn, the TFA could set the basis for customs and trade facilitation chapters in future RTAs.

Some delegations also shared their country experiences with trade facilitation-related provisions in their RTAs.

Airbus compliance appeal proceedings to be broadcast

On 26 April 2017, the WTO [announced](#) that at the request of the participants in the dispute "*European Communities and Certain Member States – Measures Affecting Trade in Large Civil Aircraft – Recourse to Article 21.5 of the DSU*" ([DS316](#)), the Appellate Body Division hearing the appeal has decided to authorize observation of the oral hearing by WTO members and the general public. Given the participants' request to protect certain sensitive business information, public observation will be limited to the opening statements and will take place via delayed broadcast. The broadcast of the opening statements will take place at the WTO on Wednesday, 10 May at 10 a.m.

In light of limited seating capacity, the places reserved for the public will be allocated on a first come, first served basis upon receipt of a completed [registration form](#). Completed forms should be sent by e-mail only, to the following address: airbusabhearing@wto.org.

Applications will be accepted until 12 noon, Geneva time, on Wednesday, 3 May 2017. Those to whom seats have been allocated will be advised by e-mail by Friday, 5 May, at which time further information regarding the broadcast will be provided. See [announcement](#) for additional details.

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
DS516	European Union — Measures Related to Price Comparison Methodologies (Complainant: China)	Panels established but not yet composed	03-04-17
DS518	India — Certain Measures on Imports of Iron and Steel Products (Complainant: Japan)		
DS464	United States — Anti-dumping and Countervailing Measures on large residential washers from Korea (Complainant: Korea)	Arbitrator determines “reasonable period of time”	13-04-17
DS492	European Union — Measures Affecting Tariff Concessions on Certain Poultry Meat Products (Complainant: China)	DSB adopts panel report	19-04-17
DS381	United States — Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products (Complainant: Mexico)	Arbitrator issues decision	25-04-17

TBT Notifications

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

World Customs Organization (WCO)

Announcements and news releases [dd-mm-yy]

Date	Title
01-04-17	The EU Steps Up Capacity Building in Tariff Classification
03-04-17	Serbia hosts a Workshop on Customs Laboratories for the Customs Administrations of Albania, Bosnia & Herzegovina, Montenegro, Serbia and The Former Yugoslav Republic of Macedonia
04-04-17	WCO conducts research on cross-border e-commerce in China
	The WCO conducts a workshop in Turkmenistan on the Revised Kyoto Convention awareness
	Joint OECD/WCO Workshop on Transfer Pricing and Customs Valuation for WCA Region's administrations
	Directors General of Customs of MENA region meet to discuss priority issues for the region
05-04-17	WCO promotes closer cooperation between Customs and Phytosanitary agencies during CPM 12 meeting in Korea
06-04-17	WCO partners with the WTO to deliver an Advanced Course for Chairs of the National Committees on Trade Facilitation for Spanish speaking countries
	WCO mission to Kenya to support implementation of an advance ruling system

Date	Title
07-04-17	Jamaica Customs Enhances their AEO Programme
	The WCO provides further support to the Malawi Revenue Authority in strengthening its intelligence function
	Modernization of the Customs laboratory in Albania
	‘E-Commerce Day’ at the PTC lays out broad considerations on Cross-Border E-Commerce
	Japanese Deputy Prime Minister and Minister of Finance supports WCO's strategy
	The importance of Data Analysis in the Field of Customs highlighted at the 215th/216th Sessions of the Permanent Technical Committee
10-04-17	WCO reviews progress and long-term planning with Tanzania Revenue Authority
	The Revised Kyoto Convention Management Committee Meeting (RKC/MC) held its 16th Meeting on 6-7 April 2017
11-04-17	WCO celebrates the 100th Session of its Finance Committee
13-04-17	Kuwait becomes the 109th Contracting Party to the RKC and the 69th to the Istanbul Convention
19-04-17	Qatar Hosts Regional Risk Assessment and Selectivity Workshop
	Engaging Nigeria Customs on SAFE AEO
21-04-17	WCO Europe Regional Heads of Customs Conference in Austria
	Regional Operational Workshop on IPR Border Enforcement in Uruguay
24-04-17	WCO attends the 17th Session of the Inter American Committee against Terrorism of the OAS
26-04-17	WCO acts globally to protect IPR
28-04-17	Cuban AGR Prepares for Implementing WTO TFA
	Dominican Republic Customs Commences Mercator Programme Tailor-made Track
	Uzbekistan hosts a national Workshop on the modernization of its Customs laboratory

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
03-04-17	2017/028 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
06-04-17	2017/029 Reservations on Appendices I and II
07-04-17	2017/030 Amendments to Appendices I and II of the Convention – adopted by the Conference of the Parties at its 17th meeting Johannesburg (South Africa), 24 September – 4 October 2016
11-04-17	2017/031 Request for new information on shark and ray conservation and management activities, including legislation
13-04-17	2017/032 Bread palms (<i>Encephalartos</i> spp.)
24-04-17	2017/033 Animals Committee – Filling vacancies for a representative of the Asian region and an alternate representative of the European region
27-04-17	2017/034 IPBES: Review of four regional assessments of biodiversity and ecosystem services and thematic assessment of land degradation and restoration

The Americas - Central America

Costa Rica

Documents published in *La Gaceta*

Date	Series and №	Subject
17-04-17	DGA-DGH-070-2016	Allow the application of the generic tax exemption authorizations formally received and with all the requirements in force, before January 1, 2017, with the tariff item annotated in each one of them.

El Salvador

Documents

Date	Series and №	Subject
28-03-17	DGA 007-2017	Entry into force of decisions 8 and 9 Mexico - CA FTA • Annex I Decision No. 8 Mexico and CAFTA FTA (Specific rules of Origin) • Annex II Decision No. 9 FTA Mexico and CA (Uniform regulations on rules of origin)

Nicaragua

Nicaraguan Classification Resolutions (Customs Rulings)

The Dirección General de Servicios Aduaneros (Nicaraguan Customs Service) has made the full text of tariff classification resolutions (*Resoluciones de Clasificación*) 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](#).

Panama

Official Gazette

The following documents of interest to international traders were published in the *Gaceta Oficial – Digital* (Official Gazette – Digital) during the period of coverage:

Publication Date	Title
06-04-17	Presidency: Executive Decree № 129 (0 5-04-17) which establishes the National Interinstitutional Plan for the prevention and response of threats and incidents with chemical, biological, radioactive, nuclear, explosive (CBRNE) weapons and their vector systems is established, under the address of the National Security Council and such other provisions.
10-04-17	Economy and Finance: Resolution № I-REG-001-017 For which a guide is established to be adopted by the non-financial obligations, with respect to the compliance mechanisms for the prevention and control of the risk of capital laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.
	Economy and Finance: Resolution № I-REG-002-017 For which a guide is established to the non-financial obligations, for the effective application of the legal rules in the field of the prevention of capital laundering, the financing of terrorism and the financing of the proliferation of weapons of mass destruction.
12-04-17	National Customs Authority (NCA): Resolution № 134 (4-04-17) measures are adopted for the migration processing of existing transactions arising out of the Integrated Foreign Trade System (SICE) that will among other customs re-

Publication Date	Title
	gimes towards the official computer system of the National Authority of Customs named Integrated Customs Management System (SIGA) .
	Commerce and Industries: Exec. Decree № 62 (11-04-17) which regulates law 32 of April 5, 2011, establishing a special, comprehensive and simplified regime for the establishment and operation of free zones and such other provisions.
25-04-17	NCA: Resolution № 139 (10-04-17) Which modifies Resolution № 246 of October 22, 2012, which adopts tariff quota control measures under the "first arrived / first served" mechanism for the products established in the current Trade Agreements subscribed by the Republic of Panama.

The Americas - North America

Canada

Consultation on potential FTA with MERCOSUR

The April 29, 2017 [Canada Gazette](#) contains a Global Affairs Canada notice announcing the Government of Canada is seeking the views of the Canadian public and interested Canadian stakeholders on the scope of potential negotiations regarding a possible Free Trade Agreement (FTA) between Canada and MERCOSUR (Argentina, Brazil, Paraguay and Uruguay).

The focus of consultations is to determine how Canada should best proceed regarding a possible FTA with MERCOSUR. This would include how to best improve market access, legal certainty and transparency for Canadian business, but also to understand any other related issues and concerns that are relevant when considering a possible FTA.

The Canada Gazette notice provides background information on this initiative, and lists areas for which the government is seeking views.

Additional information on the Government's consultations on a potential Canada–MERCOSUR Free Trade Agreement can be found at [Global Affairs Canada: Consulting Canadians on a Possible Canada–MERCOSUR Free Trade](#).

Statement by Canada on softwood lumber

On April 24, 2017, The Hon. Jim Carr, Minister of Natural Resources, and the Hon. Chrystia Freeland, Minister of Foreign Affairs, issued the following statement following the imposition by the U.S. Department of Commerce of duties on imports of certain Canadian softwood lumber products into the United States:

Canada's forest industry sustains hundreds of thousands of good, middle-class jobs in communities across our country. Many regions across Canada depend on its continued success. The forest industry is one of the most innovative sectors of our economy, developing new products and expanding its markets overseas while ensuring our environment is protected for future generations.

The Government of Canada disagrees strongly with the U.S. Department of Commerce's decision to impose an unfair and punitive duty. The accusations are baseless and unfounded.

This decision will negatively affect workers on both sides of the border, and will ultimately increase costs for American families who want to build or renovate homes. The U.S. National Association of Home Builders has calculated that a \$1,000 increase in the cost of a new house would put home ownership beyond the reach of

more than 150,000 American families, and jeopardize thousands of jobs in the American home construction industry.

The Government of Canada will vigorously defend the interests of the Canadian softwood lumber industry, including through litigation. In ruling after ruling since 1983, international tribunals have disproved the unfounded subsidy and injury allegations from the U.S. industry. We have prevailed in the past and we will do so again.

Support for Workers, Communities, and Industry

The Government of Canada is taking immediate action to help affected companies, workers, and local communities. Now that the U.S. decision to impose preliminary countervailing duties has been confirmed, Minister Carr is re-convening the Federal-Provincial Task Force on Softwood Lumber this week to examine additional measures.

The task force was formed to share information and analyze and assess the needs of forest workers and communities. The upcoming meeting will build on the progress we have made through this federal-provincial collaboration on the softwood lumber file.

Immediate action includes:

- Ensuring companies take full advantage of existing financing initiatives under the Business Development Bank of Canada and Export Development Canada, which offer a range of financial services to Canadian businesses on commercial terms. These initiatives are available to exporters of all sizes and can assist companies looking to make capital investments, expand market opportunities, and diversify with confidence into new markets.
- Promoting the use of Canadian wood right here at home. Budget 2017 provided \$40M for increasing wood use in Canada, allowing Canada to continue its world leadership in tall wood building development, partnering with industry and the provinces to build on successes such as the 18-storey University of British Columbia's Brock Commons residence building, the tallest wood building in the world.
- Actively working to help the forestry industry to access new markets. International Trade Minister François-Philippe Champagne is currently with a delegation of Canadian lumber representatives in China, promoting Canadian products. Minister Carr will travel to China in June with forestry leaders, to build on this momentum. Minister Jean-Yves Duclos is currently in the United Kingdom and Europe promoting Canadian wood.
- Employment and Social Development Canada stands ready to provide essential services to support workers who may be negatively affected. This support includes employment insurance and career counselling, as well as retraining and skills development programs that are delivered at the provincial level.
- Indigenous workers will have access to services through the Aboriginal Skills Employment and Training Strategy program. Currently, ESDC transfers nearly \$3 billion annually to provinces through Labour Market Transfer Agreements, as well as an additional \$2.7 billion over six years announced in Budget 2017.

Seeking a Long-Term Agreement

Canada will continue to press their American counterparts to rescind this unfair and unwarranted trade action. We are committed to working with the U.S. Administration to achieve a durable solution.

Canada has put forward a number of reasonable proposals to the current U.S. administration that is responsive to views expressed by U.S. industry. These proposals ensure security of supply at fair prices to U.S. consumers and U.S. companies that rely on Canadian imports.

"We remain confident that a negotiated settlement is not only possible but in the best interests of both countries.

Canada further expands sanctions measures targeting Syria

On April 20, 2017, one week after the last amendments (see below), the Government of Canada has further amended its sanctions against Syria, which are contained in the *Special Economic Measures (Syria) Regulations* (the “Regulations”) made pursuant to the Special Economic Measures Act.

The amendments add 17 individuals and five entities to the list of designated persons in Schedule 1 of the Regulations. According to a Government of Canada [press release](#), the newly listed individuals are all high-ranking individuals in the Assad regime, and the listed entities have been linked to the use of chemical weapons in Syria. The Government of Canada considers the amendments part of international efforts to end violence by the Assad regime against its own people.

Under the Regulations, persons in Canada and Canadians outside Canada are subject to a number of prohibitions on dealings with designated persons, as well as disclosure requirements with regard to certain property or information related to designated persons.

An unofficial copy of the amendments (Regulations Amending the Special Economic Measures (Syria) Regulations) can be [found here](#).

For additional information, please contact [Paul D. Burns](#), [Brian Cacic](#) or [Erica Lindberg](#) of our Toronto office.

Canada adds 27 persons to Syrian sanctions

On April 14, 2017, Global Affairs Canada [announced](#) new sanctions against the Assad regime. Canada’s *Special Economic Measures (Syria) Regulations* have been amended to list 27 additional individuals who are now subject to an asset freeze and dealings prohibition.

These individuals are high-ranking officials in the Assad regime. Adding their names to the sanctions list is part of additional international pressure on the regime to immediately end indiscriminate violence against its own people, like this month’s chemical weapons attack, and engage in meaningful negotiations.

The additional names are contained in the [Regulations Amending the Special Economic Measures \(Syria\) Regulations](#) (SOR/2017-62) (unofficial version) which was effective on April 13, 2017.

For additional information, please contact [Paul D. Burns](#), [Brian Cacic](#) or [Erica Lindberg](#) of our Toronto office.

Canada repeals sanctions against Côte d’Ivoire and Liberia

On April 13, 2017, the Hon. Chrystia Freeland, Minister of Foreign Affairs, announced that Canada is repealing its sanctions against Côte d’Ivoire and Liberia under the *United Nations Act*.

In spring 2016, the United Nations Security Council adopted resolutions 2283 and 2288, which terminated all sanctions against Côte d’Ivoire and Liberia, respectively, as both countries have made considerable progress in terms of peace and stability.

As a member state of the United Nations, Canada welcomed the decisions of the United Nations Security Council and passed the necessary regulations to lift all of Canada's sanctions against Côte d'Ivoire and Liberia.

- [Regulations Repealing the United Nations Côte d'Ivoire Regulations](#) (SOR/2017-54) (unofficial version)
- [Regulations Repealing the Regulations Implementing the United Nations Resolutions on Liberia](#) (SOR/2017-55) (unofficial version)

For additional information, please contact [Paul D. Burns](#), [Brian Cacic](#) or [Erica Lindberg](#) of our Toronto office.

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
04-01-17	Environment: Notice to provide information for the risk management of certain substances — Summer 2017 (Canadian Environmental Protection Act, 1999) (N)
	Environment: Notice to provide information for the risk management of certain substances — Fall 2017 (Canadian Environmental Protection Act, 1999) (N)
	Environment: Order 2017-87-03-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Environment: Proposed Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999 (PR)
	Environment: Proposed Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999 (PR)
04-05-17	Health: Regulations Amending the Food and Drug Regulations (Part G — Methylphenidate) (SOR/2017-43, March 24, 2017) pursuant to the Controlled Drugs And Substances Act (R)
	Health: Order Amending Schedule III to the Controlled Drugs and Substances Act (Methylphenidate) (SOR/2017-44, March 24, 2017) pursuant to the Controlled Drugs and Substances Act (O)
	Health: Order Amending the Schedule to the Tobacco Act (Menthol) (SOR/2017-45, March 24, 2017) pursuant to the Tobacco Act (O)
	Environment: Order 2017-87-03-01 Amending the Domestic Substances List (SOR/2017-49, March 27, 2017) pursuant to the Canadian Environmental Protection Act, 1999 (O)
04-15-17	Environment: Waiver of information requirements for living organisms (subsection 106(9) of the Canadian Environmental Protection Act, 1999) (N)
	Environment: Waiver of information requirements for substances (subsection 81(9) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication after screening assessment of a substance — acetamide, N-(4-ethoxyphenyl)- [phenacetin], CAS RN 62-44-2 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
04-22-17	Environment: Notice amending the Notice with respect to substances included as part of the 2017 Inventory Update pursuant to paragraph 71(1)(b) of the Canadian Environmental Protection Act, 1999 (N)
	Health: Notice to interested parties — Amendment to exclude 123I-ioflupane from the Controlled Drugs and Substances Act and the Narcotic Control Regulations (N)
	Health: Proposed Playpens Regulations pursuant to the Canada Consumer Product Safety Act (PR)
	Health: Proposed Regulations Amending the Food and Drug Regulations (Im-

Publication Date	Title
	<i>portation of Drugs for an Urgent Public Health Need</i> pursuant to the <i>Food and Drugs Act</i> (PR)
	Health: <i>Proposed Regulations Amending the Food and Drug Regulations (Vanessa's Law)</i> pursuant to the <i>Food and Drugs Act</i> (PR)
04-29-17	Environment/ Health: <i>Publication after screening assessment of a living organism — Bacillus thuringiensis (B. thuringiensis) ATCC11 13367 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999)</i> (N)
	Environment/Health: <i>Publication after screening assessment of four substances in the EDTA and its salts group specified on the Domestic Substances List (paragraphs 68(b) and (c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999)</i> (N)
	Global Affairs Canada: <i>Consultations on a potential Free Trade Agreement with MERCOSUR</i> (N)

Restrictive measures

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

Publication Date	Title
04-13-17	<i>Regulations Repealing the United Nations Côte d'Ivoire Regulations</i> (SOR/2017-54) (unofficial version)
	<i>Regulations Repealing the Regulations Implementing the United Nations Resolutions on Liberia</i> (SOR/2017-55) (unofficial version)
	<i>Regulations Amending the Special Economic Measures (Syria) Regulations</i> (SOR/2017-62) (unofficial version)
04-21-17	<i>Regulations Amending the Special Economic Measures (Syria) Regulations</i> (unofficial version)

CBSA advance rulings

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

No new advance rulings were posted by the CBSA during the period covered by this Update.

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Title
04-01-17	CN 17-11	Processing requests under Section 60 of the Customs Act for a Re-determination, a further Re-determination or a Review by the President of the Canada Border Services Agency (CBSA)
	D11-6-7	Request under Section 60 of the Customs Act for a Re-determination, a further Re-determination or a Review by the President of the Canada Border Services Agency

Date	Reference	Title
	D11-6-9	Applications to the President for an Extension of Time to File a Request under Section 60 of the Customs Act
	D11-11-1	National Customs Rulings
04-10-17	CN 17-12	The use of G/I indicators on F-type Form B3, Canada Customs Coding Form
04-25-17	D10-14-69	Administrative Policy – Interpretation of the Term “For Processing” as found in the Chapters 1 to 21 and Tariff Item 9907.00.00
	D19-7-2	Requirements Concerning the Importation and Exportation of Ozone-depleting Substances and Halocarbon Alternatives and certain Products Containing or Designed to Contain these Substances
04-27-17	D3-6-6	Rail Pre-arrival and Reporting Requirements
04-28-17	D3-1-1	Policy Respecting the Importation and Transportation of Goods

Antidumping and countervailing duty cases

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

Mexico

Diario Oficial

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

Publication Date	Title
04-04-17	Hacienda: Resolution amending the General Provisions applicable to general warehouses, bureaux de change, credit unions and regulated multi-purpose financial corporations.
04-06-17	Decree modifying the Tariff of the General Import and Export Tax Law and the Decree that establishes several programs of sectorial promotion.
	Decree Promulgating the Protocol of Amendment to the Marrakesh Agreement Establishing the World Trade Organization, done in Geneva on the twenty-seventh of November in the year two thousand and fourteen [Trade Facilitation Agreement]
04-07-17	Economy: Extract of the Mutual Recognition Agreement between UL de México, SA de CV, UL LLC (United States) and UL International DEMKO A / S (Denmark), in the electrical and electronic sectors.
04-10-17	Economy: Acuerdo amending the Acuerdo by the Ministry of Economy that issues the rules and criteria of a general nature on Foreign Trade
04-12-17	Energy: Resolution amending No 2. Field of application of Official Mexican Standard NOM -028-ENER-2010, Energy efficiency of lamps for general use. Limits and test methods, published on December 6 , 2010
04-14-17	Economy: Acuerdo modifying the mechanism of allocation of bean tariff rate quota
04-25-17	Health: Mexican Official Standard NOM-138-SSA1-2016, Establishing the sanitary specifications ethyl alcohol denatured used as curing material and for ethyl alcohol 96 ° GL without denature, used as raw material for processing and / or Packaging of denatured ethyl alcohol as a healing material.
04-26-17	Economy: Notice announcing the entry into force between the United Mexican States and the Republic of Peru of Decision No. 1 of the Free Trade Commission of the Additional Protocol to the Framework Agreement of the Pacific Alliance , adopted on 30 June 2016.
04-28-17	Hacienda: First Resolution of Amendments to the General Rules of Foreign

Publication Date	Title
	Trade for 2017 and its annexes 1, 1- A, 10, 21, 22 and 26

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; O=ORDER; 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
04-03-17	Executive Order 13784 of March 29, 2017 - Establishing the President's Commission on Combating Drug Addiction and the Opioid Crisis
	Memorandum of March 6, 2017 - Implementing Immediate Heightened Screening and Vetting of Applications for Visas and Other Immigration Benefits, Ensuring Enforcement of All Laws for Entry Into the United States, and Increasing Transparency Among Departments and Agencies of the Federal Government and for the American People
04-05-17	Executive Order 13787 of March 31, 2017 - Providing an Order of Succession Within the Department of Justice
	Executive Order 13785 of March 31, 2017- Establishing Enhanced Collection and Enforcement of Antidumping and Countervailing Duties and Violations of Trade and Customs Laws
	Executive Order 13786 of March 31, 2017 - Omnibus Report on Significant Trade Deficits
04-06-17	National Security Presidential Memorandum—4 of April 4, 2017 - Organization of the National Security Council, the Homeland Security Council, and Subcommittees
04-07-17	Notice of April 6, 2017 - Continuation of the National Emergency With Respect to Somalia
04-14-17	Memorandum of April 12, 2017 -- Delegation of Authority Under the National Defense Authorization Act for Fiscal Year 2017
04-18-17	Executive Order of April 18, 2017 – Buy American and Hire American [not yet published in the <i>Federal Register</i>]
04-20-17	Memorandum of April 20, 2017 on Steel Imports and Threats to National Security
04-26-17	Executive Order 13789 of April 21, 2017 - Identifying and Reducing Tax Regulatory Burdens
04-27-17	Memorandum for the Secretary of Commerce - Aluminum Imports and Threats to National Security
04-28-17	Executive Order 13790 of April 25, 2017 - Promoting Agriculture and Rural Prosperity in America
04-29-17	Executive Order of April 29, 2017 Addressing Trade Agreement Violations and Abuses [not yet published in the <i>Federal Register</i>]
	Executive Order of April 29, 2017 -- Establishment of Office of Trade and Manufacturing Policy [not yet published in the <i>Federal Register</i>]

President signs Executive Order establishing Office of Trade and Manufacturing Policy

On April 29, 2017, President Trump signed an [Executive Order -- Establishment of Office of Trade and Manufacturing Policy](#) which establishes an Office of Trade and Manufacturing Policy (OTMP) within the White House Office. The OTMP's mission is "to defend and serve American workers and domestic manufacturers while advising the President on policies to increase economic growth, decrease the trade deficit, and strengthen the United States manufacturing and defense industrial bases."

The OTMP's responsibilities will be to:

- advise the President on innovative strategies and promote trade policies consistent with the President's stated goals;
- serve as a liaison between the White House and the Department of Commerce and undertake trade-related special projects as requested by the President; and
- help improve the performance of the executive branch's domestic procurement and hiring policies, including through the implementation of the policies described in Executive Order 13788 of April 18, 2017 (Buy American and Hire American).

President signs EO addressing trade agreements 'violations and abuses'

On April 29, 2017, President Trump signed an [Executive Order Addressing Trade Agreement Violations and Abuses](#) [not yet published in the *Federal Register*].

The Executive Order (EO) states that

Every trade agreement and investment agreement entered into by the United States, and all trade relations and trade preference programs of the United States, should enhance our economic growth, contribute favorably to our balance of trade, and strengthen the American manufacturing base. Many United States free trade agreements, investment agreements, and trade relations have failed, in whole or in part, to meet these criteria. The result has been large and persistent trade deficits, a lack of reciprocal treatment of American goods and investment, the offshoring of factories and jobs, the loss of American intellectual property and reduced technological innovation, downward pressure on wage and income growth, and an impaired tax base. It is the policy of the United States to negotiate new trade agreements, investment agreements, and trade relations that benefit American workers and domestic manufacturers, farmers, and ranchers; protect our intellectual property; and encourage domestic research and development. It is also the policy of the United States to renegotiate or terminate any existing trade agreement, investment agreement, or trade relation that, on net, harms the United States economy, United States businesses, United States intellectual property rights and innovation rate, or the American people.

The EO requires the Secretary of Commerce and the United States Trade Representative (USTR), in consultation with the Secretaries of State and the Treasury, the Attorney General, and the Director of the Office of Trade and Manufacturing Policy, to conduct comprehensive performance reviews of:

- all bilateral, plurilateral, and multilateral trade agreements and investment agreements to which the United States is a party; and
- all trade relations with countries governed by the rules of the World Trade Organization (WTO) with which the United States does not have free trade agreements but with which the United States runs significant trade deficits in goods.

The performance reviews, which are to be submitted within 180 days from the date of the EO are to identify:

- those violations or abuses of any United States trade agreement, investment agreement, WTO rule governing any trade relation under the WTO, or trade preference program that are harming American workers or domestic manufacturers, farmers, or ranchers; harming our intellectual property rights; reducing our rate of innovation; or impairing domestic research and development;
- unfair treatment by trade and investment partners that is harming American workers or domestic manufacturers, farmers, or ranchers; harming our intellectual property rights; reducing our rate of innovation; or impairing domestic research and development;
- instances where a trade agreement, investment agreement, trade relation, or trade preference program has failed with regard to such factors as predicted new jobs created, favorable effects on the trade balance, expanded market access, lowered trade barriers, or increased United States exports; and
- lawful and appropriate actions to remedy or correct the deficiencies identified.

The findings will be used to help guide trade policy and trade negotiations. In addition, the EO directs the Secretary of Commerce, the USTR, and other heads of executive departments and agencies, as appropriate, to take every appropriate and lawful action to address violations of trade law, abuses of trade law, or instances of unfair treatment.

President signs memorandum on aluminum imports and threats to national security

On April 27, 2017, the White House released a [Presidential Memorandum For the Secretary of Commerce on Aluminum Imports and Threats to National Security](#) similar to the one on steel that was issued on April 20 (discussed in detail below). [See excerpts from Commerce Department announcement below.]

President signs memorandum on steel imports and threats to national security

On April 20, 2017, the White House released a Presidential [Memorandum For the Secretary of Commerce on Steel Imports and Threats to National Security](#). The Memorandum states that:

- (2) The Secretary of Commerce (Secretary) has initiated an investigation under section 232(b)(1)(A) of the Trade Expansion Act of 1962 (the "Act") (19 U.S.C. 1862(b)(1)(A)) to determine the effects on national security of steel imports. In conducting this investigation, and in accordance with section 232(d) of the Act (19 U.S.C. 1862(d)), the Secretary shall, as appropriate and consistent with law:
- (a) consider the domestic production of steel needed for projected national defense requirements; the capacity of domestic industries to meet such requirements; the existing and anticipated availabilities of the human resources, products, raw materials, and other supplies and services essential to the national defense; the requirements of growth of such industries and such supplies and services, including the investment, exploration, and development necessary to assure such growth; and the importation of goods in terms of their quantities, availabilities, character, and use as those affect such industries and the capacity of the United States to meet national security requirements;
 - (b) recognize the close relation of the Nation's economic welfare to our national security, and consider the effect of foreign competition in the steel industry on the economic welfare of domestic industries;

(c) consider any substantial unemployment, decrease in government revenues, loss of skills or investment, or other serious effects resulting from the displacement of any domestic products by excessive steel imports; and

(d) consider the status and likely effectiveness of efforts of the United States to negotiate a reduction in the levels of excess steel capacity worldwide.

Sec. 3. Submit Report and Provide Recommendations.

(a) The Secretary shall, consistent with applicable law, proceed expeditiously in conducting the investigation described in section 2 of this memorandum and shall submit to the President a report on the findings.

(b) Pursuant to section 232(b) of the Act (19 U.S.C. 1862(b)), if the Secretary finds that steel is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the Secretary shall, in the report submitted under subsection(a) of this section, recommend actions and steps that should be taken to adjust steel imports so that they will not threaten to impair the national security.

President signs “Buy American and Hire American” EO

On April 18, 2017, President Trump signed an [Executive Order – Buy American and Hire American](#) [not yet published in the *Federal Register*]. The Executive Order (EO) states that it is the policy of the executive branch to buy American (maximize, consistent with law, through terms and conditions of Federal financial assistance awards and Federal procurements, the use of goods, products, and materials produced in the United States) and hire American (rigorously enforce and administer the laws governing entry into the United States of workers from abroad, including section 212(a)(5) of the *Immigration and Nationality Act*). In this respect, the EO directs every agency to “scrupulously monitor, enforce, and comply with Buy American Laws, to the extent they apply, and minimize the use of waivers, consistent with applicable law.”

With respect to the “Buy American” portion, the EO sets various time limits for actions and reports:

- Within 150 days, the heads of all agencies shall:
 - o assess the monitoring of, enforcement of, implementation of, and compliance with Buy American Laws within their agencies;
 - o assess the use of waivers within their agencies by type and impact on domestic jobs and manufacturing; and
 - o develop and propose policies for their agencies to ensure that, to the extent permitted by law, Federal financial assistance awards and Federal procurements maximize the use of materials produced in the United States, including manufactured products; components of manufactured products; and materials such as steel, iron, aluminum, and cement.
- Within 60 days, the Secretary of Commerce and the Director of the Office of Management and Budget (OMB), in consultation with the Secretary of State, the Secretary of Labor, the United States Trade Representative (USTR), and the Federal Acquisition Regulatory Council, shall issue guidance to agencies about how to make the assessments and to develop the policies required by subsection (b) of this section.
- Within 150 days, the heads of all agencies shall submit findings made pursuant to the required assessments to the Secretary of Commerce and the OMB Director.
- Within 150 days, the Secretary of Commerce and the USTR shall assess the impacts of all United States free trade agreements and the *World Trade Organization Agreement on Government Procurement* on the operation of Buy American

Laws, including their impacts on the implementation of domestic procurement preferences.

- Within 220 days, the Secretary of Commerce, in consultation with the Secretary of State, the OMB Director, and the USTR, shall submit to the President a report on Buy American that includes findings from the above assessments and specific recommendations to strengthen implementation of Buy American Laws, including domestic procurement preference policies and programs. Subsequent reports on implementation of Buy American Laws shall be submitted by each agency head annually to the Secretary of Commerce and the OMB Director, on November 15, 2018, 2019, and 2020, and in subsequent years as directed by the Secretary of Commerce and the OMB Director. The Secretary of Commerce shall submit to the President an annual report based on these submissions beginning January 15, 2019.

The EO also requires, to the extent permitted by law, that:

- public interest waivers from Buy American Laws should be construed to ensure the maximum utilization of goods, products, and materials produced in the U.S.;
- the determination of public interest waivers shall be made by the head of the agency with the authority over the Federal financial assistance award or Federal procurement under consideration; and
- before granting a public interest waiver, the relevant agency shall take appropriate account of whether a significant portion of the cost advantage of a foreign-sourced product is the result of the use of dumped steel, iron, or manufactured goods or the use of injuriously subsidized steel, iron, or manufactured goods, and it shall integrate any findings into its waiver determination as appropriate.

With regard to the “Hire American” portion,” the EO requires the Secretary of State, the Attorney General, the Secretary of Labor, and the Secretary of Homeland Security:

- to propose as soon as practicable, and consistent with applicable law, new rules and issue new guidance, to supersede or revise previous rules and guidance if appropriate, to protect the interests of U.S. workers in the administration of the immigration system, including through the prevention of fraud or abuse; and

(b) in order to promote the proper functioning of the H-1B visa program, to suggest as soon as practicable, reforms to help ensure that H-1B visas are awarded to the most-skilled or highest-paid petition beneficiaries.

President extends national emergency with respect to Somalia

On April 7, the *Federal Register* published Presidential [Notice of April 6, 2017 - Continuation of the National Emergency With Respect to Somalia](#), which continues the national emergency first declared on April 12, 2010, by Executive Order (EO) 13536 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.

On July 20, 2012, the President issued EO 13620 to take additional steps to deal with the national emergency declared in Executive Order 13536 in view of United Nations Security Council Resolution 2036 of February 22, 2012, and Resolution 2002 of July 29, 2011, and to address: exports of charcoal from Somalia, which generate significant revenue for al-Shabaab; the misappropriation of Somali public assets; and certain acts of violence committed against civilians in Somalia—all

of which contribute to the deterioration of the security situation and the persistence of violence in Somalia.

The national emergency is being continued for an additional year because the situation with respect to Somalia continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

[ED. NOTE: THE ARTICLES BELOW ON EOs 13785 AND 13786 FIRST APPEARED IN OUR APRIL UPDATE AND ARE BEING REPRODUCED SINCE THEY WERE PUBLISHED IN THE *FEDERAL REGISTER* DURING THIS UPDATE'S PERIOD OF COVERAGE]

President signs EO on enhanced AD/CVD and trade and customs enforcement

On March 31, 2017, President Trump signed [Executive Order 13785 of March 31, 2017 -- Establishing Enhanced Collection and Enforcement of Antidumping and Countervailing Duties and Violations of Trade and Customs Laws](#) [published in the *Federal Register* on April 5, 2017]. The EO states that It is the policy of the United States to impose appropriate bonding requirements, based on risk assessments, on entries of articles subject to antidumping and countervailing duties (AD/CVD), when necessary to protect the revenue of the United States. The EO directs the Secretary of Homeland Security, in consultation with the Secretaries of the Treasury and Commerce and U.S. Trade Representative (USTR), to develop a plan within 90 days that would require covered importers that, based on a risk assessment conducted by CBP, pose a risk to the revenue of the United States, to provide security for antidumping and countervailing duty liability through bonds and other legal measures, and also would identify other appropriate enforcement measures.

The term "covered importer" means any importer of articles subject to AD/CVD for which one of the following is true: U.S. Customs and Border Protection (CBP) has no record of previous imports by the importer; CBP has a record of the importer's failure to fully pay AD/CVD; or CBP has a record of the importer's failure to pay AD/CVD in a timely manner.

In addition, within 90 days, the Secretary of Homeland Security, through the Commissioner of CBP, is required to develop and implement a strategy and plan for combating violations of United States trade and customs laws for goods and for enabling interdiction and disposal, including through methods other than seizure, of inadmissible merchandise entering through any mode of transportation, to the extent authorized by law.

Furthermore, the EO requires the Secretary of the Treasury and the Secretary of Homeland Security to take all appropriate steps, including rulemaking if necessary, to ensure that CBP can, consistent with law, share with intellectual rights holders:

- any information necessary to determine whether there has been an IPR infringement or violation; and
- any information regarding merchandise voluntarily abandoned, as defined in section 127.12 of title 19, Code of Federal Regulations, before seizure, if the Commissioner of CBP reasonably believes that the successful importation of the merchandise would have violated United States trade laws.

The EO also requires the Attorney General, in consultation with the Secretary of Homeland Security, to develop recommended prosecution practices and allocate

appropriate resources to ensure that Federal prosecutors accord a high priority to prosecuting significant offenses related to violations of trade laws.

President issues EO requiring report on the trade deficit

On March 31, 2017, President Trump signed [Executive Order 13786 of March 31, 2017 -- Regarding the Omnibus Report on Significant Trade Deficits](#) (published in the *Federal Register* on April 5, 2017). The EO states that

Free and fair trade is critical to the Nation's prosperity, national security, and foreign policy. It is in America's economic and national security interests to promote commerce by strengthening our relationships with our trading partners, vigorously enforcing our Nation's trade laws, improving the overall conditions for competition and trade, and ensuring the strength of our manufacturing and defense industrial bases.

The EO states that for many years, the United States has not obtained the full scope of benefits anticipated under a number of international trade agreements or from participating in the World Trade Organization. Stating that the trade deficit in goods exceeds \$700 billion and overall trade deficit exceeded \$500 billion, the EO says that the United States must address the "challenges to economic growth and employment that may arise from large and chronic trade deficits and the unfair and discriminatory trade practices of some of our trading partners."

Unfair and discriminatory practices by our trading partners can deny Americans the benefits that would otherwise accrue from free and fair trade, unduly restrict the commerce of the United States, and put the commerce of the United States at a disadvantage compared to that of foreign countries. To address these challenges, it is essential that policy makers and the persons representing the United States in trade negotiations have access to current and comprehensive information regarding unfair trade practices and the causes of United States trade deficits.

The EO requires the Secretary of Commerce and the United States Trade Representative (USTR), in consultation with the Secretaries of State, the Treasury, Defense, Agriculture, and Homeland Security, and the heads of any other executive departments or agencies with relevant expertise, as determined by the Secretary of Commerce and the USTR, to prepare and submit to the President an Omnibus Report on Significant Trade Deficits (Report). To aid in preparing the Report, the Secretary of Commerce and the USTR may hold public meetings and seek comments from relevant State, local, and non-governmental stakeholders, including manufacturers, workers, consumers, service providers, farmers, and ranchers. The Report shall identify those foreign trading partners with which the United States had a significant trade deficit in goods in 2016. For each identified trading partner, the Report shall

- (a) assess the major causes of the trade deficit, including, as applicable, differential tariffs, non-tariff barriers, injurious dumping, injurious government subsidization, intellectual property theft, forced technology transfer, denial of worker rights and labor standards, and any other form of discrimination against the commerce of the United States or other factors contributing to the deficit;
- (b) assess whether the trading partner is, directly or indirectly, imposing unequal burdens on, or unfairly discriminating in fact against, the commerce of the United States by law, regulation, or practice and thereby placing the commerce of the United States at an unfair disadvantage;
- (c) assess the effects of the trade relationship on the production capacity and strength of the manufacturing and defense industrial bases of the United States;
- (d) assess the effects of the trade relationship on employment and wage growth in the United States; and

- (e) identify imports and trade practices that may be impairing the national security of the United States.

Industries challenge Puerto Rico's "enhanced security fee" as an unlawful import tariff

On April 18, 2017, separate suits filed by a food distributor, a tire company, a chemical company and others were consolidated into a class action suit challenging, as an unlawful import tariff, an "enhanced security fee" imposed by the Puerto Rican Port Authority (PRPA) on shipments to Puerto Rico.

According to the Complaint, in 2008, the commonwealth enacted a law to implement its policy of increasing security at ports, in part by screening imported cargo and merchandise. In 2009, the PRPA hired a private company to screen cargo on arrival in Puerto Rico and then charged shippers the enhanced security fee. The Complaint alleges that the PRPA does not have the legal authority to inspect cargo and alleges that the "fee" was imposed without authority and constitutes an unlawful import tariff. The U.S. Congress has given Puerto Rico the right to collect a tariff on imported coffee, but all other commodities are treated the same as other shipments to the Customs Territory of the U.S. (of which Puerto Rico is a part) – that is, cargo from foreign countries is subject to import duties and inspection by U.S. Customs and Border Protection (CBP), while shipments from the 50 states or D.C. to Puerto Rico are treated as domestic shipments. However, unlike duties collected in the rest of the customs territory, the duties collected in Puerto Rico, go into a special trust fund. See: *Dantzler, et al. v. Puerto Rico Ports Authority et al*, case No _____, (U.S.D.C. P.R).

CIT assesses maximum penalty against broker

On March 29, 2017, the U.S. Court of International Trade (CIT), in a *de novo* review, entered a default judgment against Paul Puentes, a former licensed customs broker, upholding a penalty in the amount of \$30,000, the maximum amount permitted under 19 U.S.C. §1641, assessed by U.S. Customs and Border Protection (CBP). The penalties were assessed under 19 U.S.C. §1641 because Puentes (in violation of 19 C.F.R. §§ 111.29 and 111.32): 1) billed a client (Florexpo) for the full duties and merchandise processing fees based on correct values, but then filed undervalued entries with CBP, pocketing the difference; 2) filed 250 untimely entries for seven clients; 3) fail to file entries for 58 shipments; and 4) falsely identified the importer of record on 43 entries. CBP became aware of the violations when Florexpo filed a prior disclosure when it learned of Puentes' failure to file its entries with the correct values, [United States v. Paul Puentes](#), Slip. Op. 17-33 (Ct. Intl Trade, March 29, 2017).

USTR releases 2017 Special 301 report

On April 28, 2017, the Office of the United States Trade Representative (USTR) [announced](#) the release of the 2017 "Special 301" Report, reviewing global developments on trade and intellectual property (IP) and identifying trading partners with harmful records on protection, enforcement, or market access for U.S. innovators and creators. The Report calls on U.S. trading partners to address IP-related trade barriers, with a special focus on the countries identified on the Watch List and Priority Watch List.

Significant elements of the 2017 Special 301 Report include the following:

- USTR continues to place China on the Priority Watch List. Longstanding and new IP concerns merit attention, including with respect to coercive technology

transfer requirements, structural impediments to effective IP enforcement, and widespread infringing activity – including trade secret theft, rampant online piracy and counterfeiting, and high levels of physical pirated and counterfeit exports to markets around the globe.

- India also remains on the Priority Watch List this year for lack of sufficient measurable improvements to its IP framework on longstanding challenges and new issues that have negatively affected U.S. right holders over the past year, particularly with respect to patents, copyrights, trade secrets, and enforcement.
- USTR highlights troubling trends in counterfeiting and piracy. The problem of trademark counterfeiting continues on a global scale and involves the production of and trade in a vast array of fake goods, which harms consumers, legitimate producers, and governments. Digital piracy of U.S. movies, music, books, software and other works presents unique enforcement challenges for right holders in countries around the world. In many of the countries identified in the Report, including our neighbors Canada and Mexico, USTR notes the lack of adequate authority for customs officials to seize and destroy counterfeit and pirated goods at the border.
- The Report also focuses on the negative market access effects of the European Union's approach to the protection of geographical indications in the EU and third-country markets on U.S. producers and traders, particularly those with prior trademark rights or who rely on the use of common food names.
- USTR closes the Out-of-Cycle reviews for Pakistan and Spain who have both undertaken improvements in recent years. Pakistan has maintained positive momentum in its efforts to reform its IP regime and Spain has strengthened its criminal laws for IP infringement and demonstrated a continued commitment to tackling online piracy. USTR also announces that it will continue Out-of-Cycle reviews for Colombia and Tajikistan, and initiate an Out-of-Cycle review for Kuwait to promote engagement and progress on specific IPR opportunities and challenges identified in this year's review.

USTR provides the annual Special 301 Report to Congress, in coordination with all relevant U.S. government agencies.

US signs agreement on exchange of wine information

On April 19, 2017, the Office of the USTR [announced](#) that the United States signed the [Arrangement on Information Exchange, Technical Cooperation and Counterfeiting](#) at a meeting of the World Wine Trade Group (WWTG) in Brussels, Belgium on April 13, 2017.

Founded in 1998, the WWTG is a group of government and industry representatives who work together to facilitate international trade in wine. Previous key WWTG initiatives include the *Mutual Acceptance Agreement on Oenological Practices* (2001), the *Agreement on the Requirements for Wine Labeling* (2007), the *Memorandum of Understanding on Certification Requirements* (2011), and the *Protocol to the 2007 Agreement on the Requirements for Wine Labeling* (2013).

In 2016, trade in wine and wine products between the United States and other WWTG countries totaled more than \$1.9 billion. Countries participating in the WWTG include Argentina, Australia, Canada, Chile, Georgia, New Zealand, South Africa, and the United States.

USTR states that the non-binding Arrangement will facilitate trade in wine by encouraging the exchange of information and cooperation on wine-related issues. Under the Arrangement, WWTG countries will coordinate action to curb the growth of wine counterfeiting around the world.

USTR revises FOIA and Privacy Act regulations

On April 25, 2017, the Office of the USTR published in the *Federal Register* a [final rule](#) [Docket Numbers USTR-2016-0015 and USTR-2016-0027] making minor technical changes to the USTR *Freedom of Information Act* (FOIA) regulation. It also adopts as a final rule without change the proposed rule updating USTR's *Privacy Act* implementing regulation. USTR published both the FOIA and Privacy Act rules in December 2016.

USTR declines to list any countries denying fair market opportunities for government-funded airport construction projects

On April 3, 2017, the Office of the USTR published in the *Federal Register* a [notice](#) indicating that 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 pursuant to section 533 of the Airport and Airway Improvement Act of 1982, as amended (49 U.S.C. 50104).

State lists participating countries and entities in Kimberley Process Certification Scheme

On April 26, 2017, the Department of State published in the *Federal Register* a [notice](#) updating the list of Participants eligible for trade in rough diamonds under the *Clean Diamond Trade Act of 2003* (the "Act"; Public Law 108-19) and Section 2 of Executive Order 13312 of July 29, 2003, and their respective Importing and Exporting Authorities, revising the previously published list of May 18, 2015 to reflect the removal of the suspension of the Central African Republic and the removal of the self-suspension of Venezuela. The Act requires the President to prohibit the importation into, or the exportation from, the United States of any rough diamond, from whatever source, that has not been controlled through the Kimberley Process Certification Scheme (KPCS). The implementing regulations are contained in the *Rough Diamond Control Regulations* at 31 C.F.R. Part 592.

Commerce begins §232 investigation on aluminum

On April 27, 2017, the Commerce Department [announced](#) that President Trump signed a [presidential memorandum](#) calling on Secretary Ross to prioritize a Commerce investigation to the effects of aluminum imports on US national security. The inquiry will consider overcapacity, dumping, illegal subsidies, and other factors, to determine whether aluminum imports threaten American economic security and military preparedness.

After a thorough investigation, Secretary Ross will provide a report that includes recommendations for next steps. Under Section 232 of the *Trade Expansion Act*, the President has broad power to adjust imports—including through the use of tariffs—if excessive foreign imports are found to be a threat to US national security.

Eight U.S. based smelters have either closed or curbed production since 2015. There are only two U.S. smelters remain fully operational, and only one North American smelter capable of producing high purity aluminum needed for many national security applications. Products that require such high purity aluminum include the F-35, F-18, C-17, and next generation military vehicles.

While these defense concerns continue to loom, the US aluminum industry has struggled in recent years. Industry employment has declined, companies are highly leveraged, and businesses remain both capital intensive and lacking strong cash

flow. Imports increased by 18 percent in 2016 compared with those in 2015, while at the same time U.S. production decreased.

More than 713,000 U.S. jobs are supported by the aluminum industry.

The investigation will include a formal request for public comment to be published in the Federal Register.

Click [here](#) for a fact sheet.

Commerce to hold hearing and seek public comments on §232 national security investigation of imports of steel

On April 26, 2017, the Bureau of Industry and Security (BIS), Office of Technology Evaluation, U.S. Department of Commerce published in the *Federal Register* a [notice](#) that the Secretary of Commerce initiated an investigation on April 19, 2017, to determine the effects on the national security of imports of steel. On April 20, 2017, the President signed [Memorandum of April 20, 2017 on Steel Imports and Threats to National Security](#) directing the Secretary to proceed expeditiously in conducting his investigation and submit a report on his findings to the President.

This investigation has been initiated under section 232 of the *Trade Expansion Act of 1962*, as amended. It is being undertaken in accordance with part 705 of the *National Security Industrial Base Regulations* (15 C.F.R. parts 700 to 709) (NSIBR). Interested parties are invited to submit written comments, data, analyses, or other information pertinent to the investigation to BIS. Commerce will also hold a public hearing on the investigation on May 24, 2017 in Washington, D.C. The *Federal Register* notice identifies the issues listed below on which Commerce is interested in obtaining the public's views. It also sets forth the procedures for public participation in the hearing and submission of written responses.

Commerce is particularly interested in comments and information directed to the criteria listed in § 705.4 of the NSIBR as they affect national security, including the following:

- Quantity of steel or other circumstances related to the importation of steel;
- Domestic production and productive capacity needed for steel to meet projected national defense requirements;
- Existing and anticipated availability of human resources, products, raw materials, production equipment, and facilities to produce steel;
- Growth requirements of the steel industry to meet national defense requirements and/or requirements to assure such growth;
- The impact of foreign competition on the economic welfare of the steel industry;
- The displacement of any domestic steel causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects;
- The displacement of any domestic steel causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects;
- Relevant factors that are causing or will cause a weakening of our national economy; and
- Any other relevant factors.

Comments may be submitted at any time but must be received by May 31, 2017.

GAO issues report on monitoring and enforcement for international trade agreements

On April 13, 2017, the U.S. Government Accountability Office (GAO) issued a report entitled, Information entitled, [*Trade Enforcement – Information on U.S. Agencies’ Monitoring and Enforcement Resources for International Trade Agreements*](#) (GAO-17-399). The [*Trade Facilitation and Trade Enforcement Act of 2015*](#) includes a provision for GAO to examine federal agencies’ resources to monitor and enforce international trade agreements. The report (1) examines agencies’ resources and activities for monitoring and enforcing international trade agreements in fiscal year 2016 and (2) identifies agencies’ trade capacity-building projects, active in fiscal year 2016, to assist FTA partner countries in meeting their obligations under these agreements. GAO reviewed agency documents, interviewed agency officials, and analyzed agencies’ estimates of resources used to monitor and enforce trade agreements.

GAO found that:

Eleven U.S. agency offices and bureaus have responsibilities for monitoring and enforcing international trade agreements; however, they do not have information that allows for a definitive count of the staff resources and related funding used to carry out these responsibilities. This is because many of the staff who conduct trade monitoring and enforcement activities at these agencies do so as part of a broader portfolio of activities, and none of the agencies routinely tracks staff time at this level of detail. In response to GAO’s request for information, the 11 offices and bureaus used a variety of methods to develop estimates of the number of full-time equivalent (FTE) staff they believe worked on trade monitoring and enforcement activities in 2016 and the approximate costs associated with salaries and benefits for these FTEs. The estimates suggest that in fiscal year 2016, these 11 offices and bureaus dedicated over 700 FTEs at a cost of more than \$100 million to monitor and enforce trade agreements. However, the estimates do not fully include all related costs (such as overhead costs) and, in some cases, may not represent all staff who conducted trade monitoring and enforcement activities.

U.S. agencies provide trade capacity-building assistance to help partner countries meet their obligations under free trade agreements (FTA) with the United States, such as their labor and environmental commitments. In fiscal year 2016, U.S. agencies oversaw 80 trade capacity-building projects intended to help partner countries meet their obligations as parties to FTAs. These projects, many of which spanned multiple years, amounted to about \$256 million in obligated and planned funding. About 80 percent of project funding was related to helping partner countries comply with labor or environmental commitments.

Treasury issues its currency intervention report – finds no country meets all three statutory criteria

On April 14, 2017, the Department of the Treasury (Treasury) issued its [*Report to Congress on Foreign Exchange Policies of Major Trading Partners of the United States*](#). The Report reviews developments in international economic and exchange rate policies and was submitted pursuant to the *Omnibus Trade and Competitiveness Act of 1988* (the “1988 Act”), 22 U.S.C. § 5305, and Section 701 of the *Trade Facilitation and Trade Enforcement Act of 2015* (the “2015 Act”), 19 U.S.C. § 4421. Treasury has established thresholds for the three criteria specified in the 2015 Act that determine whether enhanced analysis is necessary: (1) a significant bilateral trade surplus with the United States is one that is at least \$20 billion; (2) a material current account surplus is one that is at least 3 percent of GDP; and (3) persistent, one-sided intervention occurs when net purchases of

foreign currency are conducted repeatedly and total at least 2 percent of an economy's GDP over a 12 month period.

Treasury focused in this Report on trade in goods, not including services, because of data limitations. The United States has a surplus in services trade with many economies in this report including Canada, China, Japan, Korea, Mexico, and the UK. Taking into account services trade would reduce the bilateral trade surplus of these economies with the United States.

Pursuant to the 2015 Act, Treasury has found that no major trading partner met all three criteria for the current reporting period.

Similarly, based on the analysis in this Report, Treasury also concluded that no major trading partner of the United States met the standards identified in Section 3004 of the 1988 Act for currency manipulation in the second half of 2016.

An economy meeting two of the three criteria in the 2015 Act will be placed on the Monitoring List. For this Report, Treasury has placed the following countries on the Monitoring List: China, Japan, Korea, Taiwan, Germany, and Switzerland.

Commerce seeks input for report on significant trade deficits

On April 17, 2017, the Department of Commerce published in the *Federal Register* a [notice of a public hearing request for comments](#) to assist in the analysis for the assessment called for in [Executive Order \(EO.\) 13786](#). Pursuant to EO. 13786 of March 31 2017, the Secretary of Commerce and the United States Trade Representative (USTR), in consultation with the Secretaries of State, the Treasury, Defense, Agriculture, and Homeland Security and the heads of any other executive departments or agencies with relevant expertise, as determined by the Secretary of Commerce and the USTR, are required to prepare and submit to the President an Omnibus Report on Significant Trade Deficits. The trading partners with which the United States had a significant trade deficit in goods in 2016 (in alphabetical order) were Canada, China, the European Union, India, Indonesia, Japan, Korea, Malaysia, Mexico, Switzerland, Taiwan, Thailand, and Vietnam.

The schedule and deadlines are as follows: Wednesday, May 10, 2017 at 11:59 p.m. (EDT): Deadline for interested persons to submit written comments. Also, this is the deadline for requests to appear at the hearing, which must include a summary of the testimony to be given. Thursday, May 18, 2017: A public hearing at the U.S. Department of Commerce, Washington, DC, beginning at 9:30 a.m. EDT.

Commerce issues report on MTB with CBP input

The Department of Commerce has issued a 646 page [report](#) commenting on submissions to the U.S. International Trade Commission (USITC) seeking temporary suspension or reduction of duties for imported products. The report is required by section 3(c) of the [American Manufacturing Competitiveness Act of 2016](#) (the Act). The Act replaced the previous procedure whereby individual members of the House of Representatives or the Senate were required to introduce a separate bill for each product. After review by various federal agencies, the bills that survived were combined into a single miscellaneous tariff bill (MTB).

The Commerce report includes: (1) a determination of whether or not domestic production of the article that is the subject of the petition exists and, if so, wheth-

er a domestic producer of the article objects to the petition (Appendix A); and (2) any technical changes to the article description that are necessary for purposes of administration upon importation for those articles described in petitions for duty suspensions and reductions pending before the USITC under section 3(b)(3)(A)(i) of the Act as of April 10, 2017 (Appendix B). The report does not include information related to any subsequently modified article descriptions, including any modifications that may be recommended by the USITC in its forthcoming preliminary report. The report also includes information on possible overlap between petitions and U.S. antidumping duty and countervailing duty orders (Appendix C).

U.S. Customs and Border Protection (CBP) compiled information for Commerce on CBP's ability to administer the temporary duty suspensions or duty reductions, as published by the USITC and listed as pending as of April 10, 2017. Specifically, for each petition pending before the USITC, CBP has prepared comments concerning "any technical changes to the article description that are necessary for purposes of administration when articles are presented for importation."

For CBP to administer a temporary duty-suspension or duty-reduction provision when articles are presented for importation, a petition must contain: (1) an article description that enables CBP personnel to accurately identify the article covered by the proposed duty suspension or duty reduction provision; and (2) the correct *Harmonized Tariff Schedule of the United States* (HTSUS) 8-digit tariff classification subheading of the intended article. Accordingly, CBP reviewed the petitions and prepared comments concerning whether each petition contains an administrable article description and 8-digit HTSUS tariff classification subheading. CBP utilized the commodity expertise of its National Import Specialists (National Commodity Specialist Division, Rulings and Regulations Directorate, Office of Trade) to determine whether the proposed duty suspension or duty reduction provision could be administered upon importation, and if not, whether technical changes to the article description could be made that would allow for the administration of the petition. In conducting this analysis, CBP considered only the information submitted by petitioners pursuant to section 3(b)(2) of the Act. CBP's views appear in Appendix B to the Commerce report.

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 reflect different locations and/or products.]

F.R. Date	Subject
04-05-17	Agency Information Collection Activities: CBP Regulations Pertaining to Customs Brokers [OMB Control Number 1651-0034] (N) [CBP Forms 3124 and 3124E]
	Agency Information Collection Activities: Cost Submission [OMB Control Number 1651-0028] (N) [CBP Form 247]
04-14-17	Accreditation of King Laboratories, Inc., as a Commercial Laboratory (N) [Carson, CA]
04-26-17	Agency Information Collection Activities: Electronic Visa Update System [OMB Control Number 1651-0139] (N)

CBP issues final determination in procurement cases

CBP has published in the Federal Register the following determination 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
04-24-17	HQ H280619 (18-04-17) Ixia Net Optics Slim Tap Network Tap	China

CBP ICPs and other publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised Informed Compliance Publications (ICPs), other publications and fact sheets:

- [Updated CBP and Trade Automated Interface Requirements \(CATAIR\) Stand-alone Filing for Prior Notice Data \(PE/PX\)](#)
- [ACE AESTIR Export Reference Data](#) (April 13, 2017)
- [PGA Electronic Filing Status in ACE](#) (April 19, 2017)
- [DEA Implementation Guide for ACE](#) (March 23, 2017)
- [ACE Filing Guide for TTB Regulated Commodities](#) (March 24, 2017)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

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

Date	CSMS#	Title
04-03-17	17-000189	ACE Issue with a number of Truck SCAC codes coming up "Invalid"
04-04-17	17-000191	Announcement of Initiation of Antidumping and Countervailing Duty Investigations
	17-000193	Notice: Neche Port of Entry Reopened
	17-000195	Update on: ACE Issue with some Truck SCACs coming up Invalid
	17-000196	Correction to Resolution for: No Bill Match issues for some Air shipments
04-05-17	17-000197	Updated ACE PGA Documentation Posted on CBP.gov
	17-000198	ACE PRODUCTION Deployment, Thurs Apr 6, 2017 @0500ET, impact CargoRel, EntrySumm, CQ & eBonds
04-07-17	17-000201	Weekly Trade FAQs (Week of 3/30)
04-09-17	17-000203	Update: Port of Neche, North Dakota - Sunday, April 9, 2017
04-10-17	17-000204	Use of 'UNKN' as a SCAC for AMS and non-AMS
04-12-17	17-000209	Notice: Neche Port of Entry has Reopened - April 12, 2017
04-13-17	17-000212	PSC Submissions for Entry Type Change from 03 (AD/CVD) to Non-AD/CVD
	17-000214	New ACE AESTIR Export Reference Data Document Available

Date	CSMS#	Title
		on CBP.gov
	17-000215	Updated ACE PGA Document Posted on CBP.gov
04-14-17	17-000217	Required Security Change for All ACE Portal Accounts
	17-000218	FDA Revisions to CVM Product Codes
04-17-17	17-000220	ACE PRODUCTION PGA Deployment, Tues Apr. 18, 2017 @0500ET, impact ACE CargoRel & EntrySumm
04-18-17	17-000221	ACE Extract Reference File Query (FQ) fixes Deployed to PRODUCTION
04-19-17	17-000223	ACE PRODUCTION ES Deployment, Thur Apr. 20, 2017 @0500ET, impact ACE CargoRel & EntrySummary
	17-000224	Initiation of AD/CVD Investigations: Biodiesel from Argentina & Indonesia
	17-000225	PGA Filing Status Update Posted to CBP.GOV
04-20-17	17-000226	Final Rule - Foreign Trade Regulations: Clarification on Filing Requirements
	17-000227	FDA HTS flags
	17-000228	Backout of this morning's ACE ES Deployment to Prod, Thurs Apr 20, 2017
04-21-17	17-000231	Reminder: Required Security Change for All ACE Portal Accounts
	17-000232	Cambio de Seguridad Necesario Para Todas Las Cuentas del Portal de ACE
04-24-17	17-000233	Updated ACE Drawback CATAIR Chapter Posted to CBP.gov
	17-000234	Initiation of AD/CVD Investigations: Carton-Closing Staples from the PRC
	17-000235	ISF Deployment to Certification
	17-000236	Harmonized System Update (HSU) 1703 created on April 24, 2017
04-25-17	17-000237	Init of AD/CVD Investigations: Carbon/Alloy Steel Wire Rod-BY, IT, KR, RU, ZA, ES, TR, UA, AE, GB
	17-000239	Final Rule - Foreign Trade Regulations: Clarification on Filing Requirements – Revised
04-26-17	17-000240	ACE PRODUCTION Deployment, Thurs Apr. 27, 2017 @0500ET, impact ACE CargoRel & EntrySummary
	17-000241	Drug Enforcement Administration Implementation Guide V2.6, March 23, 2017
	17-000242	Perishable Good Indicator
04-27-17	17-000243	Enhancements to the SO Bill Deleted Disposition
	17-000244	Update: Enhancements to the SO Bill Deleted Disposition
	17-000245	Enhancement to the SO Bill Deleted Disposition
	17-000246	System Requirements necessary to file a Nepal Preference Program Claim in ACE
	17-000247	Schedule Change: ACE Status Update Call
04-28-17	17-000248	The Alcohol, Tobacco, Tax and Trade Bureau (TTB) ACE Filing Guidelines, V7.5, 3/24/2017
	17-000250	Updated ACE AESTIR Appendix Posted on CBP.gov

Foreign Trade Zones

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

F.R. Date	Document
04-03-17	Foreign-Trade Zone (FTZ) 7-Mayaguez, Puerto Rico, Notification of Proposed Production Activity, MSD International GMBH (Puerto Rico Branch) LLC, (Pharmaceuticals), Las Piedras, Puerto Rico [B-19-2017]
04-06-17	Foreign-Trade Zone (FTZ) 43-Battle Creek, Michigan Notification of Proposed Production Activity, Mead Johnson & Company, LLC, dba Mead Johnson Nutritional, Subzone 43B, (Infant Formula/Nutritional Products), Zeeland, Michigan

F.R. Date	Document
	[B-20-2017] Foreign-Trade Zone 37-Orange County, New York; Application for Subzone; Expeditors International of Washington, Inc.; Inwood, New York [S-51-2017] Approval of Subzone Status; Orgill, Inc.; Post Falls, Idaho [S-17-2017]
04-07-17	Approval of Subzone Status; Danos & Curole Marine Contractors, LLC; Morgan City, Louisiana [Order No. 2031]
04-10-17	Foreign-Trade Zone 74—Baltimore, Maryland; Application for Reorganization (Expansion of Service Area) Under Alternative Site Framework [B-21-2017]
04-13-17	Foreign-Trade Zone (FTZ) 21-Dorchester County, South Carolina; Authorization of Production Activity; AGRU America Charleston, LLC (Industrial Pipes); North Charleston, South Carolina [B-84-2016] Approval of Subzone Status; Wacker Polysilicon North America LLC., Charleston, Tennessee [Order No. 2032]
04-14-17	Foreign-Trade Zone (FTZ) 167 – Brown County, Wisconsin - Notification of Proposed Production Activity -Polaris Industries, Inc. (Spark-Ignition Internal Combustion Engines) Osceola, Wisconsin [B-22-2017]
04-17-17	Foreign-Trade Zone (FTZ) 203—Moses Lake, Washington, Proposed Revision to Production Authority, SGL Automotive Carbon Fibers, LLC, (Carbon Fiber), Moses Lake, Washington [B-23-2017]
04-18-17	Foreign-Trade Zone 145 -- Shreveport, Louisiana, Application for Subzone Glovis America, Inc., Shreveport, Louisiana [B-24-2017]
04-19-17	Foreign-Trade Zone (FTZ) 38 – Spartanburg County, South Carolina -- Authorization of Production Activity -- Black & Decker (U.S.) Inc. Subzone 38E (Power Tools) Fort Mill, South Carolina [B-86-2016] Approval of Expansion of Subzone 20E; STIHL Incorporated, Virginia Beach, Virginia [S-16-2017] Approval of Subzone Status; Aceros de América, Inc., San Juan, Puerto Rico [S-159-2016]
04-25-17	Foreign-Trade Zone (FTZ) 44 – Morris County, New Jersey - Authorization of Production Activity - AGFA Corporation Subzone 44I (Aluminum Digital Printing Plates) Branchburg, New Jersey [B-02-2017] Foreign-Trade Zone (FTZ) 68 – El Paso, Texas - Authorization of Production Activity - PGTEX USA, Inc. (Fiber Glass Fabrics) El Paso, Texas [B-88-2016] Foreign-Trade Zone (FTZ) 87 – Lake Charles, Louisiana - Authorization of Production Activity - Westlake Chemical Corporation Subzone 87F (Polyethylene and Styrene) Sulphur, Louisiana [B-87-2016]

OFAC issues Belarus General License 2C

On April 28, 2017, the Office of Foreign Assets Control (OFAC) announced that in consultation and coordination with the Department of State, it was [authorizing by general license](#) transactions involving certain Belarusian entities blocked pursuant to Executive Order 13405. This license does not generally authorize the release of property blocked pursuant to EO 13405. This authorization expires on October 30, 2017, unless extended or revoked. General License 2C replaces and supersedes General License 2B dated October 18, 2016.

OFAC issues General License 4G for certain Panamanian Mall transactions

On April 27, 2017, OFAC published a Kingpin Act General License: [General License 4G “Authorizing Certain Transactions Involving the Panamanian Mall and Associated Complex, Soho Panama, S.A. \(a.k.a. Soho Mall Panama\).”](#) This General License authorizes certain transactions and activities that would otherwise be prohibited pursuant to the Kingpin Act. OFAC is also [amending one Frequently Asked Question](#).

OFAC adds 271 persons to Syrian sanctions

On April 24, 2017, OFAC took action in response to the April 4, 2017 sarin attack on innocent civilians in Khan Sheikhoun, Syria, by the al Assad regime. In one of the largest sanctions actions in its history, OFAC designated 271 employees of Syria's Scientific Studies and Research Center (SSRC), the Syrian government agency responsible for developing and producing non-conventional weapons and the means to deliver them. These 271 SSRC employees have expertise in chemistry and related disciplines and/or have worked in support of SSRC's chemical weapons program since at least 2012.

The action follows OFAC and the Department of State's sanctions announced on January 12, 2017 against 18 senior regime officials and five branches of the Syrian military, along with entities associated with its chemical weapons program, in response to findings by the Organization for the Prohibition of Chemical Weapons – United Nations Joint Investigative Mechanism, that the Syrian regime was responsible for three chlorine gas attacks in 2014 and 2015.

The designation more than doubles in a single action the number of individuals and entities sanctioned by the United States pursuant to Syria-related Executive Orders (EOs). These sanctions are intended to hold the Assad regime and those who support it – directly or indirectly – accountable for the regime's blatant violations of the Chemical Weapons Convention and UN Security Council Resolution 2118.

The action was taken pursuant to EO 13582, which targets the Government of Syria and its supporters. The named individuals are designated for materially assisting, sponsoring, or providing financial, material, or technological support for, or goods or services in support of, and having acted or purported to act for or on behalf of, directly or indirectly, the Government of Syria. As a result of today's action, any property or interest in property of the designated persons in the possession or control of U.S. persons or within the United States must be blocked, and U.S. persons are generally prohibited from dealing with them.

For identifying information on the individuals designated, [click here](#):

Census revises and clarifies FTR filing requirements

On April 19, 2017, the Bureau of the Census published in the *Federal Register* a [final rule](#) [Docket Number: 151222999-7048-02] amending the *Foreign Trade Regulations* (FTR) to reflect new export reporting requirements. Specifically, the Census Bureau is making changes related to the implementation of the International Trade Data System (ITDS), in accordance with the Executive Order 13659, Streamlining the Export/Import Process for American Businesses. The ITDS was established by the *Security and Accountability for Every (SAFE) Port Act of 2006*. The changes also include the addition of the original Internal Transaction Number (ITN) data element in the Automated Export System (AES). Lastly, the Census Bureau is making remedial changes to the FTR to improve clarity of the reporting requirements. These changes to 15 C.F.R. Part 30 are explained in the final rule's Supplementary Information section. Appendix D to Part 30, *AES Filing Citation, Exemption and Exclusion Legends*, has been re-designated as Appendix B.

The final rule is effective on July 18, 2017.

Entity List revised

On April 18, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170207154-7253-01] amending the *Export Administration Regulations* (EAR) to revise an existing entry in the Entity List (Supplement No. 4 to Part 744) for the Federal Security Service (a.k.a. Federalnaya Sluzhba Bezopasnosti) (a.k.a. FSB). The license requirement for the entry is being revised to conform to a general license issued by the Office of Foreign Assets Control on February 2, 2017.

On February 2, 2017, OFAC issued General License No. 1, Authorizing Certain Transactions with the Federal Security Service, an entity in the Russian Federation. This general license authorizes transactions and activities, otherwise prohibited pursuant to Executive Order 13694 (EO) of April 1, 2015, as amended by EO 13757 of December 28, 2016, that are necessary and ordinarily incident to: requesting, receiving, utilizing, paying for, or dealing in licenses, permits, certifications, or notifications issued or registered by the FSB for the importation, distribution or use of information technology products in the Russian Federation, provided that (i) the exportation, reexportation, or provision of any goods or technology that are subject to the EAR, 15 C.F.R. parts 730 through 774, are licensed or otherwise authorized by the Department of Commerce and (ii) the payment of any fees to the FSB for such licenses, permits, certifications, or notifications does not exceed \$5,000 in any calendar year. The OFAC general license also authorizes transactions and activities ordinary and necessarily incident to complying with law enforcement or administrative actions or investigations involving the FSB and transactions and activities ordinary and necessarily incident to complying with rules and regulations administrated by the FSB. The general license does not authorize exportation, reexportation, or provision of any goods, technology, or services to the Crimea region of Ukraine or any transactions that otherwise violate EO 13757 of April 1, 2015.

The final rule modifies the license requirement column for this entity to specify that the Entity List's license requirements do not apply to items subject to the EAR that are related to transactions authorized by OFAC pursuant to new General License No. 1 (i.e., transactions that are necessary and ordinarily incident to requesting, receiving, utilizing, paying for, or dealing in licenses, permits, certifications, or notifications issued or registered by the FSB for the importation, distribution, or use of information technology products in the Russian Federation, so long as the transactions do not involve exportation, reexportation, or provision of any goods, technology, or services to the Crimea region of Ukraine and do not otherwise violate EO 13757). Except for the limited purposes described above, this conforming change does not authorize the exportation, reexportation, or provision of goods or technology to or on behalf of the FSB.

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
04-04-17	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [Two individuals]

F.R. Date	Applicable orders
	State: E.O. 13224 Designation of Shane Dominic Crawford, aka Asadullah, aka Abu Sa'd at-Trinidad, aka Shane Asadullah Crawford, aka Asad, as a Specially Designated Global Terrorist [Public Notice 9944] (N)
	State: E.O. 13224 Designation of Mark John Taylor, aka Mark Taylor, aka Mohammad Daniel, aka Muhammad Daniel, aka Abu Abdul Rahman, aka Mark John al-Rahman as a Specially Designated Global Terrorist [Public Notice 9947] (N)
04-05-17	State: In the Matter of the Designation of Sami Bashur Bouras; Also Known as Wakrici; Also Known as Khadim; as a Specially Designated Global Terrorist pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9946] (N)
	State: In the Matter of the Designation of El Shafee Elsheikh; Also Known as Shaf; Also Known as Shafee; as a Specially Designated Global Terrorist pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9945] (N)
	State: E.O. 13224 Designation of Anjem Choudary, aka Abu Luqman as a Specially Designated Global Terrorist [Public Notice: 9943] (N)
04-06-17	OFAC: Sanctions Actions Pursuant to the Foreign Narcotics Kingpin Designation Act and Executive Order 12978 (N) [11 individuals, 8 entities and 1 update]
04-10-17	OFAC: Sanctions Actions Pursuant to Executive Order 13722 (N) [update 1 entity]
	OFAC: Sanctions Actions Pursuant to Executive Orders 13722, 13382, and 13687 (N)
04-12-17	OFAC: Unblocking of a Specially Designated National and Blocked Person Pursuant to the Foreign Narcotics Kingpin Designation Act (N)
	State: E.O. 13224 Designation of Abu Anas al-Ghandour, aka Ahmed Ghandour, aka Ahmad Ghandour, aka Ahmad Naji al-Ghandur, aka Abu-Anas, as a Specially Designated Global Terrorist [Public Notice: 9959] (N)
04-17-17	OFAC: Sanctions Actions Pursuant to Executive Order 13667 (N) [2 individuals]
	OFAC: Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to Executive Order 13391 (N) [1 person]
04-18-17	OFAC: Sanctions Actions Pursuant to Executive Order 13553 (N) [1 individual; 1 entity]
	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [3 individuals]
	BIS: Revision to an Entry on the Entity List [Docket No. 170207154-7253-01] (FR)
04-19-17	OFAC: Sanctions Action Pursuant to Executive Order 13726 of April 19, 2016, "Blocking Property and Suspending Entry into the United States of Persons Contributing to the Situation in Libya." (N) [1 individual]
	State: E.O. 13224 Designation of Farah Mohamed Shirdon, aka Farah Shirdon, aka Abu Usamah, aka Abu Usamah Somali, aka Abu Usama al Somali, aka Abu Usamah as-Somali, as a Specially Designated Global Terrorist [Public Notice: 9967]
	State: E.O. 13224 Designation of Tarek Sakr as a Specially Designated Global Terrorist [Public Notice: 9968]
04-25-17	OFAC: Sanctions Actions Pursuant to the Foreign Narcotics Kingpin Designation Act (N) [two entities]
04-26-17	State: Designation of Mubarak Mohammed A Alotaibi, aka Abu Ghayth, aka Waqqas al-Jazrawi, as a Specially Designated Global Terrorist [Public Notice: 9977] (N)
04-28-17	OFAC: Sanctions Actions Pursuant to Executive Order 13582

Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	Subject
04-06-17	BIS: In the Matter of: Sihai Cheng, a/k/a Alex Cheng, a/k/a Chun Hai Cheng; Order Denying Export Privileges

F.R. Date	Subject
	BIS: In the Matter of: Juan Jose Estrada; Order Denying Export Privileges
	BIS: In the Matter of: Amin Al-Baroudi, a/k/a Abu al-Jud; Order Denying Export Privileges
	BIS: In the Matter of: Song Il Kim, a/k/a Kim Song Il; Order Denying Export Privileges
04-10-17	BIS: Order Denying Export Privileges In the Matter of: Sam Rafic Ghanem

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

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

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

F.R. Date	Subject
04-06-17	State: Plenary Meeting of the Binational Bridges and Border Crossings Group in Washington, DC [Public Notice 9949] (N/H) [May 24, 2017]
04-20-17	ITA: Meeting of the United States Investment Advisory Council (N/H) [May 11, 2017]
04-25-17	BIS: Notice of Partially Closed Meeting of the Materials Processing Equipment Technical Advisory Committee (N/H) [May 16, 2017]
	BIS: Transportation and Related Equipment Technical Advisory Committee (N/H) [May 10, 2017]
04-26-17	BIS: Materials Technical Advisory Committee; Notice of Partially Closed Meeting (N/H) [May 11, 2017]

For now, the SEC/DCF recommends no enforcement of the 'DRC conflict free' reporting requirement

On April 7, 2017, the Securities and Exchange Commission (SEC) Division of Corporation Finance (DCF) issued a [statement announcing](#) that on April 3, 2017 a final judgment was issued by the U.S. District Court for the District of Columbia. On August 18, 2015, the U.S. Court of Appeals for the District of Columbia Circuit reaffirmed its prior holding that Section 13(p)(1) of the *Securities Exchange Act* and Rule 13p-1 "violate the First Amendment to the extent the statute and rule require regulated entities to report to the Commission and to state on their website that any of their products have 'not been found to be "DRC conflict free.'" The Court of Appeals remanded the case to the District Court, which, in its April 3 judgment, remanded the matter back to the SEC. Although the District Court set aside those portions of the rule that require companies to report to the SEC and state on their website that any of their products "have not been found to be 'DRC conflict free,'" that court and the Court of Appeals left open the question of whether this description is required by the statute or, rather, is a product of the SEC's rulemaking.

The announcement said that the court's remand has presented significant issues for the SEC to address. At the direction of the Acting Chairman, the DCF has considered those issues. In light of the uncertainty regarding how the SEC will resolve those issues and related issues, the DCF has determined that it will not recommend enforcement action to the SEC if companies, including those that are subject to paragraph (c) of Item 1.01 of Form SD, only file disclosure under the provisions of paragraphs (a) and (b) of Item 1.01 of Form SD. This statement is subject to any further action that may be taken by the SEC, expresses the Divi-

sion's position on enforcement action only, and does not express any legal conclusion on the rule. Companies with questions about the content of Form SD and the Conflict Minerals Report should contact the Division of Corporation Finance at (202) 551-3100.

CPSC proposes regulations on a safety standard for infant inclined sleep products

On April 7, 2017, the Consumer Product Safety Commission (CPSC) published in the *Federal Register* a [notice of proposed rulemaking](#) [CPSC Docket No. 2017-0020] for a safety standard for infant inclined sleep products in response to the direction under section 104(b) of the *Consumer Product Safety Improvement Act of 2008* (CPSIA) to promulgate consumer product safety standards for durable infant or toddler products. These standards are to be “substantially the same as” applicable voluntary standards, or more stringent than the voluntary standard if the Commission concludes that more stringent requirements would further reduce the risk of injury associated with the product.

The CPSC is proposing a safety standard for infant inclined sleep products in response to the direction under section 104(b) of the CPSIA. In addition, the CPSC is proposing an amendment to include inclined sleep products in the list of notice of requirements (NORs) issued by the CPSC. The CPSC is also proposing to explicitly identify infant inclined sleep products as a durable infant or toddler product subject to CPSC's consumer registration requirements. Comments are due by June 21, 2017.

FTC and CPSC Federal Register documents

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

F.R. Date	Subject
04-07-17	CPSC: Safety Standard for Infant Inclined Sleep Products [CPSC Docket No. 2017-0020] (PR)
04-14-17	CPSC: Amendments to Fireworks Regulations; Notice of Extension of Comment Period [Docket No. CPSC-2006-0034]

TTB states that ENDS are not subject to TTB permit requirements

The Alcohol and Tobacco Tax and Trade Bureau (TTB) [Newsletter](#) of April 7, 2017, stated that manufacturers of electronic nicotine delivery systems (ENDS — generally, e-cigarettes, “vaping” devices, and other similar products that do not contain tobacco—do not need to apply to TTB for a permit to operate.

Federal law ([section 5702 of Title 26 of the United States Code](#)) defines tobacco products subject to the federal excise taxes administered by TTB as cigars, cigarettes, smokeless tobacco (snuff and chewing tobacco), pipe tobacco, and roll-your-own tobacco. Each of these products is specifically defined in section 5702.

TTB does not regulate manufacturers of any ENDS products that do not fall within these definitions. Such manufacturers may be subject to regulation by the U.S. Food and Drug Administration as well as state and local laws.

TTB announcements and Federal Register documents

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

Date	Subject
04-07-17	Manufacturers of Electronic Nicotine Delivery Systems Not Subject to TTB Permit Requirements

FDA recognizes Australia as having a comparable food safety system to the U.S.

On April 19, 2017, the U.S. Food and Drug Administration (FDA) [announced](#) that it has signed an arrangement with the Australian Department of Agriculture and Water Resources (DAWR) recognizing each other's food safety systems as comparable to each other. This is the third time that the FDA has recognized a [foreign food safety system](#) as comparable, the first being New Zealand in 2012 and Canada in 2016.

The FDA announcement said that “each partner intends to consider the oversight of the other when prioritizing inspection activities, but the benefits go beyond inspection and admissibility. Systems recognition establishes a framework for regulatory cooperation in a variety of areas that range from scientific collaboration to outbreak response.”

The announcement noted that systems recognition is voluntary and not required in order for a country to export foods to the U.S. The FDA continues to have inspection authority over food imported from any country with which it has an arrangement and can exercise this authority as needed. Imports from Australia must continue to comply with U.S. statutory and regulatory requirements to ensure safety and proper labeling, including the new standards adopted under the [FDA Food Safety Modernization Act](#).

The Australian DAWR's [release](#) said that “not all foods are included in this agreement, but most canned foods, seafood, dairy products, fresh fruit and vegetables, fruit juices, confectionary and baked goods are in scope. Just as Australia does, the USA continues to regulate foods such as meat, egg products, shellfish and dietary supplements and more stringent requirements continue to apply.”

For additional information see the following FDA resources:

- [International Cooperation](#)
- [International Comparability Assessment Tool \(ICAT\)](#)
- [Report of the Systems Recognition Review of Australia by the U.S. FDA](#)
- [FDA Issues Information for Foreign Governments: Frequently Asked Questions on Systems Recognition](#)

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
04-06-17	Waivers From Requirements of the Sanitary Transportation of Human and Animal Food Rule [Docket No. FDA-2013-N-0013] (N)
04-07-17	Preparation for International Cooperation on Cosmetics Regulation Eleventh Annual Meeting; Public Meeting [Docket No. FDA-2017-N-0001] (N/H/RFC) [Meeting date: May 25, 2017]
04-13-17	Medical Devices; Exemptions From Premarket Notification: Class I Devices [Docket No. FDA-2017-N-1610] (N)
04-18-17	Canadian Oilseed Processor Association; Filing of Food Additive Petition (Animal Use) [Docket No. FDA-2017-F-0969] (N)

FAS GAIN reports

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

- Angola - [FAIRS Country Report](#)
- Burma/Myanmar - [New Pest Risk Analysis Requirements](#)
- China - [China Released the Regulations on the Management of Pesticides](#)
- China - [Technical Requirements for Genetic Resources Imports](#)
- Russia - [WTO Notified on Draft Amendments to Vet Requirements](#)
- India - [Additional Guidance on Food Import Clearance System](#)
- South Africa - [Draft Regulation of Agricultural Landholdings Bill](#)
- Thailand - [Milk Code Passed the National Legislative Assembly](#)
- Peru - [Peru Imposes State-Based Import Ban on U.S. Poultry Products](#)
- India - [FSSAI Invites Comments for Organic Food Regulations](#)
- Japan - [Japan proposes the revision of MRLs for 7 agricultural chemicals](#)
- Czech Rep. - [FAIRS - Narrative](#)
- Germany - [FAIRS - Certification](#)
- Latvia - [Exporter Guide](#)
- EAEU - [WTO Notification on EAEU Common Phytosanitary Rules](#)
- India - [WTO Notified - Regulation on Ready to Drink Infant Milk Substitute](#)
- Japan - [Change to Country of Origin Labeling Requirements](#)
- Canada - [Canada proposes to prohibit the use of partially hydrogenated oils](#)
- EAEU - [WTO Notifications on EAEU Phytosanitary Requirements](#)
- China - [General Safety Requirements of Food-Contact Materials and Articles](#)
- EU - [European Commission Report on Labeling of Alcoholic Beverages](#)
- India - [Timeline for Declaration of Trans Fat Food Labels Gets Extension](#)
- India - [WTO Member Comments Invited on Ready to Drink Infant Milk Substitute](#)
- Mexico - [Mexico Reacts to an HPAI outbreak in the United States_Mexico](#)
- Singapore - [Halal in Singapore](#)

CITA adds product to CAFTA-DR Annex 3.25

On April 25, 2017, the Committee for the Implementation of Textile Agreements (CITA) published in the *Federal Register* a [determination](#) that certain woven modal-polyester print fabric, as specified in the *Federal Register* document, is not available in commercial quantities in a timely manner in the *Dominican Republic-Central America-United States Free Trade Agreement* (CAFTA-DR) countries and therefore will be added in unrestricted quantities to Annex 3.25 of the CAFTA-DR.

Other 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
04-03-17	Federal Railroad Adm. (FRA): Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act for a Violation of a Federal Railroad Safety Law, Federal Railroad Administration Safety Regulation or Order, or the Hazardous Material Transportation Laws or Regulations, Orders, Special Permits, and Approvals Issued Under Those Laws [Docket No. FRA-2016-0021; Notice No. 2] (FR)
04-04-17	Federal Maritime Commission (FMC): Amendments to Regulations Governing Service Contracts and NVOCC Service Arrangements [Docket No. 16-05] (FR) State: Notice of Issuance of a Presidential Permit to TransCanada Keystone Pipeline, L.P. [Public Notice 9941] (N)
04-05-17	Environmental Protection Agency (EPA): Chlorpyrifos; Order Denying PANNA and NRDC's Petition To Revoke Tolerances [EPA-HQ-OPP-2007-1005; FRL-9960-77] (O) US Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Removal of the Scarlet- Chested Parrot and the Turquoise Parrot From the Federal List of Endangered and Threatened Wildlife [Docket No. FWS-HQ-ES-2015-0176; 4500030113] (FR) FWS: Endangered and Threatened Wildlife and Plants; Reclassification of the West Indian Manatee From Endangered to Threatened [Docket No. FWS-R4-ES-2015-0178; FXES11130900000-178-FF09E42000] (FR)
04-07-17	National Highway Traffic Safety Adm. (NHTSA): Notice of Receipt of Petition for Decision That Nonconforming Model Year 2014 EMU Camper Trailer 4x4 Extreme Adventure Trailers Are Eligible for Importation [Docket No. NHTSA-2016-0130; Notice 1] (N) NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2013 BMW R1200GS Adventure Motorcycles Are Eligible for Importation [Docket No. NHTSA-2016-0118; Notice 1] (N)
04-10-17	Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Temporary Placement of Six Synthetic Cannabinoids (5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA) into Schedule I [Docket No. DEA-446] (Temp. Scheduling Order) EPA: Dinotefuran; Receipt of Applications for Emergency Exemptions, Solicitation of Public Comment [EPA-HQ-OPP-2017-0135; FRL-9960-10] (N) EPA: Pesticide Product Registration; Receipt of Application for New Active Ingredient [EPA-HQ-OPP-2017-0007; FRL-9959-58] (N) EPA: Registration Review; Biopesticide Dockets Opened for Review and Comment [EPA-HQ-OPP-2016-0663; FRL-9955-85] (N) EPA: Notice of Receipt of Requests To Voluntarily Cancel Certain Pesticide Registrations and Amend Registrations To Terminate Certain Uses [EPA-HQ-OPP-2017-0070; FRL-9959-66] (N) EPA: Cancellation Order for Certain Pesticide Registrations and/or Amendments To Terminate Uses [EPA-HQ-OPP-2016-0618; FRL-9959-38] (N) EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2017-0007; FRL-9959-60] (N)

F.R. Date	Subject
	EPA: Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations [EPA-HQ-OPP-2017-0069; FRL-9959-67] (N)
	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2017-0006; FRL-9959-61] (N/RFC)
	Treasury: Departmental Offices; Interest Rate Paid on Cash Deposited To Secure U.S. Immigration and Customs Enforcement Immigration Bonds (N)
04-11-17	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2010 Chevrolet Camaro Passenger Cars (PC) Are Eligible for Importation [Docket No. NHTSA-2015-0023; Notice 1] (N)
	NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2010 Jeep Wrangler Multipurpose Passenger Vehicles (MPV) Are Eligible for Importation [Docket No. NHTSA-2016-0061; Notice 1] (N)
	NHTSA: Decision That Certain Nonconforming Model Year 1996 and 1997 Ferrari F50 Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2015-0094, Notice 2] (N)
04-12-17	EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2016-0013; FRL-9960-01] (N)
	EPA: Chlorinated Phosphate Ester (CPE) Cluster; TSCA Section 21 Petition; Reasons for Agency Response [EPA-HQ-OPPT-2017-0038; FRL-9961-04] (N)
	EPA: Monoethanolamine; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2015-0697; FRL-9949-11] (FR)
04-13-17	EPA: Evaluation of Existing Regulations [EPA-HQ-OA-2017-0190; FRL-9961-60-OP] (RFC)
	Federal Railroad Adm. (FRA): Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act for a Violation of a Federal Railroad Safety Law, Federal Railroad Administration Safety Regulation or Order, or the Hazardous Material Transportation Laws or Regulations, Orders, Special Permits, and Approvals Issued Under Those Laws [Docket No. FRA-2016-0021; Notice No. 3] (FR)
04-17-17	Federal Communications Commission (FCC): Reporting Requirements for U.S. Providers of International Services; 2016 Biennial Review of Telecommunications Regulations [IB Docket Nos. 17-55 and 16-131, FCC 17-28] (PR)
04-18-17	EPA: Pyriofenone; Pesticide Tolerances [EPA-HQ-OPP-2014-0153; FRL-9953-96] (FR)
	EPA: Pyroxasulfone; Pesticide Tolerances [EPA-HQ-OPP-2016-0171; FRL-9959-25] (FR)
	EPA: Bacillus Thuringiensis (mCry51Aa2) Protein in or on Cotton; Temporary Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0279; FRL-9957-23] (FR)
	Small Business Administration (SBA): Small Business Size Standards; Adoption of 2017 North American Industry Classification System for Size Standards (PR)
04-19-17	Pipeline and Hazardous Materials Safety Administration (PHMSA): Hazardous Materials: Revision of Maximum and Minimum Civil Penalties [Docket No. PHMSA-2016-0041 (HM-258D)] (FR)
04-20-17	EPA: Deltamethrin; Pesticide Tolerances [EPA-HQ-OPP-2016-0087; FRL-9959-54] (FR)
	FCC: Review of Foreign Ownership Policies for Broadcast, Common Carrier and Aeronautical Radio Licensees [GN Docket No. 15-236; FCC 16-128] (FR)
04-21-17	U.S.-China Economic and Security Review Commission: Notice of Open Public Hearing (N/H)
04-24-17	Maritime Administration (MARAD): Annual Civil Monetary Penalties Adjustment (FR)
	PHMSA: Hazardous Materials: Use of DOT Specification 39 Cylinders for Liquefied Flammable Compressed Gas [Docket No. PHMSA-2016-0078; Notice No. 2016-14] (N)
04-25-17	EPA: Benzobicyclon; Pesticide Tolerances [EPA-HQ-OPP-2015-0226; FRL-9961-02] (FR)

F.R. Date	Subject
	EPA: Bacillus simplex strain BU288; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0123; FRL-9960-61] (FR)
	EPA: Certain New Chemicals or Significant New Uses; Statements of Findings for December 2016 [EPA-HQ-OPPT-2016-0511; FRL-9959-33] (N)
	EPA: Certain New Chemicals or Significant New Uses; Statements of Findings for February 2017 [EPA-HQ-OPPT-2017-0141; FRL-9960-36] (N)

Commerce initiates Inquiry into the status of the PRC as an NME

On April 3, 2017, the Department of Commerce (Commerce), Enforcement and Compliance, International Trade Administration, published in the *Federal Register* a [notice](#) [Docket No.: 170328324–7324–01; A–570–053] announcing that as part of the less-than-fair-value investigation of certain aluminum foil from the People's Republic of China (PRC), Commerce is initiating an inquiry into whether the PRC should continue to be treated as a nonmarket economy (NME) country under the antidumping and countervailing duty laws. As part of this inquiry, Commerce is seeking public comment and information with respect to the factors to be considered under the *Tariff Act of 1930*, as amended (the Act). To be assured of consideration, written comments and information must be received no later than May 3, 2017.

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Boletín Oficial publications

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

BO Date	Subject
03-04-17	National Administration of Medicines, Food and Medical Technology (ANMATM): Disposition Nº 2937/2017 (29-03-17) Prohibition of commercialization of certain food products.
	ANMATM: Disposition Nº 2984 /2017 (30-03-17) Prohibition on the use and commercialization of cosmetics
05-04-17	Federal Administration of Public Income (AFIP): General Resolution Nº 4024-E / 2017 (04-04-17) Authorization of the Free Zone and delimitation of the Primary Customs Zone in the jurisdiction of the Customs of Villa Constitución.
07-04-17	AFIP- Directorate General of Customs: Resolution Nº 12-E/2017 (31-03-17) authorizing the importation of mining maintenance equipment under a special regime
	AFIP- Directorate General of Customs: Resolution Nº 11-E/2017 (30-03-17) determining the performance guarantee amounts for simplified declarations of simplified Customs Transit Monitoring (TRAMs) under the Customs Transit Security Initiative (ISTA)
19-04-17	Law 27350 – (04-04-17) Medicinal Use of the Cannabis Plant and its derivatives. Decree Nº 266/2017 (18-04-17)

BO Date	Subject
21-04-17	AFIP: General Resolution № 4029-E (19-04-17) Value Added Tax. Refund of the tax to tourists from abroad for accommodation services. Joint Standard General Resolution No. 3.971 (AFIP) and Resolution No. 566/16 (MT). Special term.
24-04-17	ANMATM: Disposition № 3643/2017 (18-04-17) – Prohibition on the use and commercialization of household products
26-04-17	ANMATM: Disposition № 3826/2017 (24-04-17) - Establishes the “Federal Network of the Food Surveillance Information System, Red Federal SIVA “.
27-04-17	ANMATM: Disposition № 3962/2017 (25-04-17) - Establishes an optional unified procedure for the application for registration in the register and its marketing authorization (First Lot) of medicinal products prepared and marketed in the country as monodrogas and whose active pharmaceutical ingredients (IFAs) , are of proven efficacy and safety and of condition of free sale.
28-04-17	Foreign trade: Decree № 294/2017 modifying Decree № 509/2007 - regarding modification of rates for export refunds based on NCM • Annex 1 • Annex 2 • Annex 3

Antidumping and countervailing duty cases

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

Brazil

New Decree alters CAMEX structure

[Decree No. 9029](#) of April 10, 2017, which will enter into force on 11 May 2017, made some changes in the Board of Foreign Trade (CAMEX) and its committees. Among the changes is the transfer of the Executive Secretariat of CAMEX, currently in the Ministry of Foreign Affairs (MRE), to the Ministry of Industry, Foreign Trade and Services (MDIC).

The publication of the new Decree does not interfere with the working agendas of [the CAMEX bodies](#) and the [Technical and Coordination Groups](#) , which will normally continue their activities. The calendar of meetings can be accessed [here](#) .

Regarding the referral of litigation addressed to the CAMEX Executive Secretariat, these should continue to be forwarded to the General Protocol of the MRE until May 10. The protocol is located in the Esplanada dos Ministérios, Block “H”, Annex II, ground floor, CEP 70.170-900 Brasília / DF.

Readers who are unfamiliar with CAMEX should know that it is the responsibility of CAMEX, among other actions to:

- 1 - establish guidelines and procedures related to the implementation of the foreign trade policy aiming at the competitive insertion of Brazil in the international economy;
- 2 - coordinate and guide the actions of bodies that have competencies in the area of foreign trade; and
- 3 - define, within the scope of export and import activities, guidelines and guidelines on norms and procedures, for the following subjects, subject to the legal reserve:

- rationalization and simplification of administrative procedures, requirements and controls on imports and exports;
 - accreditation of companies for the practice of foreign trade;
 - nomenclature of goods;
 - export and import conceptualization;
 - classification and standardization of products;
 - marking and labeling of goods;
 - rules of origin and origin of goods.
- 4 - establish the guidelines for the negotiation of agreements related to bilateral, regional or multilateral foreign trade;
 - 5 - guide the customs policy, observing the specific competence of the Ministry of Finance;
 - 6 - formulate basic guidelines of the tariff policy for import and export;
 - 7 - establish guidelines and measures aimed at the simplification and rationalization of foreign trade;
 - 8 - establish guidelines and procedures for investigations related to unfair practices of foreign trade;
 - 9 - establish guidelines for the financing of exports of goods and services, as well as to hedge the risks of forward transactions, including those related to export credit insurance;
 - 10 - establish guidelines and coordinate policies for the promotion of goods and services abroad and trade information;
 - 11 - give an opinion on freight policy and international, port, airport and border transport, with a view to adapting it to the objectives of foreign trade policy and improving competition;
 - 12 - guide policies to encourage the improvement of airport, transportation and tourism services, with a view to increasing exports and providing these services to users from abroad;
 - 13 - establish the rates of the export tax, respecting the conditions established in Decree-Law no. 1578, of October 11, 1977;
 - 14 - establish the import tax rates, in compliance with the conditions and limits established in Law No. 3.244, dated August 14, 1957, Decree-Law no. 63, dated November 21, 1966, and Decree-Law No. 2,162, Of September 19, 1984;
 - 15 - establish provisional and definitive anti-dumping and countervailing duties and safeguards;
 - 16 - decide on the suspension of the imposition of the provisional duties;
 - 17 - approve the commitment established in art. 4 of Law 9,019 of March 30, 1995;
 - 18 - establish guidelines for the application of revenues derived from the collection of the rights referred to in item 15 above;
 - 19 - amend, in the form established in the decision-making acts of the Common Market of Mercosur, the Common Nomenclature of Mercosur referred to in Decree No. 2,376, dated November 12, 1997; and
 - 20 - formulate guidelines for the functionality of the Tax System in the scope of export and import activities, without prejudice to the provisions of art. 35 of Decree-Law No. 37, of November 18, 1966, and in art. Law No. 9,779, dated January 19, 1999.

Diário Oficial da União publications

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

DOU Date	Subject
31-03-17	CAMEX: Resolution № 26 (29-03-17) Alters the lists of auto parts listed in Annexes I and II of CAMEX Resolution 116, of 2014 [8483.50.10]
03-04-17	CAMEX: Resolution № 27 (29-03-17) Alters the Import Tax rates to 2% (until 31-12-18) on the Goods Information and Telecommunications, as Ex-Tariffs
	CAMEX: Resolution № 28 (29-03-17) Alters the Import Tax rates to 2% (until 31-12-18) on Capital Goods, as Ex-Tariffs
19-04-17	Interministerial Portaria № 21 (18-04-17) Changes the Basic Production Process for TV with Liquid Crystal Display in the Manaus Industrialized zone
24-04-17	CAMEX: Resolution № 30 (20-04-17) - grants a temporary reduction of the Import Tax rate, pursuant to Resolution nº 08/08 of the Common Market Group of Mercosur, for the products "Anatase type" products, monochloroacetic acid, lignosulphonates and polypropylene film.
25-04-17	SECEX: Ordinance № 15 (24-04-17) Establishes criteria for the allocation of import quotas, determined by CAMEX Resolution No. 30, of April 20, 2017.

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 – subscription needed to view text) [Partial list; Unofficial translation].

Date	Subject
04-04-17	Hacienda: Exempt Decree № 62 of 2017.- Declared international exhibition 15th Biennial Worldwide Congress, Unitecr 2017
	Hacienda: Exempt Resolution № 1.710, of 2017.- Modifies Compendium of Customs Norms
	Hacienda: Resolución № 1.712, de 2017.- Modifica Manual de Pagos
13-04-17	Hacienda: Exempt Decree № 114, of 2017.- Applies reductions of customs duties for the importation of wheat and wheat flour or morcajo (tranquillón)
18-04-17	Hacienda: Decree № 79, of 2017.- Fixes peripheral limits of the Free Zone of the Region of Aysén of General Carlos Ibáñez del Campo
20-04-17	Agriculture: Resolution № 7.364, of 2016 - Establishes general sanitary requirements for the admission to Chile of animals and repeals resolution No. 1,254 of 1991
22-04-17	Hacienda: Exempt Decree No. 127, of 2017.- Establishes definitive anti-dumping duty on imports of steel wire rod originating in China
24-04-17	Hacienda: Exempt Decree № 88, of 2017.- Confers the patronage of the Government and declares international the "XIX International Fair Forest, Pulp and Paper, Expocorma '2017"
28-04-17	Hacienda: Exempt Decree № 130, of 2017.- Applies reductions of customs duties for the import of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and substandard

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 issued in 2013 may be found at http://www.dian.gov.co/DIAN/13Normatividad.nsf/pages/Clasificacion_arancelarias_2013. For prior years, please see http://www.dian.gov.co/DIAN/13Normatividad.nsf/pages/Clasificaciones_arancelarias.

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
04-04-17	MinCIT: Resolution № 0544 (28-03-17) By which provisions related to articles 12, 14, 16 and 21 of Decree 925 of 2013 are issued for temporary importation for re-export in the same state
	MinCIT: Circular № 015 (06-04-17) "Resolution 000069 of 2017 - Modifies Article C of Article 1 of resolution 278 of November 24, 2016"
06-04-17	DIAN: Resolution № 20 – Regulates Art 49 of Decree 2147 (23-12-16) Committee for the Evaluation of Tax, Customs and Exchange Behavior
11-04-17	DIAN: Cir: № 15 Reference Prices of Agricultural Products
12-04-17	DIAN: Cir. 2800/2017 Ad valorem levies applicable to reference agricultural products, their substitutes, agro-industrial products or by-products.
18-04-17	DIAN: Ext. Cir. № 8-2017 Application of the customs procedure to the arrival of the Merchandise to the national customs territory
26-04-17	MinCIT: Resolution 055 of 2017 (21-04-17) "By which the term of response to questions is extended in the five-year review opened by Resolution No. 021 of March 3, 2017" [Chinese 7210.49.00.00]
27-04-17	DIAN: Cir. 2818-2017 Ad valorem levies applicable to reference agricultural products, their substitutes, agroindustrial products or by-products.
28-04-17	DIAN: Cir. 17-2017 Reference Prices of Agricultural Products

Peru

Tariff Classification database

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

SUNAT and *El Peruano* publications

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

Date	Subject
04-04-17	External Relations: Supreme Decree № 012 Ratify the Additional Protocol to the Trade Agreement between Peru and Colombia on the one hand and the European Union and its Member States on the other to take account of the accession of the Republic of Croatia to the European Union
05-04-17	Congress of the Republic: Law № 30549 Law amending article 9 of Legislative Decree 1319 Legislative Decree that establishes measures to promote trade in forest products and wildlife of legal origin
08-04-17	External Trade and Tourism: Ministerial Resolution № 127 Updated appointment of representatives before the Permanent Joint Multisectoral Commission in charge of preparing to propose and monitor the National Strategic Exporter Plan - PENX Economy and Finance: Vice Ministerial Resolution No. 004-2017-EF / 15.01 Reference prices and variable duties additional to imports of maize sugar rice and whole milk powder
26-04-17	Agriculture: Directorial Resolution № 0027 Approves the Annual Monitoring Plan for Chemical Residues and Other Contaminants in Primary Agricultural and Feeding Foods for the period April to December of 2017.
27-04-17	External Relations: International Convention ... Entry into force of the Additional Protocol to the Trade Agreement between Peru and Colombia on the one hand and the European Union and its Member States on the other to take account of the accession of the Republic of Croatia to the European Union
28-04-17	External Trade and Tourism: Supreme Decree № 004-2017-MINCETUR Provides for the implementation of the Additional Protocol to the Trade Agreement between Peru and Colombia on the one hand and the European Union and its Member States on the other to take account of the accession of the Republic of Croatia to the European Union
29-04-17	SUNAT: Circular № 02-2017-SUNAT / 5F0000 Approve circular on the transmission of information of identification document and name or social reason of the owner or consignee in the transport document of the manifest of load of income and manifest desconsolidado in the sea
30-04-17	SUNAT: Resolution No. 06-2017-SUNAT / 5F0000 Modify Specific Procedure Application of Preferences under the Trade Agreement between Peru and Colombia by one party and the European Union and its Member States by another INTA-PE.01.31 (version 1)

Asia-Pacific

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

Australia

Federal Government announces proposals to strengthen enforcement of bribery legislation

The Federal Government has announced and invited submissions on:

1. a proposal for a deferred prosecution agreement (DPA) scheme to be introduced in Australia; and

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

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

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

A note on spelling, grammar and dates--

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

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

Credits:

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

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

This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).

2. proposed amendments to the foreign bribery offence in the *Criminal Code Act 1995* (Cth)

These proposals indicate that the Federal Government is seeking to maximise the prospects of successfully taking enforcement action against companies and individuals involved in corrupt conduct.

What you need to know

- The Federal Government has released a consultation model for a proposed DPA scheme in Australia (available [here](#)) after receiving mostly supportive submissions for the further development of a DPA scheme from a broad range of stakeholders in 2016.
- The Federal Government has released a consultation paper (available [here](#)) for submissions on its proposed amendments to the foreign bribery offence. These proposals include introducing a corporate liability model similar to the *UK Bribery Act 2010* and introducing an offence based on recklessness rather than intent that would potentially capture conduct not covered by the UK Bribery Act.
- Both proposals signal the Federal Government's commitment to develop new enforcement mechanisms for serious corporate crime, including reviewing its foreign bribery laws as part of its National Action Plan under the Open Government Partnership.
- The deadline for submissions on both papers is 1 May 2017.

Proposed deferred prosecution agreement scheme

What is a deferred prosecution agreement / DPA?

A DPA is a voluntary negotiated settlement between the prosecuting authority and defendant to avoid the formal prosecution of the defendant. DPAs have been used in both the US and the UK for serious corporate offences, with the US renowned for its significant *Foreign Corrupt Practices Act 1977* fines and disgorgements through DPAs. DPAs are a more recent enforcement tool in the UK, but they are also beginning to result in similarly large fines.

Under existing DPA schemes, where a company (or company officer) has engaged in serious corporate crime, it is possible for the company to negotiate an agreement to comply with a range of specified conditions. Such conditions usually require the company to cooperate with any investigation, admit to agreed facts, pay a monetary penalty and implement a compliance program. If those conditions are satisfied by the company then it will not be prosecuted.

However, if the company breaches the terms of a DPA, then the company may be prosecuted or alternatively have to renegotiate a DPA with the prosecuting agency.

Proposed model for a DPA scheme in Australia

The Federal Government's current proposal is for an Australian DPA scheme which is similar to the UK's DPA scheme, being available only to companies (for an initial two year implementation period) and applying to a specific list of serious corporate crimes, including foreign bribery, money laundering and fraud. The Federal Government is continuing to assess whether a DPA scheme should be available for other criminal offences, such as environmental crimes, tax and cartel offences.

The Federal Government's proposed DPA model "would be focused on reparation, remediation, financial penalties and on the implementation of effective compliance programs". Key features of the current proposal include:

- broad prosecutorial discretion in deciding whether to invite a defendant company to enter into DPA negotiations;
- a recognition that clear and detailed guidance on when a prosecutor is likely to offer DPA negotiations is required for greater certainty around accessing the DPA scheme, so as to encourage self-reporting by companies;
- flexibility in the manner in which the negotiations are conducted and in the terms of the DPA, but with some minimum mandatory terms, such as an end date by which the DPA terms must be satisfied, an agreed statement of facts, formal admissions of criminal liability and grounds for termination of the DPA in the event of breach;
- the publication of the DPAs terms and statement of agreed facts, unless exceptional circumstances exist; and
- always being subject to two proposed safeguards, whereby DPAs are only offered if the Commonwealth Director of Public Prosecutions (CDPP) considers it is in the public interest and the DPA's terms are only approved if found to be in the interests of justice.

Australia's proposed DPA scheme would require approval by either a retired judge or the CDPP. Once a DPA has been approved, it has been proposed that independent monitors could be appointed at the company's expense to ensure compliance with the terms of the DPA. The independent monitor could also be required to report to the CDPP, given the agency's current lack of oversight or investigatory capacity to determine a company's compliance with the DPA terms.

Proposed amendments to the foreign bribery offence

The Federal Government's proposed amendments to the foreign bribery offence under the *Criminal Code Act 1995* (Cth) (*Criminal Code*) would:

- expand the "foreign public official" definition to include candidates for office;
- introduce the concept of conduct being engaged in to "improperly influence" a foreign public official replacing the need to establish that a benefit/business advantage was "not legitimately due";
- extend the bribery offence to cover obtaining a personal advantage;
- introduce a new foreign bribery offence based on the fault element of recklessness. While an element of the offence would still require intention as to the conduct of "providing, promising or offering" a benefit, the offence would be established if the person was reckless as to whether that conduct would improperly influence a foreign public official to obtain or retain business or an advantage. This could potentially capture conduct that would not be caught by the UK Bribery Act. The proposed incorporation of recklessness into the foreign bribery offence follows a similar approach with the money laundering and false accounting offences under the Criminal Code;
- introduce a new corporate offence of failing to prevent foreign bribery. This proposed offence would have a similar effect to section 7 of the UK Bribery Act. It would mean that a company would be liable for bribery by its employees, contractors and agents (including those who may be

operating overseas), unless the company can show that it had proper internal controls and compliance systems in place to prevent bribery from occurring. This effectively reverses the onus of proof and requires a company to establish that it had sufficient compliance systems in place rather than requiring the prosecution to establish that the company did not have sufficient compliance systems. The proposal recognises that the Minister of Justice would be required to publish specific guidelines as to the appropriate steps and measures companies can implement to prevent such bribery;

- remove the requirement of influencing a foreign public official in the exercise of their official capacity; and
- clarify that the offence does not require the accused to have a specific business or advantage in mind, and that business or an advantage can be obtained for someone else.

The proposed amendments do not remove the facilitation payments defence under the Criminal Code, leaving Australia as one of the few remaining OECD Bribery Convention countries which still permits that defence.

Comment

Both consultation papers signal an increased focus by Australian regulators to develop new enforcement mechanisms to aid the successful prosecution of companies and individuals for serious corporate crimes, including foreign bribery.

Since the enactment of the UK Bribery Act, the UK has actively prosecuted companies for failing to maintain proper controls and compliance systems to prevent bribery. The US and UK have both used DPAs to increase their successful prosecution of companies for serious corporate crimes.

As the Federal Government takes these steps to strengthen Australia's foreign bribery laws, it provides a timely opportunity for companies to evaluate whether their compliance systems are adequate to prevent and detect corrupt conduct and reduce their exposure to that significant risk.

If you have questions or want additional information, please contact [Georgie Farant](#), [Andrew Emmerson](#) or [Natalie Wee](#) in our Sydney office.

Australia – Pacific trade and development agreement concluded

On 20 April 2017, the Department of Foreign Affairs and Trade (DFAT) [announced](#) that Australia has successfully concluded negotiations with New Zealand and 12 Pacific Island countries in Brisbane today to implement PACER Plus - the *Pacific Agreement on Closer Economic Relations Plus*. This agreement will drive economic growth and raise living standards in the region.

PACER Plus is unique in that it is both a trade and a development agreement covering goods, services and investment. It has the potential to reshape the economic fundamentals of the Pacific region by creating new opportunities for trade and investment in Australia's neighbourhood. The countries participating are Australia, the Cook Islands, the Federated States of Micronesia, Kiribati, Nauru, New Zealand, Niue, the Republic of Marshall Islands, Palau, Samoa, the Solomon Islands, Tonga, Tuvalu and Vanuatu. The Agreement will be signed in Tonga in June.

Public consultations on FTAs

The Department of Foreign Affairs and Trade (DFAT) is encouraging interested people and organisations to make submissions on Free Trade Agreements (FTAs). The DFAT FTA website lists the following FTAs either currently under negotiation or already in force that are accepting submissions or comments:

- [Indonesia-Australia Comprehensive Economic Partnership Agreement \(IA-CEPA\)](#)
- [Regional Comprehensive Economic Partnership \(RCEP\)](#)
- [Pacific Agreement on Closer Economic Relations \(PACER\) Plus](#)
- [Australia-European Union Free Trade Agreement \(AEUFTA\)](#)
- [Australia-India Comprehensive Economic Cooperation Agreement \(CECA\)](#)
- [Australia-Gulf Cooperation Council \(GCC\) Free Trade Agreement](#)
- [Trade in Services Agreement \(TiSA\)](#)
- [Consultation processes for concluded FTAs](#)

Submissions may range from a short email or letter, outlining views on a particular topic, to a more substantial document covering a range of issues. Where possible, evidence should be provided, such as relevant data and documentation, to support the views expressed. For example, in the case of submission about exporting goods this might include HS tariff codes for specific products of interest.

Persons seeking to provide submissions on more than one FTA, will need to make separate submissions addressed to the respective FTA secretariats.

Contact details for particular agreements and where to send the submission can be found through on the [DFAT consultations website](#), using the left-hand menu..

Australian Gazettes

The following documents were published in the *Government Notices Gazette*, the *Tariff Concessions Gazette* (TC) or other Gazettes as noted(dd-mm-yy):

Date	Matter
04-04-17	Gazette: Acts assented to – Acts 19 to 31: Includes -- - No. 19 of 2017— An Act to amend the law relating to customs, trade descriptions and maritime powers, and for related purposes. (Customs and Other Legislation Amendment Act 2017). - No. 20 of 2017— An Act to amend the Customs Tariff Act 1995, and for related purposes. (Customs Tariff Amendment Act 2017).
05-04-17	TC17-17 5 April 2017
12-04-17	TC17-18 12 April 2017
26-04-17	TC17-19 26 April 2017

Australian Tariff Precedents

The Department of Immigration and Border Protection (DIBP) and one of its predecessors, Australian Customs and Border Protection Service (ACBP) publish and post its [Tariff Precedent Files](#). Tariff Precedents are considered statements from Customs made to provide guidance on various classification issues.

Antidumping and countervailing duty cases

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

China (including Hong Kong SAR)

MOFCOM and GAC notices

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

Date	Series and №	Subject
03-20-17	GAC Notice 14	Notice on the Implementation of the Catalog of Foreign Investment Advantage Industries (Revised 2017) in the Central and Western Regions) (03-17-17)
04-07-17	GAC Notice 15	Notice on the Establishment of Paperless Pilot of Customs and Excise for Import and Export of Wild Animals and Plants in Harbin, Fuzhou, Xiamen and Kunming Customs (03-21-17)
04-13-17	GAC Notice 16	Notice on the promulgation of the Announcement on the Announcement of the PRC's Import and Export Tariffs Adjustment and Abolishment Part of 2017
04-17-17	GAC Notice 17	Notice on Publication and Abolition of Certain Commodity Classification Decision (04-13-17)
04-21-17	GAC Notice 19	Notice of the GAC on the Customs and Excise Department) (04-21-17)
04-24-17	GAC Notice 18	Notice on the Implementation of the Requirement for Declarations of Commodity Numbers for the Implementation of Anti-dumping Measures for Vinyl Chloride-Vinyl Chloride Copolymer Resins) (04-19-17)

Antidumping and Countervailing Duty Cases

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

India

Other CBEC and DGFT notifications, circulars and instructions

The following Central Board of Excise and Customs (CBEC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than anti-dumping, countervailing duty and safeguard) and Directorate General of Foreign Trade (DGFT) public notices (PN), trade notices (TN) and notifications (N) were issued during the period covered by this Update:

Date	Series and №	Subject
CBEC		
05-04-17	12/2017-Cus (T)	Further amends notification No. 12/2012-Customs, dated 17.03.2012 so as to allow the following changes regarding duty free import of raw sugar [1701], allowed vide notification No. 12/2017-Customs dated 5th, April, 2017: 1. Time line for availing TRQ benefit (duty free) for import of raw sugar [1701] has been extended from 12.06.2017 to 30.06.2017. 2. Actual user condition has been prescribed for importing raw sugar at Nil rate, availing TRQ benefit for manufacture of white/ refined sugar.

Date	Series and No	Subject
		3. A time line of 2 months, from the date of filing of bill of entry or the date of entry inwards, whichever is later, is being prescribed to convert raw sugar into white/ refined sugar.
12-04-17	37/2017-Cus (NT)	Customs (Settlement of Cases) Amendment Rules, 2017
13-04-17	13/2017-Cus (T)	Amends Notification No.12/2012-Customs, dated the 17th March, 2012, so as to allow duty free import of raw sugar up to a quantity of 5 lakh MT under Tariff Rate Quota (TRQ) up to and inclusive of 12th June 2017
	39/2017-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
18-04-17	14/2017-Cus (T)	Amendment to Notification No.41/1999-Cus to align the said notification with para 4.36 of FTP 2015-20 by omitting the word 'for export' in the proviso to the notification
20-04-17	15/2017-Cus (T)	Amends 8/2011 dated 14.2.2011 so as to extend the exemption of additional duty of Customs to specified jute products imported from Nepal
	16/2017-Cus (T)	Exempts goods falling under chapter 30 of first schedule of Customs tariff Act 1975, for supply under Patient Assistance Programme run by specified pharmaceutical companies
21-04-17	17/2017-Cus (T)	Exempts goods, falling under the First Schedule to the Customs Tariff Act, 1975, when imported into India by or along with a unit of the Army, the Navy, the Air Force or the Central Paramilitary Forces on the occasion of its return to India after a tour of service abroad, from basic customs duty (BCD), CVD and SAD subject to the specified conditions.
26-04-17	41/2017-Cus (NT)	Regarding amendment in Notification no. 131/2016-Customs (N.T.) dated 31.10.2016 relating to AIR of duty drawback with respect to Guar and its products
28-04-17	42/2017-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
DGFT		
07-03-17	PN 60/2015-2020	Deletion of MEIS benefit on Flour, meal and powder of Gaur seeds under Exim Code 11061000- regd.
	PN 61/2015-2020	Harmonising MEIS Schedule in the Appendix 3B (Table-2) with ITC (HS), 2017.
21-03-17	N: 41/2015-2020	Amendment in Para 2.17 of the Foreign Trade Policy 2015-20 on Imports and Exports to Democratic People's Republic of Korea
	N: 42/2015-2020	Amendments in Chapter 4 of the Foreign Trade Policy 2015-20
24-03-17	PN 62/2015-2020	Amendments in Appendix 4J of Hand Book of Procedures 2015-20 and in General Notes for Chemicals and Allied Products of Standard Input Output Norms(SION) relating to Export Obligation Period under Advance Authorizations.
27-03-17	N: 43/2015-2020	Amendment in export policy of edible oils.
	PN 63/2015-2020	Amendment in para 2.54 of the Handbook of Procedures, 2015-2020.
30-03-17	TN 19/2016	Clarification regarding Public Notice No. 38 dated 6.10.2016 and Public Notice No. 63 dated 27.03.2017.
31-03-17	PN 64/2015-2020	Extending Merchandise Exports from India Scheme(MEIS) benefit for 'Onions Fresh or Chilled' under ITC(HS) code 07031010 up to 30.06.2017.
05-04-17	N: 01/2015-2020	TRQ for Raw Sugar: Amendment in import policy of raw sugar classified under Exim Code 170114 of Chapter 17 of ITC (HS), 2017-Schedule-1 (Import Policy).
07-04-17	TN 01/2018	Online issuance of RCMC.(Registration Cum Membership Certificate)
13-04-17	N: 02/2015-2020	TRQ for Raw Sugar: Amendment in import policy of raw sugar classified under Exim Code 170114 of Chapter 17 of ITC (HS), 2017-Schedule-1 (Import Policy).

Date	Series and №	Subject
	PN 01/2015-2020	Amendments in Product Description in MEIS Schedule-Table 2 of Appendix 3B.
	TN 02/2018	Allocation of additional quantity (non-country specific) for export of sugar to USA under Tariff Rate Quota (TRQ)
17-04-17	TN 03/2018	Inclusion of details / clarification on the Certification of Origin of Goods for European Union Generalised System of Preferences (EU-GSP) - as notified vide Public Notice No.51 dated 30.12.2016
19-04-17	N:03/2015-2020	Exemption from the application of quantitative ceiling and export bans on export of organic agricultural products (wheat, non-Basmati rice) and organic processed products (edible oils and sugar) and enhancement of quantitative ceiling on export of pulses & lentils.
	N:04/2015-2020	Amendment in Para 3.18(a) of FTP 2015-20 .
21-04-17	TN 04/2018	Consideration of application for grant of Licences/ Authorisations for import of "Gold Dore".
24-04-17	N:05/2015-2020	Amendment in Table A of Schedule 2 and Appendix 3 of ITC(HS) Classification of Export and Import Items
27-04-17	TN 05/2018	Clarification on TRQ for Raw Sugar-regarding.

Antidumping and countervailing duty cases

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

Japan

Twelfth round of negotiations for Japan-China-Korea FTA held

On April 7, 2017, the Ministries of Foreign Affairs and Economy, Trade and Industry [announced](#) that the Twelfth round of negotiations on a Free Trade Agreement (FTA) among Japan, China and the Republic of Korea (ROK) will be held in Tokyo, from April 10 to 13. In this round of negotiations, areas such as Trade in Goods, Trade in Services, Investment, amongst others, will be discussed.

North Korean sanctions extended

On April 7, 2017, the Ministry of Economy, Trade and Industry (METI) [announced](#) ([Japanese](#) version, [English](#) version) that the Cabinet decided to extend the ban on exports to or imports from North Korea (DPRK) and intermediary trade transactions (purchase, sale, lending, donating cargo moving between N. Korea and a third country) as well as payments in connection with those activities, in accordance with the *Foreign Exchange and Foreign Trade Control Law* unless authorized by METI. Humanitarian shipments are excluded from the measures.

To implement the Cabinet decision, METI has imposed the following:

The ban on all exports of goods destined for North Korea will be extended by imposing the requirement that exporters obtain export approval from the Minister of Economy, Trade and Industry (related article: Article 48, Paragraph 3 of the *Foreign Exchange and Foreign Trade Act*; hereinafter referred to as the "Act").

The ban on all imports of goods originating in or shipped from North Korea will be extended by imposing the requirement that importers obtain import approval from the Minister of Economy, Trade and Industry (related article: Article 52 of the Act).

To ensure the enforcement of these restrictions, the following transactions shall be banned:

Transactions involving buying/selling, loaning/borrowing, or giving of goods that involve the movement of the goods between North Korea and third countries (intermediate trade) (related article: Article 25, Paragraph 6 of the Act); and

Payments of import bills for goods originating in or shipped from North Korea which are imported without import approval (related article: Article 16, Paragraph 5 of the Act).

Goods exported for humanitarian purposes are exempt from the above restrictions

These restrictions will enter into force on April 14, 2017, and continue until April 13, 2019.

Malaysia

New tariff entered into force 1 April

On 1 April 2017, the [Customs Duties Order 2017](#) came into operation. The Order sets forth the 2017 import and export tariff schedule and duty rates and revokes the *Customs Duties Order 2012* (P.U. (A) 275/2012). In the case of goods subject to tariff rate quotas, the Order also lists the agency that determines the quota.

Federal Government Gazette

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

Date	Matter
03-04-17	P.U. (A) 104/2017 Food (Amendment) (No. 2) Regulations 2017- Food Act 1983
12-04-17	P.U. (A) 118/2017 Customs Duties (Amendment) (No. 2) Order 2017 - Customs Act 1967
	P.U. (A) 120/2017 Excise Duties (Amendment) Order 2017 - Excise Act 1976
	P.U. (B) 189/2017 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
13-04-17	P.U. (A) 122/2017 Customs (Definitive Safeguard Duties) Order 2017 - Safeguards Act 2006 and - Customs Act 1967
	P.U. (B) 191/2017 Notice of Affirmative Final Determination of an Investigation With Regard to Steel Concrete Reinforcing Bar Products Imported Into Malaysia - Safeguards Act 2006
	P.U. (B) 192/2017 Notice of Affirmative Final Determination of an Investigation With Regard to Steel Wire Rods and Deformed Bar in Coils Products Imported Into Malaysia - Safeguards Act 2006
14-04-17	P.U. (A) 123/2017 Customs (Definitive Safeguard Duties) (No. 2) Order 2017 - Safeguards Act 2006 and - Customs Act 1967
20-04-17	P.U. (B) 203/2017 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
26-04-17	P.U. (B) 210/2017 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
27-04-17	P.U. (B) 211/2017- Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967

Customs rulings

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

New Zealand

International Import Certificates

The Export Controls group at the Ministry of Foreign Affairs and Trade will now validate International Import Certificates (IICs) for New Zealand importers importing strategic goods, where an IIC is specifically required by the country of export. Please note these are only for goods on the New Zealand Strategic Goods List and IICs do not constitute a legal approval to import where such approvals are required, for example restricted firearms.

Further information on this process can be [found here](#).

Customs Import Prohibition (High-power Laser Pointers) Order 2017

The [Customs Import Prohibition \(High-power Laser Pointers\) Order 2017](#), which entered into force on 1 March 2017, restricts the importation of high-power laser pointers to those people who have obtained authorisation to import them from the Director-General of Health.

The controls only apply to laser pointers with an output power of greater than 1 milliwatt. High-power laser pointers which arrive in New Zealand without the required consent will be forfeit and may be seized.

Importers and their agents should check the information available on the [Ministry of Health's website](#), which includes details on how to apply for consent, before ordering any high-power laser pointers.

The order is a confirmable instrument under [section 47B](#) of the *Legislation Act 2012*. It is revoked at the close of 30 June 2018, unless earlier confirmed by an Act of Parliament. That stated time is the applicable deadline under [section 47C\(1\)\(a\)](#) of that Act. If the order is confirmed, it will, under [section 55](#) of the *Customs and Excise Act 1996*, expire on the close of 29 February 2020 unless it is revoked or extended before then.

Completed Trade Single Window now in place

On 9 April 2017, the New Zealand Customs Service [announced](#) that the completed Trade Single Window (TSW) has been successfully deployed and is now available to the import/export industry to use. The announcement said:

The e-commerce platform for trade, which has been part of the Customs and Ministry for Primary Industries \$104.1 million Joint Border Management System programme, will allow all border requirements for goods and craft to be met in one place instead of many.

The Comptroller of Customs, Carolyn Tremain, says getting the completed system in place following months of testing and even longer in development is a significant achievement for all involved.

"This milestone is the culmination of more than five years of hard work and I'd like to thank all who've been involved along the way, in particular our pilot partners, the wider industry and the Customs Brokers and Freight Forwarders Federation (CBAFF).

"The enhanced TSW, which has been in place since 2013 with more than five million transactions processed, will support the seamless clearance of trade for years to come."

The completed TSW has expanded functionality across the system. For TSW Online Registration, this includes the ability for brokers and other organisations to control who can do what in their name.

It also features four new lodgement types that will be piloted in coming months before being available to all users:

Advance Notice of Arrival (ANA)
Advanced Notice of Departure (AND)

Electronic messages for industry to report ship arrivals and departures. This includes Maritime NZ getting fuller electronic data to manage its safety and billing functions. After an initial pilot period, Port Health Officers will also be provided access to TSW to provide instructions to the ship about permission to berth.

Excise Declaration

Industry will be able to submit excise lodgements directly into TSW for the first time, with minimal Customs interaction. This will improve the efficiency of the excise declaration process.

Inward Cargo Report (ICR)

This is the most complex message set. It includes electronically requesting international and domestic transshipment to get approval to move consignments out of the port, airline store or other Customs Controlled Area if they have not been cleared already.

The Customs Chief Information Officer, Murray Young, says the rationale behind running pilots with a small number of companies first is akin to turning a tap on slowly.

“We want to make sure the new messages work well in a live environment, then we will progressively increase the load on the system and this allows industry to get accustomed to using the new functionality.

“At a later date we will then set mandatory dates for all industry to transition from using legacy messages to only Trade Single Window, which uses the World Customs Organizations latest data model, WCO3.”

For further information about the development of the Trade Single Window, please see [video](#).

New Zealand Gazette

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

Date	Matter
04-04-17	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 10) 2017
11-04-17	Tariff Concession (Advertisement) Notice No. 2017/11
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 11) 2017
24-04-17	Tariff Concession (Advertisement) Notice No. 2017/12
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 12) 2017
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 13) 2017

Fact Sheets issued, revised

During the period covered by this *Update* the New Zealand Customs Service issued the following new or revised Fact Sheets:

- [Fact Sheet 18 - Customs controlled areas \(February 2017\)](#)
- [Fact Sheet 25 - Customs controlled areas licensed manufacturing areas \(excise\) \(February 2017\)](#)
- [Fact Sheet 38 - Exports to China \(April 2017\)](#)

- [Fact Sheet 43 - Exports to member countries of the Association of Southeast Asian Nations \(ASEAN\) and Australia – certification and trade facilitation \(April 2017\)](#)
- [TSW Fact Sheet - Administrator of Organisation](#)
- [TSW Fact Sheet - Applying for a Declarant Code to Submit Lodgements](#)
- [TSW Fact Sheet - Applying for Client and Supplier Codes Online](#)
- [TSW Fact Sheet - Cargo Report Export Requirements](#)
- [TSW Fact Sheet - Electronic submission of lodgements](#)
- [TSW Fact Sheet - Export declaration requirements](#)
- [TSW Fact Sheet - Exporting goods for personal use](#)
- [TSW Fact Sheet - Goods clearance fees](#)
- [TSW Fact Sheet - Import declaration requirements](#)
- [TSW Fact Sheet - Importing goods for business or commercial use](#)
- [TSW Fact Sheet - Importing goods for personal use](#)
- [TSW Fact Sheet - Outward Cargo Report Requirements](#)
- [TSW Fact Sheet - Primary Industries Import Declaration \(IPI\)](#)
- [TSW Fact Sheet - Registering to use TSW](#)

Philippines

Customs Orders

The following [Customs Administrative Orders \(CAO\)](#), [Customs Memorandum Circulars \(CMC\)](#) (other than IPR recordations, exchange rates, and rice prices) and [Customs Memorandum Orders \(CMO\)](#) were posted to the [Bureau of Customs website](#) [Date is mm/dd/yy]:

Date	Reference	Matter
	CAO 01-2017	Customs Clearance of Accompanied and Unaccompanied Baggage of Travelers and Crew

Singapore

Notices, circulars, etc.

Date	Reference	Matter
11-04-17	Cir.No 05/2017	Advisory: Customs Requirements & Best Practices for Import of Goods

Vietnam

Long awaited solar policy adopted – some issues unresolved

The Government of Vietnam has released [Prime Minister's Decision No. 11/2017 / QĐ-TTg](#) as the new official policy for the development of solar power projects in Vietnam. Decision No. 11 is aimed at attracting the private sector to invest in this hot investment area. It adopts, among other things, a Feed-in-Tariff ("FiT") of USD cents 9.35 per kWh for grid-connected projects, as well as a net-metering scheme for rooftop projects, will be applied. However, Decision No. 11 leaves a number of the issues unresolved that will impact the bankability of solar projects, especially for large utility-scale solar power plants.

Click [here](#) to read our full summary analysis, which addresses the following:

- Feed-in-Tariff (FiT) for grid-connected projects;
- Net-metering scheme for rooftop projects;
- The PPA term;
- Incentives for solar power projects;
- No mechanism for direct corporate PPAs;
- Uncertainty on the policy after 30 June 2019;
- Model PPA for solar power projects;
- Classification and policies for different types and segments of solar power players;
- Grid connection costs;
- Silence on certain key issues;
- Transitional provision; and
- Next legal documents to be formulated for solar power.

For additional information, please contact [Frederick Burke](#) (HCMC) or [Chi Lieu Dang](#) (Hanoi).

Government documents

The following Government laws, decrees, decisions, notices and other documents related to international trade were posted by the General Department of Vietnam Customs on its [website](#). Translations are automated and unofficial [dd-mm-yy]:

Date	Reference and Matter
30-03-17	Official Letter No. 1011 / TXNK-TGHQ dated 30-03-17 of the General Department of Customs on customs value of imports
	Official Letter No. 2113 / TCHQ-TXNK dated 30-03-17 of the General Department of Customs on the VAT on equipment and instruments for teaching
	Official Letter No. 2119 / TCHQ-TXNK dated 30-03-17 of the General Department of Customs on the classification of goods
	Official Letter No. 2125 / TCHQ-TXNK dated 30-03-17 of the General Department of Customs on Classification of bedside wardrobes
	Decision 1105 / QĐ-BCT dated 30-03-17 of the Ministry of Industry and Trade on official anti-dumping measures for imported coated steel products
31-03-17	Official Dispatch No. 468 / CN-TÀCN dated 31-03-17 of the Department of Animal Husbandry on the import of antibiotics containing feeds comply with Circular No. 06/2016 / TT-BNNPTNT dated 31/05/2016
	Official Letter No. 2145 / TCHQ-TXNK dated 31-03-17 of the General Department of Customs on the classification of sulfur products
03-04-17	Official Letter No. 1055 / TXNK-CST dated 03-04-17 of the General Department of Customs on answering the problem of registration of tax exemption list for shipbuilding goods
	Official Letter No. 2181 / TCHQ-TXNK dated 03-04-17 of the General Department of Customs on the adjustment of commodity codes
04-04-17	Decree No. 39/2017 / NĐ-CP dated 04-04-17 of the Government on the management of animal feeds, fisheries
	Official Letter No. 1059 / TXNK-CST dated 04-04-17 of the General Department of Customs on the import tax on aluminum scrap, aluminum alloy export tax
05-04-17	Official Letter No. 380 / QLCT-P2 dated 05-04-17 of the Ministry of Industry and Trade on changing the name of the trading company when imposing provisional anti-dumping tax on H-shaped steel
	Official Letter No. 1062 / TXNK-CST dated 05-04-17 of the General Department

Date	Reference and Matter
	of Customs on refund of import tax
11-04-17	Decision No. 1250 / QĐ-BCT dated 11-04-17 of the Ministry of Industry and Trade on the exemption of automatic self-imposed measure for mechanical limited company 17 imported steel products with HS code 7227.90.00 to make Welding material core
	Official Letter No. 3959 / BCT-QLCT dated 11-04-17 of the Ministry of Industry and Trade on the application of anti-dumping measures for H-shaped steel
	Document No. 2436 / TCHQ-TXNK dated 11-04-17 of the General Department of Customs on the suspension of implementation of Notice No. 1886 / TB-TCHQ & 1887 / TB-TCHQ dated 22/3/2017 on classification of surface Electric cable.
12-04-17	Document No. 1181 / TXNK-CST dated 12-04-17 of the General Department of Customs on the tax policy for manufactured goods
13-04-17	Official Letter No. 2479 / TCHQ-TXNK dated 13-04-17 of the General Department of Customs on Export Tax Policy
14-04-17	Document No. 785 / TĐC-HCHQ dated 14-04-17 of the Ministry of Science and Technology on criteria for distinguishing industrial ovens and family ovens.
	Official Letter No. 2535 / TCHQ-TXNK dated 14-04-17 of the General Department of Customs on the problem of refunding VAT
	Official Letter No. 2540 / TCHQ-TXNK dated 14-04-17 of the General Department of Customs on the classification of beverages containing collagen / botanical extract
	Decree No. 43/2017 / NĐ-CP dated 14/4/2017 of the Government on the label of goods
17-04-17	Official Letter No. 1217 / TXNK-CST dated 17-04-17 of the General Department of Customs on the handling of SST on manufactured goods
	Official Letter No. 764 / GSQL-GQ3 dated 17-04-17 of the General Department of Customs on liquidation of declarations for means of storing goods by mode of TNTX turnaround.
	Official Letter No. 754 / GSQL-TH dated 17-04-17 of the General Department of Customs on customs procedures for LPG cylinders for portable gas stoves
	Decision No. 1456 / QĐ-BNN-QLCL dated 17-04-17 of MARD on inspection and certification of food safety for shipments of siluriformes exported to the United States
18-04-17	Circular No. 31/2017 / TT-BTC dated 18-04-17 of the Ministry of Finance amending and supplementing a number of articles of Circular No. 99/2016 / TT-BTC dated 29-06-16 of the Ministry Finance guidance on the management of value added tax refund
	Official Letter No. 1236 / TXNK-DTQLT dated 18-04-17 of the General Department of Customs regarding the goods clearance
	Official Letter No. 1239 / TXNK-PL of the General Department of Customs dated 18-04-17 on the response to text (rubber tires, unused, type used for vehicles and construction machines. Industrial construction or loading ...)
	Official Letter No. 1232 / TXNK-TGHQ dated 18-04-17 of the General Department of Customs on the problems related to customs value
	Document No. 1238 / TXNK-CST dated 18-04-17 of the General Department of Customs on the exemption of import duty equipment and materials for petroleum
	Official Letter No.770 / GSQL-GQ1 dated 18-04-17 of the General Department of Customs on the import of scrap paper
	Decision No. 1343 / QĐ-TCHQ dated 18-04-17 of the General Department of Customs Re: Announcement of Quality Management System conforming to the National Standard TCVN ISO 9001: 2008.
20-04-17	Official Letter No. 2656 / TCHQ-TXNK dated 20-04-17 of the General Department of Customs on Classification of Goods (Design Software ...)
	Official Letter No. 2666 / TCHQ-TXNK dated 20-04-17 of the General Department of Customs on adjusting the HS code from 10 digits to 8 digits
21-04-17	Official Letter No. 2679 / TCHQ-TXNK dated 21-04-17 of the General Department of Customs on Classification of "Split, unprocessed grain"
	Circular No. 05/2017 / TT-BCT dated 21-04-17 of the Ministry of Industry and Trade regulating the auction of import tariff quotas for sugar in 2017
24-04-17	Official Letter No. 1336 / TXNK-CST dated 24-04-17 of the General Department of Customs on the VAT rate of medical equipment items

Date	Reference and Matter
	Official Letter No. 2731 / TCHQ-TXNK dated 24-04-17 of the General Department of Customs on the amendment of HS code of 10 numbers
	Decision No. 1394 / QĐ-TCHQ dated 24-04-17 of the General Department of Customs on the expansion of bonded warehouses.
25-04-17	Official Dispatch No. 4178 / VPCP-KTTH dated 25-04-17 of the Government Office on rice export activities
26-04-17	Official Letter No. 1383 / TXNK-CST dated 26-04-17 of the General Department of Customs on anti-dumping tax
	Official Letter No. 1384 / TXNK-TGHQ dated 26-04-17 of the General Department of Customs on the Customs Valuation
27-04-17	Official Letter No. 2816 / TCHQ-TXNK dated 27-04-17 of the General Department of Customs on Classification of Goods (Calsporin)
	Official Letter No. 2815 / TCHQ-TXNK dated 27-04-17 of the General Department of Customs on tax policy for electric vehicles

Europe, Middle East and North Africa

European Union and EFTA

EU holds Special European Council (Article 50) [Brexit]

On 29 April, the European Council [announced](#) that EU27 leaders met at the first summit after the UK officially triggered Art. 50. They unanimously adopted guidelines for the Brexit talks ahead. This will define the framework for negotiations and set out the overall EU positions and principles. The Council said;

On 29 March 2017, the European Council received the notification by the United Kingdom of its intention to withdraw from the European Union and Euratom. This allows for the opening of negotiations as foreseen by the Treaty.

European integration has brought peace and prosperity to Europe and allowed for an unprecedented level and scope of cooperation on matters of common interest in a rapidly changing world. Therefore, the Union's overall objective in these negotiations will be to preserve its interests, those of its citizens, its businesses and its Member States.

The United Kingdom's decision to leave the Union creates significant uncertainties that have the potential to cause disruption, in particular in the United Kingdom but also, to a lesser extent, in other Member States. Citizens who have built their lives on the basis of rights flowing from the British membership of the EU face the prospect of losing those rights. Businesses and other stakeholders will lose the predictability and certainty that come with EU law. It will also have an impact on public authorities. With this in mind, we must proceed according to a phased approach giving priority to an orderly withdrawal. National authorities, businesses and other stakeholders should take all necessary steps to prepare for the consequences of the United Kingdom's withdrawal.

Throughout these negotiations the Union will maintain its unity and act as one with the aim of reaching a result that is fair and equitable for all Member States and in the interest of its citizens. It will be constructive and strive to find an agreement. This is in the best interest of both sides. The Union will work hard to achieve that outcome, but it will prepare itself to be able to handle the situation also if the negotiations were to fail.

These guidelines define the framework for negotiations under Article 50 TEU and set out the overall positions and principles that the Union will pursue throughout the negotiation. In this context, the European Council welcomes the resolution of the European Parliament of 5 April 2017. The European Council will remain permanently seized of the matter, and will update these guidelines in the course of the negotiations as necessary. Negotiating directives will be adjusted accordingly.

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

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

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

A note on spelling, grammar and dates--

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

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

Credits:

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

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

This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).

- [European Council \(Art. 50\) guidelines following the United Kingdom's notification under Article 50 TEU](#)

After the Special Council meeting, President Tusk held a [news conference](#) at which he stated:

We are united not only on the substance, but also on the method of conducting the Brexit talks. I am referring here to the so-called phased approach, accepted by the leaders today. This means that before negotiating our future relations with the UK, we must first achieve sufficient progress on citizens' rights, finances and the border issue in Ireland. It is too early to speculate on when this might happen. However, it is important to highlight that it will be for the EU leaders to assess, and decide, if sufficient progress has been made. And this will be a unanimous decision of all the 27 heads.

Let me now focus on our priority number one, namely citizens, whose rights we want to respect and secure in the first place. Today's discussion made clear that when it comes to reaching a decision on citizens' rights, not only speed is of the essence - but above all, quality, as so many people's lives depend on it. We are talking about four and a half million people: Europeans residing in the UK, and Britons living on the continent. Over the past weeks, we have repeatedly heard from our British friends - also during my visit in London - that they are ready to agree on this issue quickly. But I would like to state very clearly that we need real guarantees for our people to live, work and study in the UK, and the same goes for the British. The Commission has prepared a full list of rights and benefits that we want to guarantee for those affected by Brexit. In order to achieve sufficient progress, we need a serious British response. I want to assure you that as soon as the UK offers real guarantees for our citizens, we will find a solution rapidly.

EU adjusts retaliatory duties against certain U.S. products

On 29 April 2017, the *Official Journal* published [Commission Delegated Regulation \(EU\) 2017/750 of 24 February 2017 amending Council Regulation \(EC\) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America](#), which adjusts the rate of duty and the product coverage for retaliatory duties imposed against certain products originating in the United States as a result of the United States' failure to bring the *Continued Dumping and Subsidy Offset Act* (CDSOA) in compliance with its obligations under the World Trade Organization (WTO) agreements.

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 2016 (1 October 2015 — 30 September 2016) as well as the additional distribution anti-dumping and countervailing duties collected during the Fiscal Years 2011, 2012, 2013, 2014 and 2015. 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 8 165 179.

The products on which additional duties are to apply are identified by their eight-digit CN codes. The description of products classified under these codes can be found in Annex I to Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff as amended by Commission Regulation (EC) No 1810/2004. These four products will be subject to an additional import duty of 4,3%: 0710 40 00, 9003 19 30, 8705 10 00, and 6204 62 31.

EU extends Myanmar/Burma sanctions until 30 April 2018

On 26 April 2016, the *Official Journal* published [Council Decision \(CFSP\) 2017/734 of 25 April 2017 amending Decision 2013/184/CFSP concerning re-](#)

[strictive measures against Myanmar/Burma](#) in which the EU Council has extended sanctions in respect of Myanmar/Burma until 30 April 2018.

EU sanctions in respect of Myanmar/Burma consist of an arms embargo and an embargo on equipment which might be used for internal repression. They prohibit the sale and supply of such equipment, as well as services and financing relating to it.

EU strengthens control of the acquisition and possession of fire-arms

On 25 April 2017, the European Council [announced](#) that it had adopted a directive on control of the acquisition and possession of weapons, which revises and complements existing directive 91/477/ECC.

The amendments address risks for public safety and security, and focus on:

- **Enhanced traceability of firearms** - The revision strengthens the rules on the marking of firearms, by including, among other things, a new obligation to mark also all their essential components. Harmonizing the rules for the marking of firearms and establishing the mutual recognition of marks between member states will improve the traceability of firearms used in criminal activities, including those which have been assembled from components acquired separately.

This information also has to be recorded in national data-filing systems. For this to happen, member states will now have to ensure that dealers and brokers register any transaction of firearms electronically and without any undue delay.

- **Measures on deactivation and reactivation or conversion of firearms** - The rules on the deactivation of firearms have been strengthened, not least through a provision requiring the classification of deactivated firearms under category C (firearms subject to declaration). Until now, deactivated firearms have not been subject to the requirements set by the directive.

The revision also includes a new category of salute and acoustic weapons, which were not covered by the original directive. These are live firearms that have been converted to blank firing ones, for example, for use in theatres or television. In the absence of more stringent national provisions, such firearms could be purchased freely. This posed a risk, given that their reconversion to live ones was often possible with limited efforts (they were for example used in the Paris terrorist attacks). The new wording of the directive ensures that these weapons remain registered under the same category as the firearm from which they have been converted.

- **Stricter rules for the acquisition and possession of the most dangerous firearms** - The most dangerous firearms, classified in category A, can only be acquired and possessed on the basis of an exemption granted by the relevant member state. The rules for granting such exemptions have now been significantly strengthened. Possible grounds for exemption, such as national defence or the protection of critical infrastructure, are now set out in a limited list and exemptions may only be granted where there is no risk to public security or public order.

When a firearm of category A is required for sport-shooting, it can only be acquired according to strict rules which include proven practice recognised by an official shooting sport federation.

Article 7 para 4a provides the possibility of confirming authorisations for semi-automatic firearms (new point 6, 7 or 8 of category A) legally acquired and registered before the directive comes into force.

- **Banning civilian use of the most dangerous semi-automatic firearms** - Some dangerous semi-automatic firearms have now been added to category A and are therefore prohibited for civilian use. This is the case for short semi-automatic firearms with loading devices over 20 rounds and long semi-automatic firearms

with loading devices over 10 rounds. Similarly, long firearms that can be easily concealed, for example by means of a folding or telescopic stock, are also now prohibited.

- **Improving the exchange of relevant information between member states** - The new rules enable the Commission to propose the establishment of a system for the exchange of information electronically between member states. The information would cover cases where the transfer of a firearm to another member state has been authorised as well as where the acquisition and possession of a firearm has been refused.

The directive sets out minimum rules and does not prevent member states from adopting and applying stricter rules.

Next steps

The Council and the European Parliament now need to sign the adopted directive. The signed text will be published in the *EU Official Journal* and will enter into force 20 days later.

Commission posts requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products

On 20 April 2017, the Commission posted a [notice to economic operators](#) (2017/C 123/11) informing them that the Commission has received requests in accordance with the administrative arrangements foreseen in the Commission communication concerning autonomous tariff suspensions and quotas ([2011/C 363/02](#)) for the January round of 2018.

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

Economic operators are also informed that the deadline for objections against new requests to reach the Commission, via the national administrations, is 16 June 2017 which is the date of the second scheduled meeting of the Economic Tariff Questions Group.

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

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

Tariff informations revoked due to 58th session of WCO HSC

On 24 April 2017, the *Official Journal* published a [Communication in accordance with Article 34\(7\)\(a\)\(iii\) of Regulation \(EU\) No 952/2013 of the European Parliament and of the Council, on decisions relating to binding information issued by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature](#) [2017/C 128/01]. The customs authorities shall revoke decisions relating to binding information from this day if they become incompatible with the interpretation of the customs nomenclature as a result of the following international tariff measures: Classification Decisions, Classification Opinions or amendments to the Explanatory Notes of the Nomenclature of the Harmonised Commodity Description and Coding System, adopted by the Customs Cooperation Council (CCC document No NC2304 — report of the 58th session of the HS Committee):

AMENDMENTS TO THE EXPLANATORY NOTES TO BE DONE UNDER AN ARTICLE 8 PROCEDURE OF THE HS CONVENTION AND CLASSIFICATION OPINIONS AND DECISIONS EDITED BY THE HS COMMITTEE OF THE WCO

(58TH SESSION OF THE HSC IN SEPTEMBER 2016)

DOC. NC2304

Amendments of the Explanatory Notes of the Nomenclature annexed to the HS Convention

20.09	N/4	33.04	N/25
20.09	N/7	39.26	N/25
22.02	N/22	6902.10	N/2
22.03	N/22	84.15	N/21
29.39	N/3	95.03	N/23
Chapter 29 — Annex	N/3		

Classification Opinions approved by the HS Committee

2009.89/1	N/8	8415.10/2	N/20
2106.90/34	N/9	8432.29/1	N/19
2530.90/2	N/10	8473.30/4	N/15
2833.11/1	N/10	8517.70/4	N/16
3901.40/1	N/11	8517.70/5	N/17
3917.21/1	N/12	8603.10/1	N/18
3924.90/5	N/13	8701.10/1	N/19
3926.90/13	N/14		

Commission amends Chapter 19 of the CN

On 20 April 2017, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2017/705 of 19 April 2017 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#), which amends Chapter 19 of Part Two of the Combined Nomenclature (CN) set out in [Annex I to Regulation \(EEC\) No 2658/87](#) is amended as follows:

- (a) the rows for CN codes 1905 90 60 and 1905 90 90 are deleted;
- (b) the following rows are inserted:

1905 90 70	Containing 5 % or more, by weight, of sucrose, invert sugar or isoglucose	9 + EA MAX 24,2 + AD S/Z	—
1905 90 80	Other	9 + EA MAX 20,7 + AD F/M	

The new CN codes will only apply from 1 January 2018.

EFTA and Turkey hold fourth round of FTA update talks

The European Free Trade Association (EFTA) [announced](#) that from 4 to 6 April 2017, delegations from the EFTA States and Turkey met in Ankara for the fourth round of negotiations on the modernisation and expansion of their existing free trade agreement (FTA). The announcement said:

The parties made significant progress in respect of the update and expansion of the FTA. Discussions were held in several areas, most notably in trade in goods, including technical barriers to trade, rules of origin and trade facilitation; trade in services; intellectual property rights; and legal and horizontal matters. Both sides agreed to

continue the negotiations with the aim of concluding the update before the end of 2017, and agreed to hold the fifth round in autumn. Interseasonal discussions on various outstanding issues will be held in the meantime.

EFTA and Indonesia hold 12th round of CEPA talks

The European Free Trade Association (EFTA) announced that from 28 to 31 March 2017, delegations from the EFTA States and Indonesia continued their negotiations on a *Comprehensive Economic Partnership Agreement* (CEPA) in Geneva, Switzerland. The announcement said:

The round allowed expert groups to make progress in most areas under negotiation, namely trade in goods (including market access on industrial and agricultural products), sanitary and phytosanitary measures, trade remedies, rules of origin, trade facilitation, services, investment, intellectual property rights, government procurement, cooperation, trade and sustainable development, and legal and horizontal issues.

Preparations for negotiations towards a CEPA between the EFTA States and Indonesia began in 2005, and negotiations were launched in 2010. Since then, 12 negotiating rounds and a number of meetings have been held. A 13th round of negotiations is set to take place in autumn 2017.

An EFTA-Indonesia Information Brochure can be found in electronic form [here](#).

Council extends EU sanctions against Iran

On 11 April 2017, the Council extended EU sanctions against Iran, which will now be in place until 13 April 2018. The legal acts were published in the *Official Journal* of 12 April 2017 as [Council Decision \(CFSP\) 2017/689 of 11 April 2017 amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran](#) and [Council Implementing Regulation \(EU\) 2017/685 of 11 April 2017 implementing Regulation \(EU\) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran](#).

The sanctions have been in place since 2011, and consist of:

- a travel ban and an asset freeze against 82 people and 1 entity;
- a ban on exporting to Iran equipment which might be used for internal repression and equipment for monitoring telecommunications.

These sanctions relate to serious human rights violations and are separate to those relating to Iran's nuclear programme, which were lifted by the Council on 16 January 2016.

For additional information, please contact [Ross Denton](#) or any European member of the firm's International Commercial and Trade Practice Group.

TTIP Advisory Group issues report

On 9 March 2017, the Transatlantic Trade & Investment Partnership (TTIP) Advisory Group issued a [meeting report](#). The report provides an update on state of play of the negotiations. Although no formal engagement on TTIP has taken place with the new US Administration, and the negotiations are on hold, good progress had been made in all areas during the fifteen rounds of negotiation. The Chair set out the work completed with the former US administration:

- Positions were stable on non-agricultural market access, but sensitive tariff lines had not yet been discussed.
- Significant differences remained on agricultural market access, procurement and geographical indications.
- Services negotiators had considered each other's offers in detail but not progressed to a further exchange.
- On rules of origin, good progress had been made in most areas.
- In the regulatory area, good discussions had taken place on sectors between regulators on both sides throughout 2016, and the EU wishes to maintain this positive dynamic beyond the TTIP negotiations.
- In the case of pharmaceuticals, the EU and US agreed to update the existing *Mutual Recognition Agreement on Good Manufacturing Practices*.
- On horizontal regulation cooperation and good regulatory practices, both sides were approaching the understanding that the result would need to respect the differences between the two systems and operate only by mutual agreement.
- In the areas of Sanitary and Phytosanitary rules (SPS) and Technical Barriers to Trade (TBT), discussions encountered similar challenges to those experienced by both sides in the World Trade Organisation (WTO) format.
- In the rules area, some chapters were almost ready to be concluded, notably in the case of Small and Medium Enterprises (SMEs).
- On investment, detailed discussions had taken place on the EU's reform proposals for investment protection and the Investment Court System, but significant gaps remained between the positions of both sides. Important chapters such as sustainable development and energy and raw materials required considerable further work.

Several points were raised, including:

- The potential value of seeking greater US cooperation in international regulatory fora, such as the UNECE for cars regulations, though one cautioned that if this had been difficult to achieve with the previous Administration it is unlikely to get easier.
- The Chair explained that both teams finished their work by confirming which documents reflect the final state of play between both sides. In some cases this is a draft consolidated text, and in others it is EU and US proposals. So there is a mutually agreed record of where the negotiations were left. Whether this would be binding on a future negotiating team is an open question.
- Meaningful new market access to US public procurement was a fundamental EU objective, although the public procurement chapter had not made significant progress.
- The different roles of US government departments on trade policy.

For additional points and discussions please see the report.

EU expands sanctions in respect of North Korea

On 6 April 2017, in response to the continued violation of UN resolutions and the threat to international peace and security, the European Council adopted additional sanctions against the Democratic People's Republic of Korea's ("DPRK" or "North Korea"). Our previous blog posts on the sanctions against DPRK are available [here](#) and [here](#).

Under these new measures, the existing ban on investment in North Korea has been expanded to cover three new sectors, namely, (i) the conventional arms-related industry, (ii) metallurgy and metalworking, and (iii) aerospace.

The new measures now also prohibit the provision of (i) computer and related services, and (ii) services incidental to mining and manufacturing in the chemical, mining and refining industry, to persons or entities in North Korea. The list of prohibited services is set out in part A and B, respectively, to Annex VIII to Regulation (EC) No 329/2007 (as amended).

In addition, the European Council has added four persons (Ri Myong Su, So Hong Chan, Wang Chang Uk and Jang Chol) to the list of designated persons responsible for supporting or promoting North Korea's nuclear-related, ballistic missile or other weapons of mass destruction-related programmes. There are currently 41 persons subject to travel bans and asset freezes and 7 entities subject to an asset freeze.

For the relevant legislation, please see [Regulation 2017/658](#) amending [Regulation 329/2007](#), and [Decision 2017/666](#) and [Decision 2017/667](#) amending [Decision 2016/849](#). These legal acts were published in the [Official Journal of 7 April 2017](#).

For additional information, please contact [Ross Denton](#) or any European member of the firm's International Commercial and Trade Practice Group.

Commission issues tariff classification regulations

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

Amendments to the CN Explanatory Notes

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

Binding Tariff Information

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

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

Official Journal documents

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

OJ Date	Subject
01-04-17	Information concerning the date of entry into force of the Agreement amending

OJ Date	Subject
	for the second time the ACP-EC Partnership Agreement Notice concerning the provisional application of the Strategic Partnership Agreement (SPA) between the European Union and its Member States, of the one part, and Canada, of the other part Commission Implementing Decision (EU) 2017/622 of 31 March 2017 amending the model certificate for imports of meat preparations in Annex II to Decision 2000/572/EC and the model certificate for imports of certain meat products, treated stomachs, bladders and intestines in Annex III to Decision 2007/777/EC in relation to the rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies
04-04-17	Council Decision (CFSP) 2017/632 of 3 April 2017 amending Decision 2014/129/CFSP promoting the European network of independent non-proliferation think tanks in support of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction Council Decision (CFSP) 2017/633 of 3 April 2017 in support of the United Nations Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
06-04-17	Commission Regulation (EU) 2017/644 of 5 April 2017 laying down methods of sampling and analysis for the control of levels of dioxins, dioxin-like PCBs and non-dioxin-like PCBs in certain foodstuffs and repealing Regulation (EU) No 589/2014 Commission Regulation (EU) 2017/645 of 5 April 2017 correcting the Latvian language version of Regulation (EC) No 152/2009 laying down the methods of sampling and analysis for the official control of feed Commission Regulation (EU) 2017/623 of 30 March 2017 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acequinocyl, amitraz, coumaphos, diflufenican, flumequine, metribuzin, permethrin, pyraclostrobin and streptomycin in or on certain products
07-04-17	Commission Implementing Regulation (EU) 2017/660 of 6 April 2017 concerning a coordinated multiannual control programme of the Union for 2018, 2019 and 2020 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 Regulation (EU) 2017/625 of the European Parliament and of the Council of 15 March 2017 on official controls and other official activities performed to ensure the application of food and feed law, rules on animal health and welfare, plant health and plant protection products, amending Regulations (EC) No 999/2001, (EC) No 396/2005, (EC) No 1069/2009, (EC) No 1107/2009, (EU) No 1151/2012, (EU) No 652/2014, (EU) 2016/429 and (EU) 2016/2031 of the European Parliament and of the Council, Council Regulations (EC) No 1/2005 and (EC) No 1099/2009 and Council Directives 98/58/EC, 1999/74/EC, 2007/43/EC, 2008/119/EC and 2008/120/EC, and repealing Regulations (EC) No 854/2004 and (EC) No 882/2004 of the European Parliament and of the Council, Council Directives 89/608/EEC, 89/662/EEC, 90/425/EEC, 91/496/EEC, 96/23/EC, 96/93/EC and 97/78/EC and Council Decision 92/438/EEC (Official Controls Regulation) Commission Regulation (EU) 2017/626 of 31 March 2017 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for acetamiprid, cyantraniliprole, cypermethrin, cyprodinil, difenoconazole, ethephon, fluopyram, flutriafol, fluxapyroxad, imazapic, imazapyr, lambda-cyhalothrin, mesotrione, proflufenofos, propiconazole, pyrimethanil, spirotetramat, tebuconazole, triazophos and trifloxystrobin in or on certain products Commission Regulation (EU) 2017/627 of 3 April 2017 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for fenpyroximate, triadimenol and triadimefon in or on certain products
08-04-17	Council Decision (EU) 2017/668 of 27 June 2016 on the conclusion, on behalf of the European Union and its Member States, of the Additional Protocol to the Trade Agreement between the European Union and its Member States, of the

OJ Date	Subject
	one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the European Union
	Commission Delegated Regulation (EU) 2017/670 of 31 January 2017 supplementing Regulation (EU) No 251/2014 of the European Parliament and of the Council as regards the authorised production processes for obtaining aromatised wine products
	Commission Regulation (EU) 2017/671 of 7 April 2017 amending Annex II to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for clothianidin and thiamethoxam in or on certain products
	Commission Implementing Regulation (EU) 2017/672 of 7 April 2017 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health and amending Regulation (EU) No 432/2012
	Council Decision (EU) 2017/674 of 3 April 2017 establishing the position to be adopted on behalf of the European Union within the eighth meeting of the Conference of the Parties to the Rotterdam Convention as regards the amendments of Annex III to the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade
	Commission Implementing Decision (EU) 2017/675 of 7 April 2017 on measures to prevent the introduction into the Union of the foot-and-mouth disease virus from Algeria (notified under document C(2017) 2432)
	Update of reference amounts for the crossing of the external borders, as referred to in Article 6(4) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2017/C 111/11]
	Commission Implementing Regulation (EU) 2017/676 of 10 April 2017 authorising a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health and amending Regulation (EU) No 432/2012
	Decision No 1/2017 of the EU-Georgia Sanitary and Phytosanitary Sub-Committee of 7 March 2017 modifying Annex XI-B to the Association Agreement [2017/683]
11-04-17	Annual Report on the Implementation of the EU Strategy to Combat the Illicit Accumulation and Trafficking of Small Arms and Light Weapons and their Ammunition — Actions in 2015 [2017/C 115/01]
	Position (EU) No 2/2017 of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC Adopted by the Council on 7 March 2017 [2017/C 116/01]
	Statement of the Council's reasons: Position (EU) No 2/2017 of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council on medical devices, amending Directive 2001/83/EC, Regulation (EC) No 178/2002 and Regulation (EC) No 1223/2009 and repealing Council Directives 90/385/EEC and 93/42/EEC [2017/C 116/02]
12-04-17	Commission Delegated Regulation (EU) 2017/686 of 1 February 2017 amending Delegated Regulation (EU) 2015/96 as regards environmental and propulsion unit performance requirements of agricultural and forestry vehicles
	Decision No 48/2017 of the Joint Committee established under the Agreement on Mutual Recognition between the European Community and the United States of America of 27 March 2017 related to the listing of conformity assessment bodies under the Sectoral Annex for Electromagnetic Compatibility [2017/690]
	Decision No 49/2017 of the Joint Committee established under the Agreement on Mutual Recognition between the European Community and the United States of America of 27 March 2017 related to the listing of Conformity Assessment Bodies under the Sectoral Annex for Electromagnetic Compatibility [2017/691]
	Decision No 50/2017 of the Joint Committee established under the Agreement on Mutual Recognition between the European Community and the United States of America of 27 March 2017 related to the listing of conformity assessment

OJ Date	Subject
	bodies under the Sectoral Annex for Electromagnetic Compatibility [2017/692] Commission communication in the framework of the implementation of Commission Delegated Regulation (EU) No 65/2014 of 1 October 2013 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to the energy labelling of domestic ovens and range hoods and of Commission Regulation (EU) No 66/2014 of 14 January 2014 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for domestic ovens, hobs and range hoods (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2017/C 118/01] Commission communication in the framework of the implementation of Directive 2014/28/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market and supervision of explosives for civil uses (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2017/C 118/02] Commission communication in the framework of the implementation of the Council Directive 89/686/EEC on the approximation of the laws of the Member States relating to personal protective equipment (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2017/C 118/03] Commission communication in the framework of the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (<i>Publication of references of European Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011</i>) [2017/C 118/04] Commission communication in the framework of the implementation of Directive 2014/53/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2017/C 118/05]
13-04-17	Commission Regulation (EU) 2017/693 of 7 April 2017 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for bitertanol, chlormequat and tebufenpyrad in or on certain products Commission Implementing Decision (EU) 2017/695 of 7 April 2017 authorising Member States to adopt certain derogations pursuant to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods (<i>notified under document C(2017) 2198</i>) Commission Implementing Decision (EU) 2017/696 of 11 April 2017 amending Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of the highly pathogenic avian influenza in certain Member States (<i>notified under document C(2017) 2476</i>) Commission Delegated Regulation (EU) 2017/654 of 19 December 2016 supplementing Regulation (EU) 2016/1628 of the European Parliament and of the Council with regard to technical and general requirements relating to emission limits and type-approval for internal combustion engines for non-road mobile machinery Commission Delegated Regulation (EU) 2017/655 of 19 December 2016 supplementing Regulation (EU) 2016/1628 of the European Parliament and of the Council with regard to monitoring of gaseous pollutant emissions from in-service internal combustion engines installed in non-road mobile machinery (Text with EEA relevance.) Commission Implementing Regulation (EU) 2017/656 of 19 December 2016 laying down the administrative requirements relating to emission limits and type-approval of internal combustion engines for non-road mobile machinery in accordance with Regulation (EU) 2016/1628 of the European Parliament and of the Council (Text with EEA relevance.) Update of the list of border crossing points as referred to in Article 2(8) of Regu-

OJ Date	Subject
	lation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2017/C 120/09]
19-04-17	Commission Delegated Regulation (EU) 2017/698 of 3 February 2017 amending Delegated Regulation (EU) No 1062/2014 on the work programme for the systematic examination of all existing active substances contained in biocidal products referred to in Regulation (EU) No 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products Commission Implementing Regulation (EU) 2017/699 of 18 April 2017 establishing a common methodology for the calculation of the weight of electrical and electronic equipment (EEE) placed on the market of each Member State and a common methodology for the calculation of the quantity of waste electrical and electronic equipment (WEEE) generated by weight in each Member State
20-04-17	Commission Implementing Regulation (EU) 2017/705 of 19 April 2017 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff Commission Implementing Regulation (EU) 2017/704 of 19 April 2017 amending Regulation (EC) No 891/2009 opening and providing for the administration of certain Community tariff quotas in the sugar sector Commission Regulation (EU) 2017/706 of 19 April 2017 amending Annex VII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards skin sensitisation and repealing Commission Regulation (EU) 2016/1688 Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products 2017/C 123/11
21-04-17	Council Decision (EU) 2017/715 of 27 March 2017 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex II (Technical Regulations, Standards, Testing and Certification) and Annex XVII (Intellectual Property) to the EEA Agreement (Paediatric Regulation)
22-04-17	Commission Implementing Decision (EU) 2017/721 of 20 April 2017 concerning the extension of the action taken by Sweden on the making available on the market and use of the biocidal product VectoBac 12AS in accordance with Article 55(1) of Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document C(2017) 2435) Commission Implementing Decision (EU) 2017/722 of 20 April 2017 concerning the extension of the action taken by the Netherlands on the making available on the market and use of the biocidal product VectoMaxFG in accordance with Article 55(1) of Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document C(2017) 2436) Communication in accordance with Article 34(7)(a)(iii) of Regulation (EU) No 952/2013 of the European Parliament and of the Council, on decisions relating to binding information issued by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature [2017/C 128/01]
25-04-17	Commission Implementing Regulation (EU) 2017/725 of 24 April 2017 renewing the approval of the active substance mesotrione in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011 Commission Implementing Decision (EU) 2017/728 of 20 April 2017 amending Implementing Decision 2013/92/EU on the supervision, plant health checks and measures to be taken on wood packaging material actually in use in the transport of specified commodities originating in China (notified under document C(2017) 2429)
26-04-17	Council Decision (EU) 2017/730 of 25 April 2017 on the conclusion of the Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article

OJ Date	Subject
	XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union Agreement in the form of an Exchange of Letters between the European Union and the Federative Republic of Brazil pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union Commission Implementing Regulation (EU) 2017/731 of 25 April 2017 amending model veterinary certificates BOV-X, BOV-Y, BOV and OVI set out in Annexes I and II to Regulation (EU) No 206/2010, the model certificates GEL, COL, RCG and TCG set out in Annex II to Implementing Regulation (EU) 2016/759 and the model certificate for composite products set out in Annex I to Regulation (EU) No 28/2012 in relation to the rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies Council Decision (EU) 2017/733 of 25 April 2017 on the application of the provisions of the Schengen <i>acquis</i> relating to the Schengen Information System in the Republic of Croatia Commission Implementing Regulation (EU) 2017/717 of 10 April 2017 laying down rules for the application of Regulation (EU) 2016/1012 of the European Parliament and of the Council with regard to the model forms of zootechnical certificates for breeding animals and their germinal products
27-04-17	Council Directive (EU) 2017/738 of 27 March 2017 amending, for the purpose of adapting to technical progress, Annex II to Directive 2009/48/EC of the European Parliament and of the Council on the safety of toys, as regards lead
28-04-17	Commission Regulation (EU) 2017/735 of 14 February 2017 amending, for the purpose of its adaptation to technical progress, the Annex to Regulation (EC) No 440/2008 laying down test methods pursuant to Regulation (EC) No 1907/2006 of the European Parliament and of the Council on the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) List of central authorities nominated by the Member States to deal with the return of cultural objects unlawfully removed from a Member State and applying Article 4 of Directive 2014/60/EU [2017/C 134/04] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 March 2017 to 31 March 2017(Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2017/C 135/01] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 March 2017 to 31 March 2017(Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2017/ 135/02] Annual progress report on the implementation of the European Union strategy against the proliferation of weapons of mass destruction (2016) [2017/C 136/01]
29-04-17	Notice concerning the entry into force between the European Union and Peru, of the Additional Protocol to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of the Republic of Croatia to the European Union Commission Delegated Regulation (EU) 2017/748 of 14 December 2016 amending Annex I to Regulation (EU) No 510/2011 of the European Parliament and of the Council in order to take into account the evolution of the mass of new light commercial vehicles registered in 2013, 2014 and 2015 Commission Delegated Regulation (EU) 2017/749 of 24 February 2017 amending Regulation (EU) 2015/755 of the European Parliament and of the Council as regards the removal of Kazakhstan from the list of countries in Annex I thereto Commission Delegated Regulation (EU) 2017/750 of 24 February 2017 amending Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America Commission Regulation (EU) 2017/752 of 28 April 2017 amending and correcting Regulation (EU) No 10/2011 on plastic materials and articles intended to

OJ Date	Subject
	come into contact with food
	Commission Implementing Regulation (EU) 2017/753 of 28 April 2017 renewing the approval of the active substance cyhalofop-butyl in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Regulation (EU) 2017/754 of 28 April 2017 opening and providing for the management of Union tariff quotas for certain agricultural and processed agricultural products originating in Ecuador
	Commission Implementing Regulation (EU) 2017/755 of 28 April 2017 renewing the approval of the active substance mesosulfuron in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011
	Commission Implementing Decision (EU) 2017/759 of 28 April 2017 on the common protocols and data formats to be used by air carriers when transferring PNR data to Passenger Information Units

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
01-04-17	Council Decision (CFSP) 2017/621 of 31 March 2017 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
04-04-17	Council Implementing Decision (CFSP) 2017/634 of 3 April 2017 implementing Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen
	Council Implementing Regulation (EU) 2017/628 of 3 April 2017 implementing Article 15(3) of Regulation (EU) No 1352/2014 concerning restrictive measures in view of the situation in Yemen
	Commission Implementing Regulation (EU) 2017/630 of 3 April 2017 amending for the 264th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaeda organisations
05-04-17	Commission Implementing Regulation (EU) 2017/637 of 4 April 2017 amending for the 265th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaeda organisations
	Corrigendum to Commission Implementing Regulation (EU) 2017/326 of 24 February 2017 amending for the 261st 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 (OJ L 49, 25.2.2017)
07-04-17	Commission Implementing Regulation (EU) 2017/661 of 6 April 2017 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Regulation (EU) 2017/658 of 6 April 2017 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2017/666 of 6 April 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2017/667 of 6 April 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea
12-04-17	Council Decision (CFSP) 2017/689 of 11 April 2017 amending Deci-

OJ Date	Restrictive Measure
	sion 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran
	Council Implementing Regulation (EU) 2017/685 of 11 April 2017 implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran
19-04-17	Commission Implementing Regulation (EU) 2017/700 of 18 April 2017 amending for the 266th 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
26-04-17	Council Decision (CFSP) 2017/734 of 25 April 2017 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma

Antidumping and countervailing duty cases

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

Individual EU-EFTA Countries

Croatia

Consultation on draft law on requirements for customs brokerage

On 12 April 2017, the Croatian Customs Administration/Ministry of Finance posted for public consultation the “[Draft Law on the Conditions for Performing Customs Brokerage](#).” Comments may be submitted until 12 May 2017. Publication of the final report is expected on or about 19 June 2017.

France

Official Gazette (*Journal officiel*)

Date	Measure
06-04-17	Social Affairs and Health: 20. Order of 31 March 2017 amending the Order of 22 February 1990 establishing the list of substances classified as narcotic drugs
12-04-17	Economy and Finance: 9 Decree No. 2017-516 of 10 April 2017 laying down various provisions on public procurement
	Economy and Finance: 14 Order of 15 March 2017 amending the list of customs offices and indirect rights
21-04-17	Economy and Finance: 108 Notice to operators concerning the application of Regulation (EU) No 2016/1842 of 14 October 2016 amending Regulation (EC) No 1235/2008 as regards the electronic inspection certificate for imported products Of organic farming
23-04-17	Economy and Finance: 15 Decree No. 2017-599 of 21 April 2017 on the making available on the market of radio equipment

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
03-04-17	DA № 17-021 Circular relating to the application of Article 265h of the Customs Code.
04-04-17	2017/14-Notice to importers of lever-shaped lever mechanisms originating in China

Release Date	Ref. No. and Subject
10-04-17	2017/15-Notice to importers of certain hot-rolled flat products of iron, non-alloy steel or other alloy steel originating in China
19-04-17	2017/16-Notice to importers of bicycles originating in Sri Lanka
20-04-17	DA № 17-025 Application of late payment interest in the event of late payment of certain customs claims
21-04-17	2017/17-Notice to importers of steel ropes and cables originating in South Korea

Germany

BAFA issues export control newsletter

On 27 April 2017, the Federal Office for Economic Affairs and Export Control (BAFA) issued an [export control newsletter](#) in English which summarizes the various EU measures in effect. These are:

- **Afghanistan:** In accordance with the Council Implementing Regulation (EU) 2017/404 of 7 March 2017 (OJ L 63 of 9.3.2017, page 20) 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, one person was removed from the list in Annex I to Regulation (EU) No. 753/2011 and the information related to the persons and entities was updated.

The amendment implements the resolution adopted by the United Nations Security Council Committee on 12 January 2017.

- **Guinea-Bissau:** The Council Implementing Regulation (EU) 2017/403 of 7 March 2017 (OJ L 63 of 9.3.2017, page 15) implementing Article 11(1) of Regulation (EU) No 377/2012 concerning restrictive measures directed against certain persons, entities and bodies threatening the peace, security or stability of the Republic of Guinea-Bissau updated the information concerning 11 persons subject to restrictive measures.
- **Iraq:** With the Commission Implementing Regulation (EU) 2017/441 of 13 March 2017 (OJ L 67 of 14.3.2017, p. 78) amending Council Regulation (EC) No. 1210/2003 concerning certain specific restrictions on the economic and financial relations with Iraq, one entry was removed from the list of persons and entities to whom the freezing of funds and economic resources applies in Annex III to Regulation (EC) No. 1210/2003.

The amendment implements the resolution adopted by the Sanctions Committee of the United Nations Security Council on 8 March 2017.

- **Democratic Republic of Congo:** The Council Implementing Regulation (EU) 2017/396 of 7 March 2017 (OJ L 60 of 8.3.2017, p. 9) amending Article 9 (5) 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 updated the identifying information related to 30 persons and nine entities listed in Annex I to Regulation (EC) No. 1183/2005.

The amendment implements the Resolution adopted by the United Nations Security Council Committee on 12 January 2017.

- **North Korea:** The Council Regulation (EU) 2017/330 of 27 February 2017 (OJ L 50 of 28.2.2017, page 1) amending Regulation (EC) No. 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea provided for new restrictive measures. These include an import ban for copper, nickel, silver, zinc and statues from North Korea, and an export ban for helicopters and vessels to North Korea; in addition the prohibitions in the transport sector are tightened and new restrictions are imposed on the bank and real-estate sector.
- **Zimbabwe:** The Council Regulation (EU) 2017/284 of 17 February 2017 (OJ L 42 of 18.2.2017, page 1) amending Regulation (EC) No. 314/2004 concerning cer-

tain restrictive measures in respect of Zimbabwe introduced a derogation from the prohibition on the sale, supply, transfer and export of equipment which might be used for internal repression in order to enable the authorisation of certain explosives and related equipment, where appropriate, for the purposes of civilian use in mining or infrastructure projects.

- **Somalia:** The Council Implementing Regulation (EU) 2017/395 of 7 March 2017 (OJ L 60 of 8.3.2017, page 1) implementing Article 13 of Regulation (EU) No. 356/2010 imposing certain specific restrictive measures directed against certain natural or legal persons, entities or bodies, in view of the situation in Somalia updated the information relating to 12 persons and one entity subject to restrictive measures.

The amendment implements the resolution adopted by the United Nations Security Council Committee on 12 January 2017.

- **South Sudan:** The Council Implementing Regulation (EU) 2017/402 of 7 March 2017 (OJ L 63 of 9.3.2017, page 7) implementing Article 20 (3) of Regulation (EU) 2015/735 concerning restrictive measures in respect of the situation in South Sudan updated the information related to six individuals subject to restrictive measures.

The amendment implements the resolution adopted by the Sanctions Committee of the United Nations Security Council on 12 January 2017.

- **Sudan:** The Council Implementing Regulation (EU) 2017/401 of 7 March 2017 (OJ L 63 of 9.3.2017, page 3) implementing Article 15 (3) of Regulation (EU) No. 747/2014 concerning restrictive measures in view of the situation in Sudan updated the information related to four individuals subject to restrictive measures.

The amendment implements the resolution adopted by the United Nations Security Council Committee on 12 January 2017.

- **Syria:** In accordance with the Council Implementing Regulation (EU) 2017/480 of 20 March 2017 (OJ L 75 of 21.3.2017, page 12) implementing Regulation (EU) No. 36/2012 concerning restrictive measures in view of the situation in Syria, four individuals were added to the list in Annex II to Regulation (EU) No. 36/2012.

- **Ukraine – Restrictive measures in view of the situation in Ukraine:** In accordance with the Council Implementing Regulation (EU) 2017/374 of 3 March 2017 (OJ L 58 of 4.3.2017, page 1) implementing Regulation (EU) No. 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine, the entry related to one person listed in Annex I to Regulation (EU) No. 208/2014 was deleted.

- **Ukraine – Measures in view of threats to the territorial integrity of Ukraine:** In accordance with the Council Implementing Regulation (EU) 2017/437 of 13 March 2017 (OJ L 67 of 14.3.2017, page 34) implementing the Regulation (EU) No. 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine, the entries for two persons on the list of natural and legal persons, entities and bodies subject to restrictive measures in Annex I to Regulation (EU) No. 269/2014 are deleted and the other entries are updated.

- **Belarus:** The Council Regulation (EU) 2017/331 of 27 February 2017 (OJ L 50 of 28. 2.2017, page 9) amending Regulation (EC) No. 765/2006 concerning restrictive measures in respect of Belarus exempted rifles and related equipment that are intended exclusively for use in biathlon events and training from the export ban to Belarus.

- **Central African Republic:** The Council Regulation (EU) 2017/400 of 7 March 2017 (OJ L 63 of 9.3.2017, page 1) amending Regulation (EU) No. 224/2014 concerning restrictive measures in view of the situation in the Central African Republic amended the decisive designation criteria for the inclusion of individuals in the list of persons subject to asset freeze.

The decision implements Resolution 2339 (2017) adopted by the United Nations Security Council on 27 January 2017.

- **Al Qaida and ISIL (Da'esh):** In accordance with the Commission Implementing Regulations (EU) 2017/296 of 20 February 2017 (OJ L 43 of 21.2.2017, p. 205) and (EU) 2017/326 of 24 February 2017 (OJ L 49 of 25.2.2017, p. 30) amending for the 260th and 261st times 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, four entries are amended and four persons were added to the list set out in Annex I to Regulation (EC) No. 881/2002.

The amendments implement the resolutions adopted by the Sanctions Committee of the United Nations Security Council on 15 and 22 February 2017.

BAFA points out that this Newsletter is designed to provide latest information about legal and administrative issues and offer guidance to international industry and people dealing with foreign trade. It is a non-official translation of the German version which is the only legally binding version.

Date	Measure
10-04-17	Act implementing Directive 2014/55 / EU on electronic invoicing in public procurement (04.04.2017) No. 19, 10 April 2017, p. 770
	Regulation for carrying out the identification of the fuel efficiency, the road noise and the wet grip class of tires (tire marking regulation ReifKennzV) (04.04.2017) No. 19, 10 April 2017, p. 791
21-04-17	Eleventh Ordinance on the Amendment to the Food and Drug Law (13.04.2017) From No. 22 of April 21, 2017, p. 895

Switzerland

Swiss Import Promotion Programme SIPPO

On 6 April 2017, the Swiss Federal Council [announced](#) that as of April 2017, the Swisscontact foundation assumes implementation of the Swiss Import Promotion Programme SIPPO, the State Secretariat for Economic Affairs ([SECO](#))-financed programme for promoting imports from developing and transition countries. With a change in project approach, the programme aims to secure stable, lasting export structures in the partner countries. Measures proven successful with the previous programme implemented by Switzerland Global Enterprise will be maintained and expanded. The announcement said:

The services offered by the Swiss Import Promotion Programme SIPPO benefit Swiss importers as well as exporters in developing and transition countries. The programme works with 11 partner countries to facilitate their integration in sustainable global trade. With exports promoted in six sectors, this helps to generate employment and thus also income. For Swiss importers, the programme opens up additional markets with attractive procurement opportunities.

Services that promote trade

SIPPO offers a platform for export-ready producers in transition economies and importers in Switzerland and worldwide to form new trading relationships and even sign contracts with each other.

One new feature of the programme is capacity building within the export promotion organisations of partner countries, rather than supporting SMEs directly. These organisations can then offer support services to local exporters. This will consolidate the role of export promotion within the partner countries' national export structures.

Direct benefit to Swiss importers

Swiss importers will continue to benefit directly from SIPPO's expertise and vast network, for example through meetings with verified suppliers at international trade fairs, purchasing trips in emerging markets, or market and product analysis reports.

SIPPO offers its services in close cooperation with European and local partner organisations. In Switzerland, the programme led by Swisscontact will also collaborate with BHP Brugg and Partners and with Helvetas Swiss Intercooperation.

Legislation (*Recueil officiel*)

Date	Measure
11-04-17	Exchange of Notes of 28 March 2017 between Switzerland and the European Union on the resumption of Regulation (EU) amending 2017/372 Regulation (EC) n o 539/2001 listing the third countries whose nationals are subject to Visa requirements for crossing the external borders of the Member States (Development of the Schengen acquis) (RS 0.362.380.068)
	Exchange of Notes of 28 March 2017 between Switzerland and the European Union on the resumption of Regulation (EU) amending 2017/371 Regulation (EC) n o 539/2001 listing the third countries whose nationals are subject to Visa requirement for crossing the external borders of the Member States (Development of the Schengen acquis) (RS 0.362.380.069)
	Ordinance of the OSAV establishing measures to prevent the introduction into Switzerland of lumpy skin disease present in certain Member States of the European Union (RS 916.443.112)
13-04-17	Ordinance of the DFI regulating trade in import, transit and export of animals and animal products with third countries (OIT-PT-DFI) (RS 916.443.106)
19-04-17	Ordinance on the placing on the market and use of biocidal products (Ordinance on Biocidal Products, OPBio) (RS 813.12)
	Exchange of notes of 6 April 2017 between Switzerland and the European Union on the resumption of Regulation (EU) 2017/458 amending Regulation (EU) 2016/399 as regards the strengthening of checks in relevant databases of External borders (Development of the Schengen acquis) (RS 0.362.380.070)
	Agreement of 15 August 1996 on the Conservation of African-Eurasian Migratory Waterbirds (RS 0.451.47)
21-04-17	Ordinance of the OSAV establishing measures to prevent the introduction into Switzerland of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
25-04-17	Ordinance of the DFI on the Control of the Movement of Protected Species of Wild Fauna and Flora (Ordinance on CITES Controls) (RS 453.1)
	Ordinance of the Swiss Agency for Therapeutic Products concerning the enactment of the Pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11)
	Ordinance on the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Chemicals in International Trade (PIC Ordinance, OPICChim) (RS 814.82)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	Ordinance on Explosive Substances (Ordinance on Explosives, OExpl) (RS 941.411)
	Ordinance on the Control of Civilian and Military Goods, Specific Military Goods and Strategic Goods (OCB) (RS 946.202.1)
	Ordinance regulating the placing on the market of products manufactured according to foreign technical prescriptions and the market surveillance thereof (Ordinance on the placing on the market of products manufactured according to foreign regulations, OPPEtr) (RS 946.513.8)
Date	Restrictive Measure
05-04-17	Amendment to the Ordinance of 30 March 2011 imposing measures against Libya (RS 946.231.149.82) [Entry into force: 05-04-17]
11-04-17	Amendment to the Ordinance of 2 October 2000 imposing measures against persons and entities associated with Usama bin Laden, the "Al-Qaeda" group or the Taliban (RS 946.203) [Entry into force: 08-04-17]
	Amendment to the Ordinance of 30 March 2011 imposing measures against Libya (RS 946.231.149.82) [Entry into force: 11-04-17]

United Kingdom

Government opens public consultation on post-Brexit sanctions

On 21 April 2017, the government [announced](#) a public consultation and issued a White Paper on the [United Kingdom's future legal framework for imposing and implementing sanctions](#). The UK currently implements UN and other multilateral sanctions regimes through EU legal acts. Once the UK leaves the EU, it will need new legal powers to maintain the ability to impose, implement and amend sanctions regimes.

The Foreign and Commonwealth Office, HM Treasury and the Department for International Trade are involved in the process. Feedback is welcomed from all stakeholders to help inform the design of the UK's future sanctions legal framework. [Download the White Paper](#) to review the proposals, the input being sought and the method of submission.

Significant changes to UK sanctions enforcement come into force

On 1 April 2017, the sanctions-related provisions of the Policing and Crime Act 2017 (the "Act") came into force, bringing in significant changes to the UK financial sanctions enforcement landscape.

As described in our previous [blog posts](#) on the subject, the changes brought in by Part 8 of the Act are:

- **A new civil monetary penalties regime** under which the Office of Financial Sanctions Implementation ("OFSI") now has the power to impose civil penalties of up to the greater of £1 million or 50% of the value of a breach;
- **Increased maximum criminal penalties for breaches of financial sanctions** from two years' to seven years' imprisonment;
- **The availability of Deferred Prosecution Agreements (DPAs) and Serious Crime Prevention Orders (SCPOs) for sanctions breaches**, which will provide additional enforcement flexibility in respect of financial sanctions; and
- **Temporary UK sanctions legislation** to bridge the time gap between adoption of new UN sanctions and their implementation by the EU.

In conjunction with these developments, OFSI has issued the [final version of its guidance on civil monetary penalties](#), which sets out OFSI's approach to imposing penalties.

What are the implications of these developments?

These new measures represent a significant strengthening of the UK's sanctions enforcement capabilities. Maximum prison sentences for individuals found guilty of sanctions-related offences have more than trebled in length, and OFSI is now capable of levying significant penalties against companies that have committed sanctions breaches, without resorting to criminal prosecution. Meanwhile, the availability of DPAs and SCPOs in respect of sanctions breaches grant the National Crime Agency ("NCA") and the courts new, flexible tools with which to penalise sanctions breaches whilst encouraging compliance.

These changes underscore the importance of robust compliance programmes in businesses that face sanctions risks. As discussed below, the introduction of civil monetary penalties, DPAs and SCPOs in particular give the UK authorities powerful tools both to punish sanctions breaches and to require compliance on an ongoing basis.

Civil penalties

The new civil monetary penalties regime, which can be used to punish any UK sanctions breach, means that fines can now be imposed for sanctions breaches on a lesser, civil standard of proof, and without a full criminal trial. We expect this to lead to an increase in the number of enforcement actions against companies suspected of being in breach of UK/EU sanctions.

Reductions in penalties of up to 50% will be available for voluntary disclosures of sanctions breaches, depending upon the severity of the breach. Once imposed, OFSI will normally publish a summary of the penalty.

DPAs and SCPOs

DPAs and SCPOs are flexible tools that can be used in order to ensure compliance by companies in breach on a continuing basis.

A DPA is an agreement between a company in breach and the prosecutor, under which the company agrees to take action to rectify its breach (including the payment of a penalty), as well as agreeing to other conditions designed to ensure continued compliance with the authorities and with the law. In return, the prosecutor agrees to suspend prosecution, provided that the company complies with the conditions of the DPA. DPAs are bespoke arrangements tailored to the individual breach, and have provided the basis for a number of successful enforcement actions by the Serious Fraud Office over the past two years, including against Rolls Royce and Tesco.

SCPOs are measures imposed by the courts, either instead of or in addition to a criminal prosecution, and have been used in relation to a wide variety of serious crimes. SCPOs can set out a broad range of requirements, restrictions and prohibitions intended to prevent the commission of serious crimes. Breach of an SCPO is a criminal offence, carrying penalties of up to five years' imprisonment and/or a fine.

For additional information, please contact [Ross Denton](#) of our London office.

Legislation (legislation.gov.uk)

Date	Measure
25-04-17	SI 2017/577 - The Goods Vehicles (Licensing of Operators) (Temporary Use in Great Britain) (Amendment) Regulations 2017
Date	Restrictive Measure
11-04-17	SI 2017/560 - The European Union Financial Sanctions (Enhanced Penalties) Regulations 2017

HMRC updates

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

Release Date	Ref. No. and Subject
Customs Information Papers	
04-04-17	Customs Information Paper 7 (2017): changes to General System of Preference beneficiary countries
Tariff and Anti-Dumping Notices	
03-04-17	Anti-Dumping Duty measure AD2179
	Anti-Dumping Duty measure AD2180
	Anti-Dumping Duty measure AD2181
	Anti-Dumping Duty measure AD2182
	Anti-Dumping Duty measure AD2183
	Anti-Dumping Duty measure AD2184
	Anti-Dumping Duty measure AD2185
	Anti-Dumping Duty measure AD2186
04-04-17	Anti-Dumping Duty measure AD2187
	Anti-Dumping Duty measure AD2188
	Tariff Notice 9 (2017): Classification of goods in the Combined Nomenclature
04-04-17	Tariff Notice 12 (2017): products consisting of white tablets
	Tariff Notice 13 (2017): remote-controlled multi-rotor helicopter (so-called 'drone')
	Tariff Stop Press Notice 6 (2017): amendments to commodity codes in chapters 3, 48, 73 and 76
06-04-17	Tariff Stop Press Notice 9 (2017): amendments to commodity codes in chapter 24
	Tariff Stop Press Notice 10 (2017) amendment to Stop Press Notice 09 (2017)
	Tariff Stop Press Notice 8 (2017): amendments to commodity codes in chapters 3 and 8
07-04-17	Tariff Stop Press Notice 8 (2017): amendments to commodity codes in chapters 3 and 8
	Tariff Stop Press Notice 8 (2017): amendments to commodity codes in chapters 3 and 8
21-04-17	Tariff Notice 14 (2017): cooking alcohols
	UK Trade Tariff: customs procedure codes
27-04-17	Tariff Notice 15 (2017): e-cigarette empty cartridge
	Tariff Notice 16 (2017): seat belt buckles
	Tariff Notice 17 (2017): fountain, stylograph and other pens
	Tariff Notice 18 (2017): orthopaedic appliances
	Anti-Dumping Duty measure AD2189
	Anti-Dumping Duty measure AD2190
	Anti-Dumping Duty measure AD2192
	Anti-Dumping Duty measure AD2193
28-04-17	Anti-Dumping Duty measure AD2194
	Anti-Dumping Duty measure AD2195
	Tariff Stop Press Notice 11 (2017): new customs procedure code for household effects and personal property
	Tariff Stop Press Notice 12 (2017): changes to the monthly trade euro rate
	UK Trade Tariff: document, certificate and authorisation codes for harmonised declarations
	UK Trade Tariff: customs duty relief on pharmaceutical products
	UK Trade Tariff: customs procedure codes
	UK Trade Tariff: exports
28-04-17	UK Trade Tariff: correlation tables
	UK Trade Tariff: correlation tables
Other Documents and Notices	
06-04-17	Import and export: apply for Outward Processing Relief (SP4)
	Import and export: apply for Inward Processing Relief (SP3)
18-04-17	Notice 236: Returned Goods Relief

ECO Notices to Exporters and DIT documents

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

Date	Notice No. and Subct
05-04-17	Revoked open general export licences (military goods, software and technology)
	Revoked open general export licences (exports under the US-UK defence trade co-operation treaty)
	Revoked open general export licences (military goods, software and technology: government or NATO end use)
	Revoked open general export licences (military components)
	Guidance: Revoked open general export licences (military goods: A400M col-laborative programme)
	Guidance: Revoked open general export licences (PCBs and components for military goods)

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
Belgium	
24-03-17	Tariff notice 605 (11-03-17) CVD Graphite electrodes from India
	Tariff notice 606 (11-03-17) AD Graphite electrodes from India
30-03-17	Circular 2017 / C / 15 concerning AGRIM import licenses and export certificates AGREX - Change of Section 2 of the Agricultural Procedures Instruction (CD 684.0) on import and export licenses following Regulations (EU) Nos. 2016/1237 and 2016/1239 Import certificate; AGRIM; Export certificate; AGREX; Agricultural policy- SPF Finance, on 29.03.2017
Ireland (Eire)	
31-03-17	S.I. No. 107 of 2017 Food Safety Authority of Ireland Act 1998 (Amendment of First and Second Schedules) Order 2017
	S.I. No. 115 of 2017 Public Health (Standardised Packaging of Tobacco) Act 2015 (Commencement) Order 2017
18-04-17	S.I. No. 154 of 2017 European Union (Nutrition and Health Claims made on Foods) (Amendment) Regulations 2017
21-04-17	S.I. No. 160 of 2017 European Union (Greenhouse Gas Emission Reductions, Calculation Methods and Reporting Requirements) Regulations 2017
Liechtenstein	
06.04.17	LGBI № 2017.105 Exchange of letters between the Principality of Liechtenstein and the European Union concerning the adoption of Regulation (EU) No 2019/372 amending Regulation (EC) No 539/2001 drawing up the list of third countries whose nationals are in possession of visas when crossing the external borders As well as the list of third countries whose nationals are exempt from this visa requirement (Georgia) (further development of the Schengen acquis) (LR № 0.362.380.73)
	LGBI № 2017.106 Exchange of letters between the Principality of Liechtenstein and the European Union concerning the adoption of Regulation (EU) No 2019/371 amending Regulation (EC) No 539/2001 drawing up the list of third countries whose nationals are in possession of visas when crossing the external borders And the list of third countries whose nationals are exempt from this visa

Date*	Measure
	requirement (revision of the suspension mechanism) (further development of the Schengen acquis) (LR № 0.362.380.74)
	LGBI № 2017.107 Protocol amending the Marrakesh Agreement establishing the World Trade Organization (LR № 0.632.20)
	LGBI № 2017.113 Exchange of Notes between the Principality of Liechtenstein and the European Union on the adoption of Regulation (EU) 2017/458 amending Regulation (EU) 2016/399 at the external borders in terms of enhanced retrieval of relevant databases (development of the Schengen acquis) (LR № 0.362.380.75)
28-04-17	LGBI № 2017.114 Announcement of 25 April 2017, the applicable by virtue of the Customs Treaty in the Principality of Liechtenstein Swiss legislation (annexes I and II) (LR № 170.551.631)
Luxembourg	
10-04-17	Mem. A 395: Grand-Ducal Decree of 21 March 2017 on the publication of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) , signed at Geneva on 30 September 1957 and approved by the Act of 23 April 1970, Protocol and Annexes A and B, including the amendments in force on 1 January 2017.
Malta	
18-04-17	106 of 2017 – Safety of Toys (Amendment) Regulations, 2017 Government Gazette of Malta No. 19,761 – 18.04.2017
21-04-17	115 of 2017 – Child-Resistant and Novelty Lighters (Revocation) Regulations, 2017 - Government Gazette of Malta No. 19,764 – 21.04.2017
Norway	
03-04-17	FOR-2017-03-31-419 Agriculture and Food Regulation amending the Regulation on the temporary preventive measures to prevent infection of highly pathogenic avian influenza from wild birds to poultry and other captive birds
06-04-17	FOR-2017-04-05-447 Industry and Fisheries Ministry Regulation amending the Regulation on the production and sale of recreational boats and jet skis, etc.
12-04-17	FOR-2017-04-11-466 Health and Care Services Regulation amending the Regulation on the special protection against the spread of foot-and-mouth disease into the Community
19-04-17	FOR-2017-04-07-472 Agriculture and Food Regulation amending the Regulation on pesticide
20-04-17	FOR-2017-04-18-479 Industry and Fisheries Ministry Regulation amending the Regulation on the export credit scheme
21-04-17	FOR-2017-04-18-480 Climate and Environment Ministry Regulation on biocides
Poland	
05-04-17	№ 722 Regulation of the Minister of Agriculture and Rural Development of 4 April 2017. On the management measures relating to outbreaks of highly pathogenic avian influenza
06-04-17	№ 731 Regulation of the Minister of Finance and Development of 29 March 2017. Amending the regulation on periodic evaluations and reviews business customs officers
10-04-17	№ 742 Regulation of the Minister of Finance and Development of 3 April 2017. Amending the regulation on the conduct of the service records of the customs officer
11-04-17	№ 758 Regulation of the Minister of Finance and Development on 5 April 2017. Amending the Regulation on the service time distribution of customs officers
12-04-17	№ 765 Regulation of the Minister of Agriculture and Rural Development of 4 April 2017. Amending the regulation on the model of the logo containing the information "Polish Product"
	№ 771 Regulation of the Minister of Finance and Development on 5 April 2017. Amending the Regulation on the certificate of service of customs officers
19-04-17	№ 801 Regulation of the Minister of Finance and Development of 12 April 2017. On the control of customs-duty mineral extraction
20-04-17	№ 805 Regulation of the Minister of Finance and Development of 10 April 2017. On conducting psychophysiological research, test, physical and psychological examination officers of Customs and Service Tax

Date*	Measure
21-04-17	№ 814 Regulation of the Minister of Finance and Development of 10 April 2017. On the form and modalities for the transfer by the Border Guard authorities and the National Fiscal Administration information to the General Inspector of Financial Information
25-04-17	№ 826 Proclamation of the Marshal of the Polish Sejm on 5 April 2017. On the uniform text of the Act on the State Treasury guaranteed by the Export Insurance
	№ 831 Regulation of the Minister of Finance and Development of 13 April 2017. On the list of diseases and disability categories with the ability to serve the candidate to serve in the Service of Customs and Tax Service and the Customs officer-Tax
Spain	
05-04-17	Foreign Affairs: Corrigendum to the Amendments to the Agreement on International Transport of Perishable Goods and Special Vehicles Used for Transport (ATP), adopted in Geneva on 10 October 2014.(BOE-A-2017-3742)
07-04-17	Agriculture: Resolution of March 30, 2017, of the Undersecretariat, which establishes the procedure for the liquidation and electronic payment of the fee with code 044 "Phytosanitary Fees". (BOE-A-2017-3821)
13-04-17	Presidency: Order PRA / 329/2017, of 7 April, amending Annexes II and IV of Royal Decree 219/2013 of 22 March, on restrictions on the use of certain hazardous substances in electrical and electronic equipment. (BOE-A-2017-4119)
	Agriculture and Fisheries: Correction of errors of the Resolution of March 8, 2017, of the General Secretariat of Fisheries, which publishes the list of commercial names of fishery and aquaculture species admitted in Spain.(BOE-A-2017-4130)
17-04-17	Economy, Industry and Competitiveness (EI&C): Resolution of April 4, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of European standards that have been ratified during the month of March 2017 as Spanish standards. (BOE-A-2017-4232)
	EI&C: Resolution of April 4, 2017, issued by the General Directorate of Industry and Small and Medium-sized Enterprises, which publishes the list of UNE regulations canceled during the month of March 2017. (BOE-A-2017-4233)
	EI&C: Resolution of April 4, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of UNE standards approved by the Spanish Association of Standardization during the month of March 2017.(BOE-A-2017-4234)
	EI&C: Resolution of April 4, 2017, of the General Directorate of Industry and Small and Medium-sized Enterprises, by which public projects are submitted to the UNE standard that the Spanish Association of Standardization is in process, corresponding to the month of March 2017. (BOE-A-2017-4235)
	EI&C: Resolution of April 4, 2017, of the General Directorate of Industry and Small and Medium Enterprise, by which public projects are submitted to European and international standards that have been processed as draft UNE by the Spanish Association of Standardization, corresponding to the month of March of 2017.(BOE-A-2017-4236)
18-04-17	Presidency: Royal Decree 364/2017, of April 17, amending the General Regulation for the development and implementation of Law 9/2003, of April 25, establishing the legal regime of contained use, release Voluntary and commercialization of genetically modified organisms, approved by Royal Decree 178/2004 of 30 January. (BOE-A-2017-4242)
19-04-17	Head of State: (Cultural assets) Law 1/2017, of April 18, on the restitution of cultural property that has left the territory of Spain or another Member State of the European Union illegally, incorporating Directive 2014/60 / EU into Spanish law. Of the European Parliament and of the Council of 15 May 2014. (BOE-A-2017-4258)

Restrictive measures established, amended, corrected

The following restrictive measures (grouped by country) were established, amended or corrected and published in the national official journals or agency

websites during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

Date*	Restrictive Measure
Ireland (Eire)	
04-04-17	S.I. No. 120 of 2017 European Union (Restrictive Measures concerning Afghanistan) Regulations 2017
	S.I. No. 121 of 2017 European Union (Restrictive Measures concerning Ukraine) Regulations 2017
	S.I. No. 122 of 2017 European Union (Restrictive Measures concerning Iraq) (No.2) Regulations 2017
	S.I. No. 123 of 2017 Criminal Justice (Terrorist Offences) Act 2005 (Section 42) (Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al-Qaida Organisations) Regulations 2017
	S.I. No. 124 of 2017 European Union (Restrictive Measures concerning Belarus) Regulations 2016
Liechtenstein	
06-04-17	LGBI № 2017.103 Regulation of 4 April 2017 on the amendment of the Regulation on measures against persons and organizations with links to the grouping "Al-Qaeda" (LR № 946.222.22)
	LGBI № 2017.104 Regulation of 4 April 2017 on the amendment of the regulation on measures against Libya (LR № 946.221.4)
28-04-17	LGBI № 2017.109 Decree of April 25, 2017 concerning amendment of the ordinance on measures against the Islamic Republic of Iran (LR № 946.223,3)
Norway	
07-04-17	FOR-2017-04-04-453 Foreign Affairs Regulation amending the Regulation on sanctions and restrictive measures against North Korea

Non EU-EFTA European Countries

Turkey

Turkey further revises toy safety regulation

Recent Development

The [Toy Safety Regulation](#) entered into force on April 4, 2017 with certain revisions, as you may recall from our previous legal alerts of [October 6](#) and [March 14, 2017](#). Most of the amendments entered into force on April 4, 2017, whereas some revisions will enter into force on May 24 and November 24, 2017.

Furthermore, a new Communiqué on the [Harmonized Standards Regarding Toy Safety Regulation](#) (the "Communiqué on the Harmonized Standards") was published in the *Official Gazette* and entered into force on April 4, 2017.

What's New?

Article 14 of the Toy Safety Regulation was amended to provide that toys complying with the harmonized standards published in the *Official Journal of the European Union*, the corresponding Harmonized Turkish Standards or the relevant sections of the mentioned standards be deemed to conform to the safety requirements of the Toy Safety Regulation.

In this context, the Communiqué on the Harmonized Standards was adopted to establish the Harmonized Turkish Standards and reference numbers indicated in Article 14 of the Toy Safety Regulation. The Harmonized Turkish Standards are established in parallel with the EU standards on toy safety.

The following revisions were made to the annexes of the Toy Safety Regulation:

- Part A of the Annex 2 was amended to specify in further detail the permitted use of CMR substances within the scope of Section III of Annex 3, and
- Part C was added to the Annex 2 to set forth the specific limit values for chemicals used in toys for use by children aged 36 months or younger, or which children may put into their mouths.

Conclusion

With the Toy Safety Regulation and the Toy Safety Communiqué now in force, toy manufacturers, importers and sellers should take the necessary actions to ensure compliance with Toy Safety Regulation's requirements.

For additional information, please contact [Hakki Can Yildiz](#) or [Can Sözer](#) of the Esin Attorney Partnership, a member of Baker & McKenzie International.

Changes to Turkish Specifications of Food Additives

Recent Development

To harmonize its technical criteria on food additives with those of the European Union, Turkey has repealed the following three communiqués on the purity criteria of sweeteners, colors and other food additives and adopted a new regulation reestablishing specifications for all food additives:

- The Communiqué No. 2002/27 on the Turkish Food Codex Purity Criteria Concerning Colors for Use in Foodstuffs
- The Communiqué No. 2010/59 on the Turkish Food Codex Purity Criteria Concerning Sweeteners for Use in Foodstuffs
- The Communiqué No. 2012/33 on the Turkish Food Codex Purity Criteria Concerning Food Additives Other Than Sweeteners and Colors for Use in Food Products.

Background

The Turkish Food Codex establishes the principles, methods and specifications regarding the procedures carried out on food products, such as labeling, use of additives, and collection of and analysis of samples. In this context, the repealed communiqués had been adopted to establish the purity criteria for food additives, based on the EC Directives No. 95/45/EC, 2008/60/EC and 2008/84/EC, respectively.

On March 9, 2012, the European Commission adopted the EU Regulation No. 231/2012 laying down the revised specifications for food additives and repealing the mentioned directives on the purity criteria of food additives.

Following this change, Turkey recently repealed the above mentioned communiqués and adopted the [Regulation on Turkish Food Codex Specifications for Food Additives](#) (the "Food Additives Regulation") based on the EU Regulation No. 231/2012. The Food Additives Regulation introduces revisions to the technical and chemical specifications for the additives used in food products.

Although the Food Additives Regulation entered into force with its publication in the *Official Gazette* on April 3, 2017, it provides a transition period for food opera-

tors. Accordingly, food operators should ensure compliance with the Food Additives Regulation by December 31, 2017. Until then, they should continue to observe the requirements of the repealed communiqués.

Conclusion

With the new Food Additives Regulation come significant changes to the specifications for food additives. Therefore, food operators should carefully review the new specifications and take necessary steps to ensure compliance by December 31, 2017.

For additional information, please contact [Hakki Can Yildiz](#) or [Can Sözer](#) of the Esin Attorney Partnership, a member of Baker & McKenzie International.

Turkey Ratifies the MEDICRIME Convention

Recent developments

The Turkish Parliament recently ratified the Council of Europe *Convention on the counterfeiting of medical products and similar crimes involving threats to public health* (the “MEDICRIME Convention”) through [Law No. 6964 Approving the Ratification of the MEDICRIME Convention](#), which was published in the *Official Gazette* and entered into force on April 2, 2017.

What the Convention Says

The Convention was signed on October 28, 2011 in Moscow as the first international treaty against counterfeit medical products and similar crimes involving threats to public health. Although Turkey signed the MEDICRIME Convention on June 29, 2012, it took more than four years for Turkey to ratify this convention.

The MEDICRIME Convention aims to protect the rights of individuals who suffer from the offenses determined under it, and promote national and international co-operation among the contracting states. In this context, the MEDICRIME Convention criminalizes the following acts:

- manufacturing of counterfeit medical products,
- supplying, offering to supply and trafficking of counterfeit medical products,
- falsification of documents, and
- unauthorized manufacturing or supplying of medicinal products and the marketing of medical devices that do not comply with conformity requirements.

Conclusion

The MEDICRIME Convention imposes on the contracting states the duty to cooperate with and implement the provisions of the MEDICRIME Convention. Turkey must adopt new laws or amend its existing laws to fulfill its duty to implement the MEDICRIME Convention. Pharmaceutical companies, therefore, should closely follow the developments and legislative changes regarding the prevention of the crimes relating to medical products under the MEDICRIME Convention.

For additional information, please contact [Can Sözer](#) of the Esin Attorney Partnership, a member of Baker & McKenzie International.

Turkey launches safeguard investigation on pneumatic tyres

On 12 April, Turkey [notified](#) the WTO's Committee on Safeguards that it had initiated on 6 April a safeguard investigation on pneumatic tyres. In the notification, Turkey indicated the following:

"Those who fill out and send Application Form for the Interested Party (application form) to the competent authority within the period of 20 days after the promulgation of the related Communiqué are accepted as interested parties in the investigation. [...] The interested parties are required to fill out the Online Questionnaire for the Interested Party (online questionnaire) by logging into <http://ithkorunma.ekonomi.gov.tr> webpage with the username and password provided by the investigating authority, within the period of 30 days after the initiation of the investigation. [...]

The address of the investigating authority for correspondence is:

Ministry of Economy
Directorate General for Imports, Department of Safeguards
Söğütözü Mah. 2176. Sk. No: 63 06530 Çankaya/Ankara/TURKEY
Tel: +90 312 204 99 42 / +90 312 204 99 43
Fax: +90 312 212 87 65 / +90 312 212 87 11
E-mail: korunma@ekonomi.gov.tr

This notification also stated the following:

"Consistent with Article 12.4 of the Agreement on Safeguards, Turkey is prepared to consult on the provisional safeguard measure with those Members having a substantial interest as exporters of the product concerned."

The notification is available in WTO Documents [G/SG/N/6/TUR/22 - G/SG/N/7/TUR/12 - G/SG/N/11/TUR/21](#).

Legislation (laws, resolutions, orders, etc.)

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

Date	Subject
01-04-17	Regulation on the Amendment of the Toys Safety Regulation
	Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/6) [Tariff items 8541.40.90.00.14 photovoltaic solar modules]
	Communiqué Pertaining to Harmonized Standards Concerning Toy Safety Regulation
03-04-17	6964 Law on the Approval of the Council of Europe Convention on Similar Crimes Involving Medical Product Counterfeiting and Threats to Public Health
	6988 Law on the Approval of the Rotterdam Convention for the Prior Informed Acceptance Procedure of Certain Hazardous Chemicals and Pesticides in International Trade
	Turkish Food Codex Regulation on the Specifications of Food Additives
	Communiqué on the Removal of the Purity Criteria of Colorants Used in the Turkish Food Codex Food Ingredients Communiqué (Communiqué No: 2002/27) (No: 2017/11)
	Communiqué Pertaining to the Removal of the Purity Criteria of Sweeteners Used in the Turkish Food Codex Food Ingredients (Communiqué No: 2010/59) (No: 2017/12)
	Communiqué on Removal of the Purity Criteria of Colorants and Additives Other than Sweeteners Used in Turkish Food Codex Gıdalardı (Communiqué No: 2012/33) (No: 2017/13)
04-04-17	Communiqué on the Implementation of Imports Surveillance (No: 2017/5) [Tariff items 1209.91.80.00.11, 1212.99.95.00.19]
05-04-17	Communiqué on the Implementation of Imports Surveillance (No: 2017/4) [Tariff items 1206.00.91.00.11, 1206.00.99.00.11]
	CORRECTION: Notification on the Implementation of Supervision of Imports

Date	Subject
	(Communiqué No: 2017/5) Related [Tariff item 1212.99.95.00.19]
06-04-17	2017/9977 Decision on the Implementation of the Tariff Coordinator in the Importation of Wall Paper and Similar Wall Coatings [Tariff items 4814.20, 4814.90.10, 4814.90.70.10,
	Communiqué Pertaining to Safeguard Measures in Imports (No: 2017/1) [Tariff items 4011.10, 4011.20, 4011.70, 4011.80, 4011.90]
11-04-17	Communiqué on the Implementation of Imports Surveillance (No: 2017/1) [8482.10.10.00.12, 8482.10.90.00.11, 8482.10.90.00.12, 8482.10.90.00.13]
	Communiqué on the Implementation of Imports Surveillance (No: 2017/2) [4011.10.00.90.12, 4011.20.10.00.19]
	Communiqué on the Prevention of Unfair Competition in Imports (No: 2017/10) [certain rubber and rubber tires from China, India and Thailand]
12-04-17	Regulation on the Promotion of Land Vehicles to Owners of Land Vehicles Decided to Pass to the Public According to the Customs Law
22-04-17	Communiqué Pertaining to Safeguard Measures in Import (No: 2017/2) [9603.21.00.00.00]
	Communiqué Pertaining to Safeguard Measures in Import (No: 2017/3) [7009.91]
	Communiqué Pertaining to Safeguard Measures in Import (No: 2017/4) [3920.20.21.00.19]
	Communiqué Pertaining to Safeguard Measures in Import (No: 2017/5) [5503.20.00.00.00]
25-04-17	Regulation on Packaging Information, Usage Instructions and Tactical Medicine of Medicinal Products for Human Use
26-04-17	Communiqué on Import Quota and Tariff Provision Administration (No: 2017/1)
	Communiqué Pertaining to the Amendment of the Communiqué Pertaining to the Harmonized National Standards Concerning Personal Protective Equipment
29-04-17	2017/9951 Decree of the Council of Ministers Decision 2013/5428 dated 30/9/2013 of the United Nations Security Council on the Freezing of the Property of the Persons, Organizations or Organizations listed in the Decisions of 1267 (1999), 1988 (2011) and 1989 (2011) 1) Decision on Amendment in the Numbered List
	Communiqué on the Amendment of the Communiqué on the Implementation of Imports Surveillance (Communiqué No: 2009/8)
30-04-17	2017/10000 Annex to the Decision of the Council of Ministers dated 30/9/2013 and numbered 2013/5428 of the United Nations Security Council on the Freezing of the Property of the Persons, Organizations or Organizations listed in the Decisions of 1267 (1999), 1988 (2011) and 1989 (2011) 1) Decision on Amendment in the Numbered List

Ukraine

Legislation (laws, resolutions, orders, etc.)

The following Ukrainian Laws (*Закон України*), Resolutions (*Постанова*), Presidential Decrees (*Указ Президента*), Decrees of the Cabinet of Ministers (*Розпорядження Кабінету Міністрів України*), Regulations (*Положення*), Agency Orders (*Наказ*) and other pieces of legislation were posted on the [Parliamentary \(Верховної Ради\) website](#) during the period of coverage of this Update:

Date	Subject
05-04-17	On approval of the Protocol between the Government of Ukraine and the Government of the Republic of Poland amending the Agreement between the Government of Ukraine and the Government of the Republic of Poland on mutual deliveries of arms, military equipment and services in the military-technical field, signed on 10 October 1996 in the city. Kyiv A resolution of the Cabinet of Ministers of Ukraine from 05.04.2017 № 228

Date	Subject
	On Establishment of Public Council of the National Agency on Corruption Prevention and approve its composition - Cabinet of Ministers; 05.04.2017 № 231-p

Eurasian Economic Union (EAEU)

EEC approves “single window” development plan

On 24 April 2017, the Board (*Коллегии*) of the Eurasian Economic Commission (EEC) [approved](#) a development plan for a “single window” in the system of regulation of foreign economic activities (FEA) in the EAEU countries in 2017. The plan will be presented to the Commission and to the Member States, to be approved at the level of the Supreme Eurasian Economic Council.

The reference model of a “single window” will be the benchmark for the EAEU in the further development of national “single windows”. This will enable national projects to communicate at the international level. The purpose of the project is the optimization of state and business resources through a single submission of data in a single standardized form for subsequent use by all involved in the regulation of foreign economic activity of the state bodies.

It is planned that the “single window” will also be a platform for e-business interaction in B2B format. In the private office of foreign trade participants can enter into cross-border transactions, finding suppliers, carriers, etc. At the same time contracts concluded between entrepreneurs within the “single window”, will serve as an official confirmation of the transaction to authorities.

In order to increase the level of protection of intellectual property rights across the customs border of the EAEC, ECE members of the Board approved changes to the Regulations on the procedure of filling the declaration of goods. According to the decision, the goods that contain objects of intellectual property included in the *Customs Register*, must be declared separately from other goods and use a Registration Number. Using a Registration Number will automatically quickly and accurately identify any intellectual property included in the Register.

Supreme Eurasian Economic Council has given new powers to the EEC in the field of customs regulations

The Eurasian Economic Commission [announced](#) that on 14 April 2017, in Bishkek, the Kyrgyz Republic hosted a meeting of the Supreme Eurasian Economic Council (VEES - *Высшего Евразийского экономического совета ВЕЭС*) with the participation of heads of states of the Eurasian Economic Union (EAEU). Also present at the meeting was the President of the Republic of Moldova Igor Dodon, who hope that Moldova will obtain observer status in the EAEU. Opening the meeting, the Chairman of the VEES, President Atambayev of the Kyrgyz Republic said that one of the key priorities of the EAEU in 2017 should be to create a favorable environment for doing business.

The discussions included improving the efficiency of customs control in the common customs territory of the EAEU, the development of foreign economic relations with the most important partners, the countries of the Union macro-economic guidelines for 2017 and 2018, as well as personnel decisions. In 2017, the Eurasian Economic Commission (EEC) plans to focus on reaching agreement with seven-eight countries, including China, Singapore, India, Israel, Egypt and Iran. EEC Council (*Совет ЕЭК*), which is composed of the first deputy prime ministers of EAEU countries, has received a number of new powers in the sphere

of customs regulation. In addition, the presidents have expanded the list of issues on which decisions EEC Board (*Коллегия ЕЭК*) will be taken by consensus.

The Eurasian Economic Commission was tasked with developing and submitting to the next session a position on the status of an observer state. This will allow the States seeking to trade cooperate economically with the EAEU, to receive detailed information about the work on technical regulations, standards of veterinary and phytosanitary control, and to adapt to the requirements of the EAEU at the stage of development of the documents.

The Heads of Member States confirmed the importance of the early entry into force of the *Customs Code of the EAEU* and the need to remove barriers in mutual trade. The Code is the first large-scale document that at all stages was developed jointly by the Commission, government agencies and the business communities of the five countries of the Union. The Commission will now have competence over 25 new issues, including: the definition of the rules of the movement of goods by individuals for personal use, including the norms of free entry; conditions and procedure for conducting foreign economic activities of companies working in the status of authorized economic operators, and others. The *Customs Code of the EAEU* will enter into force upon receipt of the Commission notification of ratification by all countries of the Union. EEC priority decisions and changes in the regulations will take effect simultaneously with the Customs Code.

Decisions and recommendations of the Eurasian Economic Commission

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

Publication Date	Title
Memoranda	
29-03-17	Memorandum of Understanding between the Eurasian Economic Commission and the General Secretariat of the Andean Community (23-03-17)
04-04-17	Memorandum of Cooperation between the Eurasian Economic Commission and the Association of manufacturers of agricultural machinery in Germany (30-03-17)
05-04-17	Memorandum of cooperation between the Eurasian Economic Commission and the Republic of Moldova (03-04-17)
Council (Совет) of the Eurasian Economic Commission Решение	
30-03-17	№ 9 (03-03-17) About the order of the Eurasian Intergovernmental Council "On the state of the mutual trade between the countries - members of the Eurasian Economic Union in 2015 - 2016 years"
	№ 10 (17-03-17) On Amendments to the Decision of the Customs Union Commission on June 18, 2010 № 318
	№ 11 (17-03-17) On amendments to paragraph 2 of the Council Decision of the Eurasian Economic Commission dated July 20, 2012 № 57
	№ 12 (17-03-17) On Amendments to the technical regulations of the Customs Union "On Safety of Toys" (TR CU 008/2011)
13-04-17	№ 13 (03-03-17) About the order of the Eurasian Intergovernmental Council "On the International Forum" Antikontrafakt "
	№ 14 (17-03-17) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union, the Common Cus-

Publication Date	Title
	toms Tariff of the Eurasian Economic Union as well as in the list of sensitive products for which the decision to change the rate of import duty is taken by the Council of the Eurasian Economic Commission, in respect of certain types of ether-alcohols for leather -obuvnoy industry
Council Regulations/Orders (Распоряжения)	
07-04-17	№ 7 (03-03-17) About holding of the forum "Eurasian Week" in 2017
12-04-17	№ 8 (03-03-17) Draft Protocol on amendments to the Treaty on the Eurasian Economic Union on May 29, 2014
Board (Коллегии) of the Eurasian Economic Commission Решения	
24-03-17	№ 31 (21-03-17) On introduction of changes to the list of common processes within the Eurasian Economic Union
26-04-17	№ 32 (24-04-17) On the Regulations of the Consultative Committee on Natural Monopolies
	№ 33 (24-04-17) On Amendments to the Customs Union Commission Decision of 20 September 2010 № 378
	№ 34 (24-04-17) On Amendments to the Uniform veterinary (veterinary-sanitary) requirements for goods subject to veterinary control (supervision)
	№ 35 (24-04-17) On Amendments to the Regulations on the procedure for the filling of the goods declaration
	№ 36 (24-04-17) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of concrete mixers and mortar
	№ 37 (24-04-17) About the Consultative Committee for technical regulation, application of sanitary, veterinary and phytosanitary measures
	№ 38 (24-04-17) On transition positions technical regulations Eurasian Economic Community "On requirements to mineral fertilizers" (TP EEMA 039/2016)
	№ 39 (24-04-17) On Amendments to the methodology of calculation of macro-economic indicators that determine the sustainability of the economic development of the states - members of the Eurasian Economic Union
	№ 40 (24-04-17) About the transitional provisions of the technical regulations of the Eurasian Economic Union "On the safety of fish and fish products" (EAEC TR 040/2016)
	№ 41(24-04-17) On Amendments to the provisions of paragraph 20 of the Advisory Committee on Information Technology, Information and Communication Technologies and Protection of Information
	№ 42 (24-04-17) On Amendments to the additional note of the Eurasian Economic Union 1 (a) to a group of 96 Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union
Board Распоряжение	
24-03-17	№ 25 (14-03-17) Draft Memorandum o cooperation between the Eurasian Economic Commission and the Republic of Moldova
	№ 26 (21-03-17) On the composition of the working group on the implementation of the action plan on implementation of the main directions of development of "one stop shop" mechanism in the system of foreign trade regulation
26-04-17	№ 28 (24-04-17) Draft decision of the Council of the Eurasian Economic Commission "On the draft order of the Eurasian Intergovernmental Council" On the annual report of the Eurasian Economic Commission on the monitoring of the assessment of the regulatory impact of draft decisions of the Eurasian Economic Commission in 2016"
	№ 29 (24-04-17) On Amendments to the Advisory Committee on Tax Policy and Administration
	№ 30 (24-04-17) Draft Protocol on amendments to the Treaty on the Eurasian Economic Union on May 29, 2014
	№ 31 (24-04-17) About modification of the summary of the working group on improving the provisions of the Treaty on the Eurasian Economic Union on May 29, 2014
	№ 32 (24-04-17) On Amendments to the Advisory Committee for Cooperation regulatory authorities at the customs border of the Eurasian Economic Union

Publication Date	Title
	№ 33 (24-04-17) About the plan of measures on realization of the first stage of the Strategy of development of transboundary space of trust
	№ 34 (24-04-17) Draft decision of the Council of the Eurasian Economic Commission "On the detailed plans for 2017 for the implementation of the action plan to implement the Guidelines for the development of a" single window mechanism "in the system of regulation of foreign economic activity"
	№ 35 (24-04-17) Draft decision of the Council of the Eurasian Economic Commission "On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of tannins and preparations for tanning"
	№ 36 (24-04-17) On approval of the cooperation between the Eurasian Economic Commission and the UN Conference on Trade and Development Program (UNCTAD) for 2017 - 2019
	№ 38 (24-04-17) Draft decision of the Council of the Eurasian Economic Commission "On Technical Regulation of the Eurasian Economic Union" On safety equipment for children's playgrounds "
	№ 39 (24-04-17) Draft decision of the Council of the Eurasian Economic Commission "About the order of the Supreme Eurasian Economic Council" On the representation of information in accordance with subparagraph 5 of paragraph 20 of the Protocol on common principles and rules of regulation of natural monopolies (application number 20 to the Treaty on the Eurasian Economic Union of 29 May 2014) "
	№ 40 (24-04-17) About the order of the Council of the Eurasian Economic Commission "On Amendments to the Council of the Eurasian Economic Commission dated October 18, 2016 № 32"
	№ 41 (24-04-17) On the composition of the organizing committee of the forum "Eurasian Week"
	№ 42 (24-04-17) About the order of the Council of the Eurasian Economic Commission "On the implementation of the agreement on the introduction of common forms of vehicle passport (passport of the vehicle chassis) and the passport of self-propelled machines and other kinds of technology and organization of e-passport system on August 15, 2014"
Board Recommendations	
24-03-17	№ 8 (21-03-17) On the organization and conduct of the negotiations and consultations on disputes related to the implementation of the agreed (coordinated) agricultural policy, including state support for agriculture issues
26-04-17	№ 9 (24-04-17) An electronic interaction with the electronic submission of the form of the customs receipt voucher
	№ 10 (24-04-17) On ensuring equal access of economic entities of states - members of the Eurasian Economic Union, engaged in the production and sales of products of light industry, to participate in the state (municipal) procurement
	№ 11 (24-04-17) About the Methodology evaluating the effectiveness of state regulation of agricultural market and support the agro-industrial complex

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.. The table was last updated on 20 April 2017. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

Antidumping and countervailing duty cases

See separate Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews section below.

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 March 2017. It may be searched by tariff code or description (in Russian).

State Customs Committee and other (acts, resolutions, orders, etc.)

The following normative legal acts of the State Customs Committee (SCC) or other agencies were posted to government websites:

Date	Subject
07-04-17	On some issues of registration and registration of licenses for the import of military products, goods (works, services), controlled in the interests of national security of Belarus, export of specific goods (works, services), the implementation of mediation in relation to the specific goods (works, services) and lists them Decree of the State military-industrial Committee of Belarus of March 21, 2017 № 5

Russian Federation

Preliminary decisions on tariff classification

The Federal Customs Service (FCS) has a [searchable on-line database of preliminary decisions on tariff classification](#). The database has been updated through the end of 2016. It may be searched by tariff code, description (in Russian) or note number.

Legislation (acts, resolutions, orders, etc.)

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

Date of Publication	Subject
03-04-17	Order of the Ministry of Transport on 06.03.2017, № 82 "On Amendments to the limits of maritime cargo and passenger of a standing multilateral border crossing point across the state border of the Russian Federation in the seaport of Astrakhan (Astrakhan region), approved by the Ministry of Transport of the Russian Federation of December 28, 2016 № 423 "On the discovery of the marine cargo-passenger of a standing multilateral border crossing point across the state border of the Russian Federation in the seaport of Astrakhan (Astrakhan Region) "
	Federal law from 03-04-17 № 54-FZ "On ratification of the Protocol amending the Agreement on Rules of origin of goods in the Commonwealth of Independent States on November 20, 2009"
05-04-17	Federal Law of April 3, 2017 N 64-FZ "On Amendments to Certain Legislative Acts of the Russian Federation in order to improve state policy in the field of combating corruption"
	Federal Law of April 3, 2017 N 54-FZ "On ratification of the Protocol amending the Agreement on Rules of origin of goods in the Commonwealth of Independent States on November 20, 2009"

Date of Publication	Subject
	Federal List of Extremist Materials
07-04-17	Order of the Federal Customs Service of 13.3.2017 № 377 “On approval of the decision of the Federal Customs Service and the customs authorities of the Russian Federation on the recognition of bad debt collection solutions to the payments to the budgets of the budgetary system of the Russian Federation” (Registered in the Ministry of Justice of Russia 06.04.2017 № 46280) Presidential Decree of 07-04-17 № 159 “On Amendments to the Decree of the President of the Russian Federation of December 17, 2011 № 1661” On approval of the list of goods and dual-use technologies that can be used to create weapons and military equipment, and in respect of which are subject to export control “and in the list approved by this Decree.”
10-04-17	Order of the Ministry of Finance of the Russian Federation of 03.20.2017, the number 45H “On the competence of the customs authorities of the Far Eastern Customs Administration to carry out customs operations in respect of goods imported (imported, exported) to (c) region (s) the territories of advancing socio-economic development or free port of Vladivostok, where the customs procedure of free customs zone “ Order of the Russian Ministry of Industry and Trade of 10.03.2017, № 672 “On approval of the list of high-tech products, works and services, taking into account the priorities of modernizing the Russian economy” Order of the Federal Customs Service of 03.13.2017, № 377 “On approval of the decision of the Federal Customs Service and customs authorities desperate to recover the debt of the Russian Federation on the recognition of decisions on payments to the budgets of the budgetary system of the Russian Federation” Order of the Russian Ministry of Industry and Trade of 07.03.2017, № 651 “On the organization of work in the Russian Ministry of Industry to confirm the purpose of imported for the production of superabsorbent diapers”
11-04-17	Russian Federation Government Resolution dated April 7, 2017 № 416 “On Amendments to the list of technological equipment (including accessories and spare parts), analogues of which are not manufactured in the Russian Federation, whose import into the Russian Federation is not subject to taxation on Additional cost” Federal List of Extremist Materials
20-04-17	Russian Federation Government Resolution dated 11.04.2017 № 437 “On Amendments to the position of the Russian Federation to provide information to the UN Register of Conventional Arms.”
21-04-17	Russian Federation Government Resolution dated 19.04.2017 № 460 “On the introduction of the ratification of the Protocol on the extension of the Agreement on the implementation in 2015 - 2016 a pilot project for the introduction of labeling control (identification) signs on the heading” Articles of apparel, clothing accessories and other products, made of natural fur “on September 8, 2015.”
25-04-17	Order of the Federal Customs Service, the Ministry of Communications and Mass Communications of the Russian Federation № 486/163 3/31/2017 “On the Invalidation of the order of the FCS of Russia and the Russian Ministry of Communications on September 23, 2013 № 1788/258” (Registered in the Ministry of Justice of Russia 24.04.2017 № 46 475)

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; HKCE= Hong Kong Customs & Excise; HMRC= HM Revenue and Customs; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; SC= Singapore Customs; SFO = UK Serious Fraud Office.]

Date of Release	Subject
04-01-17	(F) Xiamen Customs Seizes Wolf Skin Inward as "Gift with Local Specialty" (China Customs)
04-02-17	(F) Shantou Customs Seizes 96-Ton Illicit Used Clothing (China Customs)
04-03-17	(F) Kashgar Customs Destroys 103-ton Smuggled Goods (China Customs) California CEO pleads guilty in Houston to trafficking in counterfeit labels and packaging (DOJ, ICE, FDA)
04-05-17	(F) 2,185 cartons and 2,250 packets of duty-unpaid cigarettes seized (SC, Singapore Imm. & Checkpoints Auth)
04-10-17	(F) Dover cigarette smuggler floored by jail term (HMRC, UK Border Force)
04-11-17	Charleston CBP Seizes \$1.1 Million in Cell Phone Accessories (CBP) CBP reports a significant spike in counterfeit merchandise seized in Puerto Rico (CBP, ICE) CBP Releases Statistics on Electronic Device Searches (CBP)
04-14-17	(F) Syndicate busted for involvement in the sales of counterfeit mobile phones (SC, Singapore Police) The Middleby Corporation and Viking Range LLC, Provisional Acceptance of a Settlement Agreement and Order (Civil penalty of \$4,650,000) [CPSC Docket No. 17-C0003] (CPSC)
04-19-17	ICE HSI and Boston Public Library return cultural artifacts to Italy (ICE, DOD, Italian Carabinieri, CBP, Boston)
04-10-17	(F) Tobacco, drugs and knives smuggler jailed (HMRC, Border Force)
04-21-17	(F) Croissant gang's flaky plan stubbed out (HMRC) Chinese National Pleads Guilty to Attempting to Illegally Export High-Grade Carbon Fiber to China (DOJ, ICE, BIS, DoD)
04-24-17	U.S. Customs and Border Protection Seizes Prohibited Yak Meat, Dung Pods, and Seeds at JFK (CBP, APHIS) Brownsville Port of Entry CBP Agriculture Specialist Intercepts First in Port Pest in Eucalyptus Branches (CBP, APHIS)
04/27/17	4 Arizona residents receive lengthy prison terms for exporting firearms and ammunition to Hong Kong (DOJ, ICE, ATF, CBP, USPIS, HKCE, HK Police, HK Prosecutors) Bay Area Residents Charged In Scheme To Export Components For Production Of Night Vision Rifle Scopes (DOJ, FBI, IRS, BIS) Singapore Man Sentenced to 40 Months in Prison for Plot Involving Exports to Iran of U.S. Components (DOJ, BIS, ICE, FBI, DoD, CBP, DDTC, OFAC, Singapore and Indonesia)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

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

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

Publications, Alerts, Newsletters

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

Subject
International Trade, Tax and Anti-corruption
Global International Trade Compliance Update – April 2017 {older issues}
Kyiv Tax & Customs Client Alert: Ukraine Completes Ratification Procedures for the Ukraine-Luxembourg Tax Convention (Eng.); Україна завершила процедуру ратифікації конвенції про уникнення подвійного оподаткування з Люксембургом (Ukr.); Украина завершила процедуру ратификации конвенции об избежании двойного налогообложения с Люксембургом (Rus.)
Kyiv Employment and Migration Client Alert: Typical Anti-Corruption Program for Legal Entity is approved (Eng.); Затверджено Типову антикорупційну програму юридичної особи (Ukr.); Утверждена Типовая антикоррупционная программа юридического лица (Rus.)
Other areas
Global Information Technology & Communications Industry & Practice Group LegalBytes April 2017
Vietnam Renewable Energy Client Alert: Vietnam's Long-Awaited Policy for Solar Power Adopted, but a Number of Issues Unresolved
Vietnam Antitrust and Competition Client Alert – Draft New Competition Law of Vietnam
Turkey (Esin Partnership) Legal Alert: Turkey Ratifies the MEDICRIME Convention
EMEA Healthcare Industry Group Newsletter - April 2017
Kyiv Banking and Finance Client Alert: Voluntary Financial Restructuring Now Possible in Ukraine (Eng.); Добровільна фінансова реструктуризація стала можливою в Україні (Ukr.); Добровольная финансовая реструктуризация стала возможной в Украине (Rus.)

Webinars, Meetings, Seminars, Etc.



A New World Order in Global Trade?

We are pleased to invite you to our inaugural Global Trade Conference in Bellevue, WA. The conference will be held on Thursday, May 25 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 regulation and policy agenda, Brexit, export controls and trade sanctions as well as specific developments in Russia and Brazil. The full agenda for the program is below.

This event is complimentary, but registration is required. If you or a colleague would like to attend please register by no later than Thursday, May 11, 2017.

We look forward to your participation!

About this event

Date: May 25, 2017

Location:
The Bellevue Club
11200 SE 6th St.
Bellevue, WA 98004

Time: 8:30 am - 4:45 pm

Questions?
Liz Rittinger
Sr. Business Development
Coordinator
Tel: +1 415 984 3853

REGISTER

Agenda

Time:	Description:
8:30 am – 9:00 am	Registration/Light Breakfast
9:00 am – 11:00 am	The Changing Face of World Trade: A View From the US, Mexico, Canada and China
11:00 am – 11:15 am	Break
11:15 am – 12:30 pm	Brexit and How to Prepare
12:30 pm – 1:30 pm	Lunch and Break
1:30 pm – 3:00 pm	Recent Developments in US Export Controls and Sanctions
3:00 pm – 3:15 pm	Break
3:15 pm – 4:45 pm	Recent Developments in Trade in Russia and Brazil

Speakers

Paul Burns
Canada | +1 416 865 6912 | Paul.Burns@bakermckenzie.com

Alexander Bychkov
Russia | +7 495 7872715 | Alexander.Bychkov@bakermckenzie.com

Teresa Gleason
USA | +1 202 452 7030 | Teresa.Gleason@bakermckenzie.com

Adriana Ibarra-Fernandez
Mexico | +52 55 5279 2947 | Adriana.Ibarra-Fernandez@bakermckenzie.com

Eugene Lim
Singapore | +65 6434 2633 | Eugene.Lim@bakermckenzie.com

Alessandra Machado
Brazil | + 55 11 3048 6812 | Alessandra.Machado@trenchrossi.com

John McKenzie
USA | +1 415 576 3033 | John.McKenzie@bakermckenzie.com

Jennifer Revis
UK | +44 20 7919 1381 | Jenny.Revis@bakermckenzie.com

Alison Stafford Powell
USA | +1 650 856 5531 | Alison.Stafford-Powell@bakermckenzie.com



2017 Global Trade & Commercial Compliance Update:

Covering the US, Latin America, the European Union, Canada, and Asia Pacific

Baker McKenzie lawyers from around the world will come together in Chicago to present on recent global trade and commercial compliance updates. Mark your calendars for this year's full-day conference, which will be held on Tuesday, **May 23, 2017** at the Chicago office of Baker McKenzie.

Register by clicking on the "Register now" button on the right and completing the form. The conference is complimentary, but registration is required.

Confirmation emails will be sent several weeks prior to the event. [Click here](#) for additional details regarding this invitation.

Register now

About this event

Location:

Baker McKenzie
300 E. Randolph Street, 50th Floor
Chicago, Illinois 60601

Add to Outlook Calendar

CLE credit will be available.

Questions:

Jen Weiner
Marketing & BD Specialist
jennifer.weiner@bakermckenzie.com

2017 Global Trade and Supply Chain Webinar Series

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

We are very pleased to announce our 14th annual, **Global Trade and Supply Chain Webinar Series** entitled, **"2017: Beginning of a New Era in Global Trade and Business?"**. The series will include 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, we will also cover data privacy and intellectual property in the supply chain.

This year, we are very excited to expand our usual program to launch our *Customs Academy*, which will feature 6 "Customs 101" webinars ([indicated in green](#)). 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 Washington, DC office and Head of the Firm's Global Customs Focus Group, and Jenny Revis, Of Counsel in the London office, will

Webinar Start Time:

08:00 AM (Pacific)
10:00 AM (Central)
11:00 AM (Eastern)

*see timeanddate.com for time in your location.

Duration:

90 Minutes

Login Details:

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

Focus Group Head:

Teresa A. Gleason
Head, Global Customs Focus Group
(Washington, DC)
Tel: +1 202 452 7030
teresa.gleason@bakermckenzie.com

These webinars area all complimentary.

REGISTER NOW

moderate these webinars and be joined by experts from across our global network.

All webinars will begin at 11:00 AM Eastern (US) and are scheduled to run approximately 90 minutes. If you reside in a different time zone and wish to verify your time - please click on the following link: www.timeanddate.com. If you miss any webinars, they will be available at the links below about two-three weeks after the presentation. (Blue links below mean they are available for viewing.)

Webinar Dates and Topics:

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

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

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

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

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

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

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

Speakers: Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)

May 23 [Impact on Sanctions: Trump Administration's Effects on US, EU, and Russian Sanctions](#)

Speakers: Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)

June 27 [Customs Basic: Determining the Origin of Your Products](#)

Speakers: Terrie Gleason (Washington, DC), Daniel Lund (London), and Adriana Ibarra-Fernandez (Mexico City)

July 25 [Major Developments in Data Privacy Laws – US, Canada and EU](#)

Speakers: Brian Hengesbaugh (Chicago), Theo Ling (Toronto), Dean Dolan (Toronto), Dyann Heward-Mills (London), Michael Egan (Washington, DC)

August 22 [Customs Basic: Reducing your Duty Liability Through the Use of Customs Procedures](#)

Speakers: Gooike van Slooten (Amsterdam), Paul Amberg (Chicago), Manuel Padron (Juarez), and Panya Sittsakonsin (Bangkok)

September 26 [Intellectual Property Considerations and Issues in Your Supply Chain](#)

Speakers: Joyce Smith (San Francisco) and Gary Shapiro (San Francisco)

October 24 [Customs Basic: What You Need to Know about Customs in the EU, Russia and China](#)

Questions:

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

Sal Gonzalez

Business Development Specialist

Tel: +1 202 835 1661

sal.gonzalez@bakermckenzie.com

MCLE Credit:

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

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



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

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

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

Interested in learning more?



Speakers: Mariacristina Scarpa and Giulia Bettarini (Milan), Alexander Brychov and Vladimir Efremov (Moscow), and Frank Pan (Shanghai)

November 28 Major Developments in FCPA/Anti-Bribery Regulation

Speakers: John McKenzie (San Francisco), Mini vandePol (Hong Kong), and Peter Tomczak (Chicago)

December 19 Customs Basic: What You Need to Know about Customs in the US, Mexico and Brazil

Speakers: Alejandro Martinez-Galindo (Guadalajara), Alessandra S. Machado (Sao Paulo), Meredith DeMent (Washington, DC), and Meghan Hamilton (Chicago)



2016 International Trade Compliance Webinar Series

Our 13th annual, International Trade Compliance Webinar Series entitled, [“TPP and New Developments in Global Trade”](#) had several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA. All webinars ran approximately 90 minutes. If you missed a webinar, wish to see it again or want to download a presentation, you may do so at [this new link](#) or by clicking the blue title below which indicates the material has been posted. Due to a redesign of our website, previous links are no longer valid.

Recorded Webinars:

Date	Topic
Presented January 26	Overview of the Trans-Pacific Partnership (TPP) Speakers: Frederick Burke (Ho Chi Minh City), Miguel Noyola (Chicago), Eugene Lim (Singapore), and Elizabeth Nightingale (Kuala Lumpur).
Presented February 16	The Trans-Pacific Partnership (TPP) and Labor and Environment Speakers: Frederick Burke (Ho Chi Minh City) and Thuy Hang Nguyen (Ho Chi Minh City).
Presented March 29	Customs Considerations in Free Trade Agreements, Including TPP and NAFTA Speakers: Adriana Ibarra (Mexico City), Stuart Seidel (Washington, DC), and Meredith DeMent (Washington, DC).
Presented April 19	The Latest on Trade Sanctions: Iran, Russia, and Other Developments Speakers: Steven Hill (Washington, DC), Philippe Reich (Zurich), Alexander Bychkov (Moscow), and Ben Smith (London).
Presented May 24	Cuba Sanctions Developments and Updates Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt).
Presented June 21 1	FCPA Considerations Arising in Import/Export Operations Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).
Presented July 26	Update on Customs Valuation Issues Around the World – Transfer Pricing, First Sale, Royalties Speakers: Paul Burns (Toronto), Nicole Looks (Frankfurt), Jennifer Revis (London), and Eugene Lim (Singapore).

Practice Group Co-Chair: Teresa A. Gleason, Co-Chair, Global Customs and FTA Practice (Washington, DC), Tel: +1 202 452 7030, teresa.gleason@bakermckenzie.com

Questions: If you have any questions regarding this webinar series, please contact: **Sal Gonzalez**, Business Development Specialist, Tel: +1 202 835 1661 or sal.gonzalez@bakermckenzie.com.

MCLE Credit:

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



Certificates.

Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This nontransitional program is not appropriate for newly admitted New York attorneys. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE. *Pending* - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.

WTO TBT Notifications

Member countries of the World Trade Organization (WTO) are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. This chart summarizes notifications in English posted by the WTO during the past month. If you are interested in obtaining copies of any of these notifications, please contact 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/318	03/21/2017	Not given	Medicinal preparations for human use
 Argentina	ARG/319	03/22/2017	Not given	Machines for the production of tablets and capsules
 Bahrain, Kingdom of	BHR/473	04/06/2017	06/05/2017	Canned pacific salmon
 Bahrain, Kingdom of	BHR/474	04/11/2017	06/10/2017	Food plants and their personnel
 Bahrain, Kingdom of	BHR/476	04/26/2017	06/25/2017	Cosmetics and personal care products
 Bahrain, Kingdom of	BHR/475	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 Brazil	BRA/375/Add.5	04/10/2017	Not given	Pencil sharpeners (HS 8214.10); backpacks and briefcases (HS 4202); drawing sets (HS 9017); Ball point pens; felt tipped and other porous -tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylos; propelling or sliding pencils (HS 9608); student rubber (HS 4016); child scissors (HS 8214); student glue (HS 3505) and others school items
 Brazil	BRA/709	04/12/2017	04/26/2017	LED Lamps
 Brazil	BRA/710	04/18/2017	04/27/2017	Tobacco Products
 Brazil	BRA/711	04/18/2017	05/29/2017	Hair products
 Brazil	BRA/712	04/18/2017	05/29/2017	Dental products
 Brazil	BRA/713	04/18/2017	05/29/2017	Cosmetics products
 Brazil	BRA/680/Add.1	04/20/2017	Not given	Mercury thermometers and sphygmomanometers (HS 9025)
 Canada	CAN/503/Add.1	04/12/2017	Not given	Tobacco products: Cigarettes, little cigars, cigars and blunt wraps (HS 2402)
 Canada	CAN/521	04/25/2017	6/1/2017	Motor vehicles

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Chile	CHL/304/Add.1	03/29/2017	Not given	Televisions
 Chile	CHL/305/Add.1	03/29/2017	Not given	Clothes dryers
 Chile	CHL/306/Add.1	03/29/2017	Not given	Dishwashers
 Chile	CHL/394	03/27/2017	05/26/2017	Food for human consumption
 Chile	CHL/395	03/29/2017	05/28/2017	Motorcycles
 Chile	CHL/396	03/31/2017	05/30/2017	Hybrid and electric vehicles
 China	CHN/1199	04/12/2017	06/11/2017	Food
 Ecuador	ECU/32/Add.13	04/04/2017	Not given	Motor vehicles (HS 9900)
 Ecuador	ECU/54/Add.7	03/31/2017	Not given	Three-wheeled motor vehicles (HS 8711, 8714)
 Ecuador	ECU/132/Add.3	03/28/2017	Not given	Electric accumulators (HS 8507.10.00, 8507.20.00, 8507.30.00, 8507.40.00, 8507.50.00, 8507.50.00, 8507.60.00, 8507.60.00, 8507.80.00 and 8507.80.00)
 Ecuador	ECU/177/Add.5	03/31/2017	Not given	Motorcycles (HS 8711, 8711.10.00, 8711.10.00.10, 8711.10.00.90, 8711.20.00, 8711.20.00.10, 8711.20.00.90, 8711.30.00, 8711.30.00.10, 8711.30.00.90, 8711.40.00, 8711.40.00.10, 8711.40.00.90, 8711.50.00, 8711.50.00.10, 8711.50.00.90, 8711.90.00, 8711.90.00.10 and 8711.90.00.90)
 Ecuador	ECU/206/Add.2	03/29/2017	Not given	Oil filters, diesel and petrol filters, and intake air filters for internal combustion engines (HS 8421.23.00.10, 8421.23.00.90 and 8421.31.00.00)
 Ecuador	ECU/332	03/22/2017	04/17/2017	Hygiene products (HS 3402.13.10.00)
 Ecuador	ECU/333	03/22/2017	04/17/2017	Processed foods (HS 0406.10.00.00)
 European Union	EU/468	03/31/2017	05/30/2017	In vitro diagnostic medical devices
 European Union	EU/469	03/31/2017	05/30/2017	Beta-cypermethrin (pesticide active substance).
 European Union	EU/470	03/31/2017	05/30/2017	Vehicles (category M 1 or N 1 defined in Annex IIA to Directive 70/156/EEC, and three wheel motor vehicles as defined in Directive 92/61/EEC, but excluding motor tricycles).
 European Union	EU/471	04/04/2017	06/03/2017	Flupyr-sulfuron-methyl (DPX KE 459) (pesticide active substance)
 European Union	EU/472	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/473	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/474	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/475	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/476	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/477	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/478	04/13/2017	06/12/2017	Biocidal products
 European Union	EU/479	04/13/2017	06/12/2017	Biocidal products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 European Union	EU/471/Corr.1	04/25/2017	Not given	Flupyr-sulfuron-methyl (DPX KE 459) (pesticide active substance)
 Finland	FIN/54	04/04/2017	06/03/2017	Construction products
 India	IND/58	04/12/2017	06/01/2017	Gazette notification concerning Indian Language Support for Mobile Phone Handsets as per IS 16333 (Part 3) to the Schedule of "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012".
 Indonesia	IDN/114	04/06/2017	06/05/2017	Electric Motor 2 Phase with capacity: 1. 0.375 kW to = 0.75 kW (HS 8501.51) 2. > 0,75 kW to = 0.75 kW (HS 8501.52). -- Of an output not exceeding 750 W (HS 8501.51), -- Of an output exceeding 750 W but not exceeding 75 kW (HS 8501.52).
 Indonesia	IDN/115	04/06/2017	06/05/2017	Refrigerator devices (HS 8418.10.10.10 (8418.10.11); Ex. HS 8418.10.10.90 (Ex 8418.10.19); HS 8418.21.00.10 (8418.21.10); Ex. HS 8418.21.00.90 (ex 8418.21.90))
 Indonesia	IDN/116	04/06/2017	06/05/2017	Cellular telephone, computer handheld and tablet (Ex. 8517.12.00.00 - cellular telephone; 8471.30.10.00 - handheld; Ex. 8471.30.90.00 - computer tablet - Portable digital automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display (HS 847130))
 Israel	ISR/946	04/12/2017	05/15/2017	Foodstuffs (HS: Section I to IV - Chapters 1 to 24)
 Italy	ITA/29	04/20/2017	07/03/2017	Food products
 Japan	JPN/553	04/18/2017	06/17/2017	Passenger vehicles with a capacity of 10 passengers or less (except passenger vehicles with a capacity of 10 passengers and weight of more than 3.5 tonnes) and commercial vehicles weight of 3.5 tonnes or less, whose fuel efficiencies are worked out on WLTP (Worldwide Harmonized Light Vehicles Test Procedure which was established in the United Nations) mode by Minister of Land, Infrastructure, Transport and Tourism.
 Japan	JPN/554	04/24/2017	06/23/2017	Digital Codeless Phone System
 Japan	JPN/555	04/24/2017	06/23/2017	920 MHz band radio system
 Kenya	KEN/556	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/557	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/558	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/559	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/560	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/561	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/562	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/563	03/31/2017	05/10/2017	Alcoholic beverages

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Kenya	KEN/564	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/565	03/31/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/566	04/05/2017	05/06/2017	Transport of dangerous goods
 Kenya	KEN/567	04/05/2017	05/10/2017	Alcoholic beverages
 Kenya	KEN/568	04/05/2017	05/10/2017	Textile fabrics
 Kenya	KEN/569	04/10/2017	05/17/2017	Insulating materials in general
 Kenya	KEN/570	04/10/2017	05/20/2017	Transport in general
 Kenya	KEN/571	04/10/2017	05/15/2017	Dried meat
 Kenya	KEN/572	04/10/2017	05/15/2017	Rabbit meat
 Kenya	KEN/573	04/10/2017	05/15/2017	Pork
 Korea, Republic of	KOR/710	04/11/2017	06/10/2017	Motor Vehicles
 Korea, Republic of	KOR/711	04/12/2017	05/02/2017	Cosmetics
 Korea, Republic of	KOR/712	04/12/2017	05/02/2017	Cosmetics
 Korea, Republic of	KOR/713	04/12/2017	06/11/2017	Biological Products
 Korea, Republic of	KOR/714	04/18/2017	06/17/2017	Livestock products
 Korea, Republic of	KOR/715	04/18/2017	05/08/2017	Cosmetics
 Kuwait	KWT/355	04/06/2017	06/05/2017	Canned pacific salmon
 Kuwait	KWT/356	04/11/2017	06/10/2017	Food plants and their personnel
 Kuwait	KWT/358	04/26/2017	06/25/2017	Cosmetics and personal care products
 Kuwait	KWT/357	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 Mexico	MEX/181/Add.4	03/29/2017	Not given	Respirators
 Mexico	MEX/10/Add.2	04/05/2017	Not given	Data message storage
 Mexico	MEX/300/Add.6	04/05/2017	Not given	Petroleum products (headings 27.01 to 2901.10)
 Mexico	MEX/307/Add.1	04/11/2017	Not given	Denatured ethyl alcohol (HS 22072001)
 Mexico	MEX/316/Add.3	04/05/2017	Not given	Petrochemicals (heading 27.11)
 Mexico	MEX/203/Add.4	04/18/2017	Not given	Lamps
 Oman	OMN/297	04/04/2017	06/03/2017	Self-balancing scooters
 Oman	OMN/298	04/06/2017	06/05/2017	Canned pacific salmon
 Oman	OMN/299	04/11/2017	06/10/2017	Food plants and their personnel
 Oman	OMN/301	04/26/2017	06/25/2017	Cosmetics and personal care products
 Oman	OMN/300	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 Paraguay	PRY/90	04/10/2017	Not given	Mobile cellular telephones (MERCOSUR Nomenclature (NCM): 8517.12.3 (Of telephones for cellular networks, other than satellite), 8517.12.31 (Portable), 8517.70.99 (Parts and accessories for cellular telephones), 8517.70.10 (Motherboards for cellular telephones))

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Paraguay	PRY/91	04/10/2017	Not given	Plastic bags and biodegradable bags
 Philippines	PHL/197	04/24/2017	Not given	Cement
 Qatar	QAT/471	04/06/2017	06/05/2017	Canned pacific salmon
 Qatar	QAT/472	04/11/2017	06/10/2017	Food plants and their personnel
 Qatar	QAT/474	04/26/2017	06/25/2017	Cosmetics and personal care products
 Qatar	QAT/473	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 Russian Federation	RUS/83	04/20/2017	06/19/2017	Pipelines with nominal diameter of more than 25 mm and maximum allowable operating pressure of above 0.05 MPa.
 Rwanda	RWA/50	04/13/2017	04/23/2017	Food processing machinery
 Rwanda	RWA/51	04/13/2017	04/23/2017	Alcoholic beverages
 Rwanda	RWA/52	04/13/2017	04/23/2017	Alcoholic beverages
 Rwanda	RWA/53	04/13/2017	04/23/2017	Ground cassava leaves mix
 Rwanda	RWA/54	04/13/2017	04/23/2017	Alcoholic beverages
 Rwanda	RWA/55	04/18/2017	04/23/2017	Public buildings
 Saudi Arabia	SAU/975	04/04/2017	06/03/2017	Plugs And Socket-Outlets
 Saudi Arabia	SAU/976	04/06/2017	06/05/2017	Canned pacific salmon
 Saudi Arabia	SAU/977	04/11/2017	06/10/2017	Food plants and their personnel
 Saudi Arabia	SAU/979	04/26/2017	06/25/2017	Cosmetics and personal care products
 Saudi Arabia	SAU/978	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 South Africa	ZAF/216	04/12/2017	06/11/2017	All goods and packages containing genetically modified organisms or ingredients or components
 South Africa	ZAF/217	04/12/2017	06/11/2017	Fresh fruit
 Taiwan Economy	TPKM/258/Add. 1	03/31/2017	Not given	40 items of electrical products
 Taiwan Economy	TPKM/259/Add. 1	04/04/2017	Not given	Drinking water supplier (CCCN 8418.69.90.00.9A, 8516.10.00.00.9D). Other refrigerating or freezing equipment (HS: 841869). Electric instantaneous or storage water heaters and immersion heaters (HS: 851610) HS 841869, 851610
 Taiwan Economy	TPKM/267	04/13/2017	06/12/2017	Consumer chemical products
 Taiwan Economy	TPKM/268	04/13/2017	06/12/2017	Tractors (other than tractors of heading 87.09). (HS 8701), Motor vehicles for the transport of ten or more persons, including the driver. (HS 8702), Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars. (HS 8703), Motor vehicles for the transport of goods. (HS 8704), Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries (wreckers), crane lorries (mobile cranes), fire fighting vehicles, concrete

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				mixer lorries (concrete-mixers), road sweeper lorries (road sweepers), spraying lorries (spraying vehicles), mobile workshops, mobile radiological units). (HS 8705), Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars. (HS 8711).
 Taiwan Economy	TPKM/269	04/18/2017	06/17/2017	Medical Devices
 Taiwan Economy	TPKM/261/Add.1	04/21/2017	Not given	7 items of electrical and electronic products (HS Chapter 85)
 Taiwan Economy	TPKM/270	04/19/2017	06/18/2017	Toys for children under 14 years of age
 Thailand	THA/1/Rev.1/ Add.2/Corr.1	04/05/2017	Not given	Food labelling (HS 4821)
 Thailand	THA/471/Rev.2	04/21/2017	Not given	Infant and young child food (HS 0401, 0402)
 Turkey	TUR/87	04/05/2017	05/20/2017	Food additives permitted for use in foods
 Uganda	UGA/626	03/31/2017	05/30/2017	Disinfectants (HS 380840)
 Uganda	UGA/627	03/31/2017	05/30/2017	Disinfectants (HS 380840)
 Uganda	UGA/628	04/04/2017	06/03/2017	Sodium bicarbonate - Sodium hydrogencarbonate (sodium bicarbonate) (HS 283630)
 Uganda	UGA/530/Add.1	04/18/2017	Not given	Sesame seeds (HS 12)
 Uganda	UGA/532/Add.1	04/18/2017	Not given	Shea nut
 Uganda	UGA/533/Add.1	04/18/2017	Not given	Shea butter
 Uganda	UGA/534/Add.1	04/18/2017	Not given	Steel nails. Pins, nails
 Uganda	UGA/535/Add.1	04/18/2017	Not given	Domestic biogas stoves (HS 7321)
 Uganda	UGA/536/Add.1	04/18/2017	Not given	Domestic biogas lamps (HS 851310)
 Uganda	UGA/537/Add.1	04/18/2017	Not given	Petroleum jelly (HS 271210)
 Uganda	UGA/613/Corr.1	04/18/2017	Not given	Egg powder
 Uganda	UGA/629	04/18/2017	04/17/2017	Dried insect products, animal feeds (HS 2309)
 Uganda	UGA/630	04/18/2017	06/17/2017	Volatile Organic Liquids (HS 29)
 Uganda	UGA/631	04/18/2017	06/17/2017	Disinfectants (HS 380840)
 Uganda	UGA/632	04/18/2017	06/17/2017	Electricity meters (HS 902830)
 Uganda	UGA/633	04/18/2017	06/17/2017	Bare foil for Food Packaging (HS 760120)
 Uganda	UGA/634	04/19/2017	06/18/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/635	04/19/2017	06/18/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/636	04/19/2017	06/18/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/637	04/19/2017	06/18/2017	Denatured Ethanol
 Uganda	UGA/638	04/19/2017	06/18/2017	Adhesives

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/639	04/19/2017	06/18/2017	Preparations for the treatment of textile materials, leather, furskins or other materials (HS 340311), Preparations for the treatment of textile materials, leather, furskins or other materials (HS 340391)
 Uganda	UGA/643	04/25/2017	06/24/2017	Surface polish. Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles, modelling pastes, "dental waxes" and dental preparations with a basis of plaster (HS 34)
 Uganda	UGA/644	04/25/2017	06/24/2017	Gasoline, volatile crude oil
 Uganda	UGA/645	04/25/2017	06/24/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/646	04/25/2017	06/24/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/647	04/25/2017	06/24/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/648	04/25/2017	06/24/2017	Petroleum products in general
 Uganda	UGA/649	04/25/2017	06/24/2017	Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments (HS 9025)
 Uganda	UGA/650	04/25/2017	06/24/2017	Petroleum oils and oils obtained from bituminous minerals, crude (HS 2709)
 Uganda	UGA/651	04/25/2017	06/24/2017	Petroleum oils and oils obtained from bituminous minerals, crude. (HS 2709)
 United Arab Emirates	ARE/359	04/06/2017	06/05/2017	Canned pacific salmon
 United Arab Emirates	ARE/360	04/11/2017	06/10/2017	Food plants and their personnel
 United Arab Emirates	ARE/362	04/26/2017	06/25/2017	Cosmetics and personal care products
 United Arab Emirates	ARE/361	04/24/2017	06/23/2017	Lubricants, industrial oils and related products
 United States	USA/1235/Add.1	04/04/2017	Not given	Shelled walnuts (HS 08023)
 United States	USA/1266/Add.1	04/04/2017	Not given	Finished smokeless tobacco products (HS 24)
 United States	USA/1026/Add.1	04/06/2017	Not given	Infant bath tubs
 United States	USA/1091/Add.1	04/07/2017	Not given	Amusement devices
 United States	USA/1109/Add.2	04/07/2017	Not given	Fire prevention code
 United States	USA/1110/Add.2	04/07/2017	Not given	Industrial building safety
 United States	USA/1111/Add.2	04/07/2017	Not given	Amusement devices
 United States	USA/1187/Add.1	04/07/2017	Not given	Hazardous materials
 United States	USA/1252/Add.1	04/05/2017	Not given	Wood burning appliances
 United States	USA/1280	04/05/2017	04/17/2017	Non-rechargeable lithium batteries
 United States	USA/1281	04/05/2017	Not given	Continuous glucose monitor secondary display
 United States	USA/1282	04/05/2017	Not given	Vibratory counter-stimulation device
 United States	USA/1283	04/06/2017	04/24/2017	Autonomous vehicles
 United States	USA/1107/Add.2	04/10/2017	Not given	Building codes

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1284	04/12/2017	07/05/2017	Outboard engines
 United States	USA/1285	04/12/2017	06/21/2017	Infant inclined sleep products
 United States	USA/1253/Add.1	04/12/2017	Not given	Underhung slung (jump) saws
 United States	USA/1261/Add.1	04/19/2017	Not given	Pipes, fittings, fixtures (HS 3917)
 United States	USA/1273/Add.1	04/19/2017	Not given	Fireworks (HS 3604)
 United States	USA/1286	04/19/2017	05/01/2017	Plumbing
 United States	USA/1287	04/19/2017	06/05/2017	Cosmetics
 United States	USA/1284/Add.1	04/18/2017	Not given	Outboard engines
 United States	USA/1274/Add.1	04/20/2017	Not given	Malt beverages (HS 2203)
 Yemen	YEM/75	04/06/2017	06/05/2017	Canned pacific salmon
 Yemen	YEM/76	04/11/2017	06/10/2017	Food plants and their personnel
 Yemen	YEM/78	04/26/2017	06/25/2017	Cosmetics and personal care products
 Yemen	YEM/77	04/24/2017	06/23/2017	Lubricants, industrial oils and related products

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 Classifica- tion or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
Proposed Revocations/Modifications						
(P) 04-12-17	Tariff classification of a lanyard of glass beads	NY N034500 (M)	7018.10.50	HQ H269055	7018.90.50 [GRI 1]	(C) 05-12-17
	Tariff classification of wafer catalysts.	NY N244307 (R)	3815.12.0000	HQ H249645	7115.90.60 [GRI 1; Chap. 38 Note 1 (e); Chap. 71 Notes 1(b),4(b)]	
	Tariff classification of football girdles and pants.	NY N007196 (R) NY N052472 (R) NY M80510 (M)	9506.99.2000	HQ H274971	6114.30.30 [GRI 1; Section XI Note 1(t); Chap. 95 Note 1(e) ; ENs ; Ct. Cases]	

Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classifica- tion or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
	NAFTA eligibility of cer- tain liquid sugar products	NY N271090 (M)	2106.90.9997 Not NAFTA eligible	HQ H281296	NAFTA eligible – Marking: Canada	
		NY N271047 (M)	1702.90.9000 NAFTA eligible	HQ H282979	Not NAFTA eligible	
	Tariff classification of sleep sacks	NY N012720 (R) NY H81550 (R) NY F84497 (R) NY C89291 (R) NY 817811 (R) HQ 950620 (R) HQ 089134 (R) HQ 089137 (R) HQ 088149 (R)	6302.32.2060 6302.31.9050 6302.39.0020 6302.39.0020 6302.39.0020 6302.21.2090 6302.21.2090 6302.21.2090 6302.21.2090	HQ H243928	6307.90.98 [GRI 1,6; EN to 63.02, 63.07]	
	Tariff classification of polyester flower leis	NY N048019 (R) NY N245539 (R) NY N247373 (R)	7117.90.9000	HQ H251022	6207.90.35 [GRI 1;6; Chap. 71 Note 3(g); EN 67.02]	
	Tariff classification of a plastic cartridge for an ear piercing gun	NY N261965 (M)	7116.20.0580 (if zirconium) 7117.19.9000 (if glass) [GRI 3(b) as composite]	HQ H266006	7116.20.0580 7117.19.9000 [GRI 1, 3(b) as a set not a composite good]	
	Revocations/Modifications					
(A) 04-12-17	Tariff classification of plastic water dispensers	HQ H044957 (R) HQ H044959 (R) HQ H058924 (R)	3926.90.99	HQ H278188	3924.10.40 [GRI 1]	(E) 06-12-17
	Country of origin marking of certain roasted vegeta- bles	NY N260916 (M)	Products of the US under NAFTA rules – exempt from marking	HQ H270451	Separate substantial transformation analysis for non- NAFTA “IQF” vegetables – not exempt and NAFTA vegetables are Mexico	

European Classification Regulations

The table below shows the Classification Regulations that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
(EU) 2017/635 30-03-17	An article in the form of an empty cylindrical cartridge made of clear plastic approximately 44 mm long and sealed with a removable plastic stopper at the lower end as a protective cap. The upper part of the cartridge is shaped like a mouthpiece and has a small hole through which vapour can be inhaled. The user fills the empty cartridge with a special liquid called ‘e-liquid’ and the cartridge is then inserted into the e-cigarette.	8543 90 00	Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 2(s) to Chapter 39, note 2(b) to Section XVI, and by the wording of CN codes 8543 , and 8543 90 00 . The user would not put an e-cigarette into the mouth without the presence of the mouthpiece and the stream of mist would not be released without activating the atomiser via the mouthpiece. Therefore, the cartridge with the specially

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	The same cartridge can be refilled and re-used for smoking between 10 and 20 times before being disposed of as waste. The mouthpiece plays the role of the filter on conventional tobacco cigarettes. When the cartridge is inserted in the e-cigarette, the user places the mouthpiece end in the mouth and inhales. This causes the atomiser in the e-cigarette to convert the liquid into a gentle stream of mist which is then released through the mouthpiece into the user's mouth. See images		shaped upper part is an essential part to the operation of the e-cigarette and not a simple container made of plastics. Classification under heading 3926 as an article of plastics is therefore excluded. According to the Harmonized System Classification Opinion 8543 70/5, a complete e-cigarette is to be classified as another electrical machine or apparatus under subheading 8543 70 . Consequently, the cartridge is to be classified under CN code 8543 90 00 as parts of electrical machines and apparatus, having individual functions, not specified or included elsewhere in that chapter.
(EU) 2017/636 30-03-17	A pair of buckles to be used as a locking mechanism for safety seat belts. Each buckle consists of a metal locking mechanism, a plastic housing, a textile strap, metal connecting elements, and an electric sensor which generates an audio signal when the vehicle safety seat belts are supposed to be, but are not, coupled. In the total composition of the product by weight, carbon steel represents 56 %, plastics 21 %, textiles 13 % and other materials 10 %. It is an element of a seat belt assembly used, for example, for seats of a motor vehicle. See image 	8308 90 00	Classification is determined by general rules 1, 3(b), 4 and 6 for the interpretation of the Combined Nomenclature, note 3 to Section XV, and by the wording of CN codes 8308 and 8308 90 00 . The product has the objective characteristics of a buckle as it works as a locking mechanism. Classification under heading 8301 as a lock of base metal is excluded as the product is neither a fastening device operated by a key nor controlled by a combination of letters or figures nor an electrically operated lock (see also the Harmonized System Explanatory Notes to heading 8301). Classification under heading 8302 as base-metal mountings, fittings and similar articles suitable for coachwork is excluded as the article is not a part of the body of the car, but a part of the safety seat belt assembly. Classification under heading 8708 as a part of safety seat belt is also excluded, as that heading only covers safety seat belts of vehicles of headings 8701 to 8705 but not parts thereof. Classification under subheading 8708 21 as incomplete safety seat belts is also excluded as the product represents only one of the elements of a complete seat belt (consisting of five main parts: buckles, retractors, anchors, webbing and latch-plates) and it thus does not have, as presented, the essential character of a complete or finished article. The product, which is not, based on its objective properties and characteristics, classifiable under a specific heading, is nevertheless by its objective characteristics and properties most akin to buckles of heading 8308 . It is therefore to be classified under CN code 8308 90 00 as buckles of base metal.

Amendments to the CN Explanatory Notes

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

Official Journal	CN code / page	Description of Articles
2017/C 111/04	9608 Pg. 387	9608 30 00 - Fountain pens, stylograph pens and other pens – New text added regarding “touch pens”
2017/C 111/05	9021 Pg 372	9021 10 10 – New text on Orthopaedic appliances added with illustrations

Section 337 Actions

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

Inv. №	Commodity	Action
337-TA-977	Certain Arrowheads With Deploying Blades and Components Thereof and Packaging Therefor	Final Commission Determination of Violation; Issuance of a General Exclusion Order and a Cease and Desist Order; and Termination of the Investigation
337-TA-988	Certain Pumping Bras	Issuance of a General Exclusion Order; Termination of the Investigation
337-TA-1002	Certain Carbon and Alloy Steel Products	Commission Determination With Respect to the Procedure for the April 20, 2017, Oral Argument
337-TA-1002	Certain Carbon and Alloy Steel Products	Commission Determination to Reset the Time for the Beginning of the April 20, 2017, Oral Argument
337-TA-1046	Certain Non-Volatile Memory Devices and Products Containing Same	Institution of an investigation based on a petition filed on behalf of Macronix International Co., Ltd. and Macronix America, Inc. alleging patent infringement
337-TA-1047	Certain Semiconductor Devices and Consumer Audiovisual Products Containing the Same	Institution of an investigation based on a petition filed on behalf of Broadcom Corporation alleging patent infringement
337-TA-1048	Certain Intravascular Administration Sets and Components Thereof	Institution of an investigation based on a petition filed on behalf of Curlin Medical Inc.; ZEVEX, Inc.; and Moog Inc. alleging patent infringement
337-TA-1049	Certain Digital Cable and Satellite Products, Set-Top Boxes, Gateways and Components Thereof	Institution of an investigation based on a petition filed on behalf of Sony Corporation of Japan and Sony Electronics Inc. alleging patent infringement
337-TA-1050	Certain Dental Ceramics, Products Thereof, and Methods of Making the Same	Institution of an investigation based on a petition filed on behalf of Ivoclar Vivadent AG; Ivoclar Vivadent, Inc.; and Ardent, Inc. alleging patent infringement

In addition to the above actions, the ITC has published notices indicating that it has received complaints filed on behalf of the following companies alleging violations of §337 with regard to the listed commodities and soliciting comments on any public interest issues raised by the complaints:

Ref. №	Commodity	Complaint filed on behalf of:
DN 3211	Certain Two-Way Radio Equipment and Systems, Related Software and Components Thereof	Motorola Solutions, Inc.
DN 3212	Certain Height-Adjustable Desk Platforms and Components Thereof	Varidesk LLC
DN 3214	Certain Collapsible Sockets for Mobile Electronic Devices and Components Thereof	PopSockets LLC
DN 3216	Certain Robotic Vacuum Cleaning Devices and Components Thereof Such as Spare Parts	iRobot Corporation

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 or reference number 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-570-042	Stainless Steel Sheet and Strip From China	ADD Order
C-570-043	Stainless Steel Sheet and Strip From China	CVD Order
A-570-053	Certain Aluminum Foil From China	Notice of Initiation of Inquiry Into the Status of the People's Republic of China as a Nonmarket Economy Country Under the AD and CVD Laws [Docket No.: 170328324-7324-01]
C-580-888	Certain Carbon and Alloy Steel Cut-To- Length Plate From S. Korea	Final Affirmative CVD Determination and Final Negative Critical Circumstances Determination
A-570-912	Certain New Pneumatic Off-the-Road Tires From China	Notice of Partial Rescission of the Antidumping Duty Administrative Review; 2015-2016
A-602-810 A-351-850 A-403-805	Silicon Metal From Australia, Brazil and Norway	Initiation of LTFV Investigations
C-351-851 C-602-811 C-834-808	Silicon Metal From Australia, Brazil, and Kazakhstan	Initiation of CVD Investigations
A-475-834	Certain Carbon and Alloy Steel Cut-to-Length Plate From Italy	Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances
A-588-875	Certain Carbon and Alloy Steel Cut-to-Length Plate From Japan:	Final Determination of Sales at LTFV
A-428-844	Certain Carbon and Alloy Steel Cut-to-Length Plate From Germany	Final Determination of Sales at LTFV
A-427-828	Certain Carbon and Alloy Steel Cut-to-Length Plate From France	Final Determination of Sales at LTFV
A-433-812	Certain Carbon and Alloy Steel Cut-To-Length Plate From Austria	Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances
A-580-887	Certain Carbon and Alloy Steel Cut-To-Length Plate From S. Korea	Final Determination of Sales at LTFV and Final Negative Critical Circumstances Determination
A-423-812	Certain Carbon and Alloy Steel Cut-To-Length	Final Determination of Sales at LTFV and Final Determination of


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

Case №	Merchandise/Country	Action
	Plate From Belgium	Critical Circumstances, in Part
A-583-858	Certain Carbon and Alloy Steel Cut-To-Length Plate From Taiwan	Final Determination of Sales at LTFV and Final Negative Critical Circumstances Determination
A-583-853 A-570-010 C-570-011	Certain Crystalline Silicon Photovoltaic Products From China and From Taiwan	Final Results of Changed Circumstances Reviews, and Revocation of ADD Orders and CVD, in Part
C-533-818 C-560-806 C-580-837	Certain Cut-to-Length Carbon-Quality Steel Plate From India, Indonesia, and S. Korea	Final Results of Expedited Third Sunset Reviews of CVD Orders
A-557-813	Polyethylene Retail Carrier Bags From Malaysia	Preliminary Results of ADD Administrative Review; 2015-2016
A-549-502	Circular Welded Carbon Steel Pipes and Tubes From Thailand	Preliminary Results of ADD Administrative Review and Preliminary Finding of No Shipments; 2015-2016
A-533-808	Certain Stainless Steel Wire Rods From India	Final Results of the Expedited Fourth Sunset Review of the ADD Order
A-570-836	Glycine From China	Preliminary Results of ADD Administrative Review and Rescission of ADD Administrative Review, In Part; 2015-2016
C-489-502	Circular Welded Carbon Steel Pipes and Tubes From Turkey	Preliminary Results of CVD Administrative Review; Calendar Year 2015
A-570-964	Seamless Refined Copper Pipe and Tube From China	Notice of Court Decision Not in Harmony With the Final Results of the Antidumping Duty Administrative Review; 2012-2013
A-520-803	Polyethylene Terephthalate Film, Sheet, and Strip From the United Arab Emirates	Final Results of ADD Administrative Review; 2014-2015
A-570-849	Certain Cut-To-Length Carbon Steel Plate From China	Rescission of Antidumping Circumvention Inquiry
A-533-857	Certain Oil Country Tubular Goods From India	Notice of Court Decision Not in Harmony With Final Determination of Sales at LTFV and Final Negative Determination of Critical Circumstances and Notice of Amended Final Determination
A-570-848	Freshwater Crawfish Tail Meat From China	Final Results of ADD Administrative Review and New Shipper Review; 2014-2015
A-570-979 A-570-010	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China and Certain Crystalline Silicon Photovoltaic Products From China	ADD Orders - Final Results of Changed Circumstances
A-570-881	Malleable Cast Iron Pipe Fittings From China	Notice of Partial Rescission of the ADD Administrative Review; 2015-2016
A-580-870	Certain Oil Country Tubular Goods from S. Korea	Final Results of ADD Administrative Review; 2014-2015
A-570-898	Chlorinated Isocyanurates From China	Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results
C-533-844	Certain Lined Paper Products From India	Final Results of CVD Administrative Review; 2014
A-570-832	Pure Magnesium From China	Continuation of ADD Order
A-570-918	Steel Wire Garment Hangers From China	Final Results of ADD Administrative Review, 2014-2015
A-469-815	Finished Carbon Steel Flanges From Spain:	Final Determination of Sales at LTFV
C-570-913	Certain New Pneumatic Off-the-Road Tires From China	Final Results of CVD Administrative Review; 2014
C-533-858	Certain Oil Country Tubular Goods from India	Final Results of CVD Administrative Review; 2013-2014
A-122-853	Citric Acid and Certain Citrate Salts from Canada	Final Results of ADD Administrative Review; 2015-2016
A-570-044	1,1,1,2 Tetrafluoroethane (R-134a) From China	ADD Order


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

Case №	Merchandise/Country	Action
C-357-821 C-560-831	Biodiesel From Argentina and Indonesia	Initiation of CVD Investigations
A-357-820 A-560-830	Biodiesel From Argentina and Indonesia	Initiation of LTFV Investigations
A-122-857	Certain Softwood Lumber Products From Canada	Postponement of Preliminary Determination of ADD Investigation
A-570-970 C-570-971	Multilayered Wood Flooring From China	Clarification of the Scope of the AD and CVD Orders
A-583-844	Narrow Woven Ribbons With Woven Selvage From Taiwan	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2014-2015
A-552-817	Certain Oil Country Tubular Goods From Vietnam	Final Results of Administrative Review; 2014-2015
A-570-912	Certain New Pneumatic Off-the-Road Tires From China	Final Results of Administrative Review; 2014-2015
A-580-885	Phosphor Copper From S. Korea	ADD Order
A-570-900	Diamond Sawblades and Parts Thereof From China	Rescission of Antidumping Duty Administrative Review in Part; 2015-2016
A-533-817 A-560-805 A-580-836	Certain Cut-To-Length Carbon-Quality Steel Plate From India, Indonesia, and S. Korea:	Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders
C-122-854	Supercalendered Paper From Canada	Final Results of CVD Expedited Review
A-570-967 C-570-968	Aluminum Extrusions From China	Continuation of AD and CVD Orders
C-570-052	Certain Hardwood Plywood Products From China	Preliminary Affirmative CVD Determination, Preliminary Affirmative Critical Circumstances Determination, in Part, and Alignment of Final Determination with Final ADD Determination
A-822-806 A-475-836 A-580-891 A-821-824 A-791-823 A-469-816 A-489-831 A-823-816 A-520-808 A-412-826	Carbon and Alloy Steel Wire Rod From Belarus, Italy, S. Korea, the Russian Federation, South Africa, Spain, Turkey, Ukraine, United Arab Emirates, and United Kingdom	Initiation of LTFV Investigations
C-475-837 C-489-832	Carbon and Alloy Steel Wire Rod From Italy and Turkey	Initiation of CVD Investigations
A-122-857 C-122-858	Certain Softwood Lumber Products From Canada	AD and CVD Investigations: Preliminary Determinations of Critical Circumstances
A-570-909	Certain Steel Nails From China	Amended Final Results of ADD Administrative Review; 2014-2015
A-570-055	Carton-Closing Staples From China	Initiation of LTFV Investigation
A-570-001	Potassium Permanganate From China	Partial Rescission of the ADD Administrative Review
C-122-858	Certain Softwood Lumber Products From Canada	Preliminary Affirmative CVD Determination, and Alignment of Final Determination With Final ADD Determination


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-683	Fresh Garlic From China	(Fourth Review) Institution of a Five-Year Review



United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-1186-1187	Certain Stilbenic Optical Brightening Agents From China and Taiwan	(Review) Institution of Five-Year Reviews
731-TA-1185	Certain Steel Nails From the United Arab Emirates	(Review) Institution of a Five-Year Review
731-TA-638	Stainless Steel Wire Rod From India	(Fourth Review) Scheduling of an Expedited Five-Year Review
701-TA-573-574 731-TA-1349-1358	Carbon and Certain Alloy Steel Wire Rod From Belarus, Italy, Korea, Russia, South Africa, Spain, Turkey, Ukraine, United Arab Emirates, and United Kingdom	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
731-TA-847 & 849	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe from Japan and Romania	(Third Review) Scheduling of Full Five-Year Reviews
731-TA-1359	Carton Closing Staples From China	(Preliminary) Institution of ADD Investigation and Scheduling of Preliminary Phase Investigation
731-TA-1313	1,1,1,2-Tetrafluoroethane (R-134a) From China	(Final) Determination that an industry in the United States is materially injured by reason of imports, that have been found by Commerce to be sold in the US at LTFV
731-TA-696	Pure Magnesium From China	(Fourth Review) Determination that revocation of the ADD order would likely to lead continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.
731-TA-1330	Diocetyl Terephthalate (DOTP) From Korea	(Final) Correction; Scheduling of the Final Phase of an ADD Investigation
701-TA-561 731-TA-1317-1318 , 1321-1325 , 1327	Carbon and Alloy Steel Cut-to-Length Plate From Austria, Belgium, France, Germany, Italy, Japan, Korea, and Taiwan	(Final) Supplemental Schedule for the Subject Investigations
701-TA-575 731-TA-1360-1361	Tool Chests and Cabinets From China and Vietnam	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
731-TA-1314	Phosphor Copper From Korea	(Final) Determination that an industry in the US is materially injured by reason of imports of covered products, that have been found by Commerce to be sold in the US at LTFV
701-TA-318 731-TA-538 , 561	Sulfanilic Acid From China and India	(Fourth Review) Determinations that revocation of the ADD (China) and the ADD and CVD orders (India) would likely lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.
701-TA-576-577 731-TA-1362-1367	Cold-Drawn Mechanical Tubing From China, Germany, India, Italy, Korea, and Switzerland	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
701-TA-567-569 731-TA-1343-1345	Silicon Metal From Australia, Brazil, Kazakhstan, and Norway	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are alleged to be sold at LTFV and alleged to be subsidized by the governments of Australia, Brazil, and Kazakhstan
701-TA-570 731-TA-1346	Aluminum Foil From China	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are alleged to be sold in the United States at LTFV and to be subsidized by the government of China



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
RR-2017-001	Dumping & Subsidizing of Certain Stainless Steel Sinks Originating in, or exported from China	Notice of Expiry Review of Finding
NQ-2016-004	<i>Dumping</i> : Fabricated structural steel and plate-work components originating in or exported from China, S. Korea, Spain; <i>Subsidizing</i> : same from China	Order
PI-2016-004	<i>Dumping</i> : Silicon Metal originating in or exported from Brazil, Kazakhstan, Lao PDR, Malaysia, Norway, the Russian Federation and Thailand. <i>Subsidizing</i> of the above-mentioned goods originating in or exported from Brazil, Kazakhstan, Malaysia, Norway and Thailand	Preliminary Determination of Injury.



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
RB2 2016 IN	Certain concrete reinforcing bar originating in or exported from Belarus, Chinese Taipei, Hong Kong SAR, Japan, Portugal and Spain	Notice of Final Determination - Statement of Reasons
SSS 2017 ER	<i>Dumping and subsidizing</i> : Certain stainless steel sinks originating in or exported from China	Initiation of Expiry Review Investigation
FISC 2016 IN	<i>Dumping</i> : Certain fabricated industrial steel components (FISC) originating in or exported from China, S.Korea and Spain; <i>Subsidizing</i> same from China	Notice of Final Determinations



NAFTA Panels

Ref. Number	Merchandise/Country	Action
None		



Mexico - Ministry of Economy

Ref. Number	Merchandise/Country	Action
E.C. 05/16	Fungi of the genus <i>agaricus</i> originating in China and Chile, irrespective of the country of export	Final resolution of the AD review



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2017/648	Okoumé plywood originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review
(EU) 2017/649	Certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in China	Commission Implementing Regulation imposing a definitive ADD
(EU) 2017/659	Certain stainless steel tube and pipe butt-welding fittings, whether or not fin-	Commission Implementing Regulation imposing definitive ADD on imports originating in China and Taiwan



European Union

Ref. Number	Merchandise/Country	Action
	ished, originating in t China and Taiwan	
(EU) 2017/678	Bicycles originating in China, extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in those countries or not	Commission Implementing Regulation making imports of bicycles consigned from Sri Lanka, whether declared as originating in Sri Lanka or not, in so far as it concerns the Sri Lankan company City Cycle Industries, subject to registration
(EU) 2017/679	Stainless steel cold-rolled flat products originating in Taiwan	Commission Implementing Regulation terminating the absorption reinvestigation without amending the measures in force
2017/C 113/05	Bicycles originating in China extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in those countries or not	Notice concerning the judgment of the General Court of 19 March 2015 in Case T-413/13 City Cycle Industries v Council of the European Union and the judgment of the Court of Justice of 26 January 2017 in Cases C-248/15 P, C-254/15 P and C-260/15 P in relation to Council Implementing Regulation (EU) No 501/2013 extending the definitive ADD imposed by Implementing Regulation (EU) No 990/2011
2017/C 117/11	Ceramic tableware and kitchenware originating in China	Notice of initiation of a partial interim review of the AD measures
2017/C 117/12	Oxalic acid originating in India and China	Notice of initiation of an expiry review of the AD measures
2017/C 122/05	Steel ropes and cables originating, inter alia, China, as extended to imports of steel ropes and cables consigned from, inter alia, S. Korea, whether declared as originating in the Republic of Korea or not	Notice concerning the AD measures in force
2017/C 122/06	Tartaric acid originating in China	Notice of initiation of an expiry review of the AD measures
(EU) 2017/724	Certain continuous filament glass fibre products originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2017/39	A4 Copy Paper From China, Brazil, Indonesia and Thailand	Findings in Relation to a Dumping Investigation
2017/40	A4 Copy Paper From China, Brazil, Indonesia and Thailand	Findings in Relation to a Subsidy Investigation
2017/43	Aluminium Extrusions From China	Findings in relation to an accelerated review of AD measures
2017/44	Aluminium Road Wheels From China	Initiation of an Accelerated Review
2017/45	Hot Rolled Coil Steel From Japan, Korea, Malaysia and Taiwan	Initiation of a Continuation Inquiry
2017/50	Dichlorophenoxy-acetic Acid From China	Expiry of AD measures
2017/51	A4 Copy Paper From China, Brazil, Indonesia and Thailand	Termination of Part of Investigation
2017/52	Aluminium Extrusions From Malaysia and Vietnam	Preliminary Affirmative Determination and Imposition of Counter-vailing Securities
2017/53	Zinc coated (galvanised) steel From India, Malaysia and Vietnam	Extension of time to publish SEF and Final Report
2017/54	Cooling Tower Water Treatment Controllers From the USA	Preliminary Affirmative Determination and Imposition of Securities
2017/55	Resealable Can End Closures From Malaysia, the Philippines and Singapore	Initiation of an Exemption - EX0054
2017/56	Aluminium Road Wheels From China	Extension of Time Granted to Issue the Final Report
2017/58	Wire Ropes From South Africa	Initiation of an Investigation into Alleged Dumping



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2017/59	Various	Status Report as at 31 March 2017
2017/60	Alloy Round Steel Bar From China	Extension of time to publish Statement of Essential Facts



China Ministry of Commerce (MOFCOM)

Ref. Number	Merchandise/Country	Action
№ 17, 2017	Vinylidene Chloride-vinyl Chloride (VDC-VC) Copolymer Resin Originating in Japan	Final decision – imposition of ADD
№ 20, 2017	Non-dispersion Shifted Single-mode Optical Fiber From the US and EU	AD measures to continue for 5 years after expiry review
№ 22, 2017	Imported Solar Grade Polysilicon Originating in the EU	AD measures to continue
№ 23, 2017	Imported Solar Grade Polysilicon Originating in the EU	CV measures to continue
№ 18, 2017	Single-Butyl Ether of Ethylene Glycol and Diethylene Glycol Originating in the US and the EU	Mid-term review



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
11/2017-Cus (ADD)	Jute Yarn/ Twine (multiple folded/ cabled and single), Hessian fabric and Jute sacking bags from Bangladesh or Nepal	Amends notification № 01/2017-Customs (ADD) dated 05.01.2017 vide which definitive ADD was levied for a period of five years.
12/2017-Cus (ADD)	Linear Alkyl Benzene originating in or exported from Iran, Qatar and China	Levies ADD for a period of five years (unless revoked, superseded or amended earlier).
13/2017-Cus (ADD)	Flexible Slabstock Polyol originating in or exported from Thailand	Levies definitive ADD for a period of five years (unless revoked, superseded or amended earlier).



Argentina Ministry of Production-Commerce Secretary

Ref. Number	Merchandise/Country	Action
Res. 286-E / 2017	Certain three-phase liquid dielectric transformers originating in India	No application of provisional ADD – Continue the AD investigation.



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
CAMEX Res. 23	Agricultural tires originating in China	Request for reconsideration filed in the light of Camex Resolution No. 3 of 16-02-17, which imposes an ADD for a period of up to five (5) years, by amending that resolution.
CAMEX Res. 24	PET resin with an intrinsic viscosity between 0.7 and 0.88 dl / g originating in China, Chinese Taipei, India and Indonesia	Dismisses the application for reconsideration submitted in the light of Resolution Camex No. 121 dated 23-11-16, which imposed a definitive ADD for a period of up to five (5) years



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
CAMEX Res. 25	Frozen potatoes originating in Germany, Belgium, France and the Netherlands	Dismisses the application for reconsideration submitted in the light of Resolution Camex No.6 of 16-02-17 which imposed a definitive ADD for a period of up to five (5) years
SECEX Cir. 19	Lightweight paper, commonly classified under subheading 4810.22.90 of NCM, originating in Germany, Belgium, Canada, the USA, Finland and Sweden.	Initiation of an AD review (of CAMEX Resolution № 25 of 2012)
SECEX Cir. 20	Crude magnesium metal containing at least 99, 8% by weight of magnesium, originating in the Russian Federation	Initiation of an AD review (of CAMEX Resolution № 4 of 2012)
SECEX Cir. 21	Certain seam pipes of austenitic stainless steel grades originating in Malaysia, Thailand and Vietnam	Initiation of a dumping investigation
SECEX Cir. 23	Thermal bottles from China	Extends for two months the ADD review period



Eurasian Economic Union

Ref. Number	Merchandise/Country	Action
2017/72/AD23	Herbicides, originating in the European Union	About the beginning of the anti-dumping investigation
2017/74/AD22	Hot-rolled steel parts originating in Ukraine	A public hearing as part of the AD investigation
2017/76/AD19R1	Steel rolled wheels, originating in Ukraine	About the beginning of the repeated AD investigation, in order to review the AD measures in connection with the changed circumstances
2017/75/AD8R1	Metal with polymeric coating, originating in China	About the beginning of the repeated AD investigation, in connection with the expiration of the term of the AD measure
2017/77/AD11R1	Sold seamless tubes of stainless steel originating in China	About the beginning of the repeated AD investigation in order to establish circumvention of the AD measures

Opportunity to Request Administrative Review

In an April 3, 2017 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with April anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
PR of China: Activated Carbon	A-570-904	4/1/16-3/31/17
Drawn Stainless Sinks	A-570-983	4/1/16-3/31/17
Magnesium Metal	A-570-896	4/1/16-3/31/17
Non-Malleable Cast Iron Pipe Fittings	A-570-875	4/1/16-3/31/17
Steel Threaded Rod	A-570-932	4/1/16-3/31/17
Countervailing Duty Proceedings		
PR of China: Drawn Stainless Sinks	C-570-984	1/1/16-12/31/16
Suspension Agreements		
None		

www.bakermckenzie.com

For further information please contact:

Editor of International Trade Compliance Update

Stuart P. Seidel
Washington, D.C.
(202) 452-7088
stuart.seidel@bakermckenzie.com

Contacts

Customs and FTA

Terrie A. Gleason
Washington, D.C., USA
+1 (202) 452- 7030
teresa.gleason@bakermckenzie.com

Frederick Burke
Ho Chi Minh City, Vietnam
+84 3520 2628
frederick.burke@bakermckenzie.com

Export Controls and Sanctions

Silwia A. Lis
Washington, D.C., USA
+1 (202) 835-6147
silwia.lis@bakermckenzie.com

Trade Remedies

B. Thomas Peele
Washington, D.C., USA
+1 (202) 452-7035
thomas.peele@bakermckenzie.com

WTO

Serge Pannatier
Geneva, Switzerland
+41 (0) 22-707-98-00
serge.pannatier@bakermckenzie.com

Anti-corruption

Maria I. McMahon
Washington, D.C., USA
+1 (202) 452-7058
maria.mcmahon@bakermckenzie.com

Requested Reviews

In an April 10, 2017 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with ____ anniversary dates. See actual notices for companies requesting review:

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

Initiation of Sunset Reviews

In an April 3, 2017, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-831	731-TA-683	PRC	Fresh Garlic (4th Review)
A-570-972	731-TA-1186	PRC	Stilbenic Optical Brightening Agents (1 st Review)
A-583-848	731-TA-1187	Taiwan	Stilbenic Optical Brightening Agents (1 st Review).
A-520-804	731-TA-1185	UAE	Steel Nails (1 st Review)

Advance Notification of Sunset Reviews

In an April 3, 2017, *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.
Foundry Coke from China	A-570-862 (3 rd Review)
High Pressure Steel Cylinders from China	A-570-977 (1 st Review)
Tin Mill Products from China	A-588-854 (3 rd Review)
High Pressure Steel Cylinders from China	C-570-978 (1 st Review)



Mattias Hedwall
Global Chair
International Commercial & Trade

International Commercial & Trade Leadership Team

Regional Chairs / Steering Committee



Eugene Lim
Singapore
Asia Pacific



Ulf Wauschkuhn
Munich
EMEA



Manuel Padron
Juarez
Latin America



Miguel Noyola
Chicago/Washington DC
NAIC

IC&T Focus Groups

Agency & Distribution / Franchising



Will Woods
Dallas

Supply Chain / Logistics



Peerapan Tungsuwan
Bangkok

Product Liability / Anticorruption / Compliance Liaison



Ulrich Ellinghaus
Frankfurt

Sanctions / Export Controls



Nick Coward & Janet Kim
Washington DC

Customs & Trade Agreements



Fred Burke
Ho Chi Minh City



Terrie Gleason
Washington DC

JV / FDI / Emerging Markets



Miguel Noyola
Chicago/Washington DC

©2017 Baker & McKenzie. All rights reserved. Baker & McKenzie International is a Swiss Verein with member law firms around the world. In accordance with the common terminology used in professional service organizations, reference to a “partner” means a person who is a partner, or equivalent, in such a law firm. Similarly, reference to an “office” means an office of any such law firm.

This may qualify as “Attorney Advertising” requiring notice in some jurisdictions. Prior results do not guarantee a similar outcome.

This UPDATE is issued to inform Baker McKenzie clients and other interested parties of legal developments that may affect or otherwise be of interest to them. The comments above do not constitute legal or other advice and should not be regarded as a substitute for specific advice in individual cases.

Before you send an e-mail to Baker McKenzie, please be aware that your communications with us through this message will not create a lawyer-client relationship with us. Do not send us any information that you or anyone else considers to be confidential or secret unless we have first agreed to be your lawyers in that matter. Any information you send us before we agree to be your lawyers cannot be protected from disclosure.

NOTE: This Update contains public sector information licensed under the Open Government Licence v3.0 of the United Kingdom. In addition, the Update uses material pursuant to European Commission policy as implemented by [Commission Decision of 12 December 2011](#).