

International Trade Compliance

(Covering Customs and Other Import Requirements, Export Controls and Sanctions, Trade Remedies, WTO and Anti-Corruption)

BAKER & MCKENZIE

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

Register Now! 2016 International Trade Compliance Webinar Series

Our 13th annual, **International Trade Compliance Webinar Series** entitled, "**TPP and New Developments in Global Trade**" is under way. Our 2016 webinar series has several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA. Terrie Gleason, a partner in our Washington, DC office and Co-Chair of the Firm's Global Customs and FTA Practice will moderate these webinars.

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

If you miss a webinar, wish to see it again or want to download a presentation, you will be able to do so about two weeks after the live webinar [at this link](#) or by clicking the blue title below which indicates the material has been posted.

Webinar Dates and Topics:

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).
May 24	Cuba Sanctions Developments and Updates Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt).
June 21	FCPA Considerations Arising in Import/Export Operations Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).
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).

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

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

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

REGISTER NOW

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.

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

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.



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These courses have been approved for 1.5 CES and CCS credit for by the National Customs Brokers & Forwarders Association of America, Inc.

Baker & McKenzie's Trans-Pacific Partnership (TPP) Global Resource Center

The Baker & McKenzie TPP Global Resource Center serves as your one-stop-shop for continual updates on developments surrounding all areas of the Trans-Pacific Partnership (TPP), as well as relevant articles and other information of interest to companies and industries that will be affected by the agreement. Through this resource center you may access:

- Key country contacts
- Update blogs
- Articles and alerts analyzing the chapters and issues

You may visit the site by clicking the button below.

TPP Global Resource Center

For updates, please visit www.internationaltradecomplianceupdate.com regularly.

For additional articles and updates on trade sanctions and related subjects, please visit our sister blog: www.bakermckenzie.com/sanctionsnews regularly.

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

Please see our [Webinars, Meetings, Seminars](#) section for additional events and recorded presentations.

World Trade Organization (WTO)

WTO members gear up for implementing Nairobi agreement on preferential rules of origin

The WTO announced on 22 April 2016, that WTO members held their first discussions regarding implementation of the Ministerial Decision on Preferential Rules of Origin for Least Developed Countries (LDCs). The Ministerial Decision was one of the key outcomes of the WTO's 10th Ministerial Conference in Nairobi last December.

The provisions set out under the [Nairobi Decision](#) aim to facilitate least-developed countries' export of goods to both developed and developing countries under unilateral preferential trade arrangements in favour of LDCs. Key beneficiaries will be countries of the LDC Group, the proponent for the Nairobi Decision.

The Nairobi Decision builds on the earlier 2013 Bali Ministerial Decision on preferential rules of origin by providing more detailed directions on specific issues, such as methods for determining when a product qualifies as "made in an LDC", and when inputs from other sources can be "cumulated" — or combined together — into the consideration of origin. The provisions also call on preference-granting members to consider simplifying documentary and procedural requirements related to origin as well as other measures to further streamline customs procedures.

At a meeting of the WTO's committee on rules of origin, the chairman, Christian Wegener (Denmark), reminded delegations that the Nairobi Decision contains an obligation for members to inform the committee about efforts they are making to implement the decision. Members thus need to start preparing this submission.

The chairman noted that, for developed countries, a notification on implementation is due by the end of 2016, while for developing countries with preferential schemes, the notification is due when they decide to start implementing the Nairobi Decision, in line with the flexibilities set out in paragraph 4.1 of the Decision.

Participants prepare for first expanded ITA tariff cuts

On 18 April 2016, the WTO [announced](#) that the Committee on the Information Technology Agreement (ITA), at a meeting on 18 April 2016, heard reports about current preparations for implementation of the *Nairobi Ministerial Declaration on the Expansion of Trade in IT Products*. The declaration established that the first set of tariff cuts were to be implemented on 1 July 2016 and the second set no later than 1 July 2017, with successive reductions taking place on 1 July 2018 and effective elimination no later than 1 July 2019. The announcement said -

The European Union, Switzerland, Norway and Costa Rica emphasized the importance of the ITA expansion and encouraged other members of the Committee to join the Expansion Agreement. In the EU's view, eliminating tariffs in a further set of products will allow industry to reduce the cost of importing the hardware necessary to develop the IT sector, create highly qualified jobs for young people, make other industries more efficient by using IT and enable countries to become part of global value chains.

The expansion of the ITA, agreed at the Nairobi Ministerial Conference in December 2015, eliminates tariffs on an additional 201 IT products valued at over \$1.3 trillion per year. Negotiations were conducted by over 50 WTO members but all 162 WTO members will benefit from the Agreement as they will all enjoy duty-free market access to the markets of the members eliminating tariffs on these products.

Seven members of the Committee (United States, European Union, Japan, Korea, Canada, Norway and Australia) sought justification or clarification from India on a Cus-

toms notification that raises duties to 10 per cent ad valorem for several ITA products. These members considered that, according to India's certified WTO schedule of concessions, the duties of the products should be bound to "zero".

India said that it had heard the concerns expressed by members and informed them that the written questions submitted by some had been sent to capital for analysis. Products mentioned in the questions submitted by the European Union, Japan and the United States include telecommunications switches, voice-over internet protocol phones, optical transport equipment and network products.

In addition to reviewing the status of implementation of the ministerial declaration on trade in ITA products and the current work on non-tariff barriers, the Committee also approved on an ad referendum basis the classification of an additional 15 items for which there were classification divergences.

Members renew attempts to deepen WTO scrutiny of regional trade agreements

On 8 April 2016, the WTO [announced](#) that WTO members revived this week long-standing talks to deepen the WTO's scrutiny of regional trade agreements (RTAs) in line with instructions laid out by ministers last December. Provisions in the recent Nairobi Ministerial Declaration, said the new committee chair, could pave the way for a more constructive review of how these deals affect the wider multilateral trading system.

[Paragraph 28](#) from Nairobi contains ministers' instructions to the committee to discuss the systemic implication of RTAs for the multilateral trading system and their relationship to WTO rules. It also lays down members' agreement to work towards the transformation of the provisional [Transparency Mechanism](#), which is used to review RTAs, into a permanent one on the condition that current issues surrounding notification procedures are resolved. The announcement stated:

The WTO acknowledges that RTAs encourage closer economic integration among participating members; however, WTO Director-General Roberto Azevêdo has also said [RTAs cannot be a substitute for the multilateral trading system](#). WTO rules allow members to enter into RTAs [on certain conditions](#) but assessing whether these conditions are being met has been challenging as interpretation of the rules remains open to debate.

Brazil said at the meeting it was time for members to see how to implement the Ministerial Declaration as the recent proliferation of RTAs deserves careful attention. The WTO, Brazil said, must analyse trends and how they influence the shape of the multilateral trading system. Brazil also pointed out that there is guidance from ministers for members to work towards transforming the Transparency Mechanism for RTAs into a permanent one. Uruguay, Paraguay, Australia, Chile, Russia, the European Union, Japan and Hong Kong China welcomed the initiative.

The United States, however, said a more productive use of time would be to iron out notification delays as 73 RTAs have yet to be notified [WT/REG/W/103](#). The United States had circulated a document which showed the gaps in transparency of RTAs, including a lack of notifications and delays in the provision of data and comments on factual presentations. The chair similarly reported that implementation reports were due for 129 RTAs [WT/REG/W/101](#) and [Corr.1](#). If WTO members want a realistic discussion on the impact of RTAs on the multilateral system, these non-notified agreements must be accounted for, the US said. Australia, Japan, the EU and Canada similarly urged members' compliance with notification commitments.

Nevertheless, the US said it shared the aspirations of the chair and other members to reinvigorate work in the committee.

Trade Policy Reviews: Ukraine, Malawi

The first review of the trade policies and practices of Ukraine took place on 19 and 21 2015. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Ukraine](#).

The third review of the trade policies and practices of Malawi took place on 27 and 29 April 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Malawi](#).

Recent disputes

The following disputes have been recently brought to the WTO. Click on the case (“DS”) number below to go to the WTO website page for details on that dispute.

DS. No.	Case Name	Date
DS506	Indonesia – Measures Concerning the Importation of Bovine Meat (Request for consultations by Complainant - Brazil)	04-04-16
DS507	Thailand – Measures Concerning Sugar (Request for consultations by Complainant - Brazil)	

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
DS381	US — Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products — recourse to Article 21.5 of the Dispute Settlement Understanding (compliance panel) by the United States [Complainant: Mexico]	US requests compliance panel	11-04-16
DS453	Argentina – Measures relating to trade in goods and services [Complainant: Panama]	Appellate Body Report issued	14-04-16
DS464	United States — Anti-dumping and Countervailing Measures on large residential washers from Korea [Complainant: Republic of Korea]	US appeals panel report	19-04-16
DS456	India — Certain Measures Relating to Solar Cells and Solar Modules [Complainant: US]	India filed notice of appeal from panel report	20-04-16
DS493	Ukraine — Anti-Dumping Measures on Ammonium Nitrate [Complainant: Russian Federation]	Panel established	22-04-16
DS381	US — Measures Concerning the Importation, Marketing and Sale of Tuna and Tuna Products — recourse to Article 21.5 of the Dispute Settlement Understanding (compliance panel) by the United States [Complainant: Mexico]	Establishment of panel rejected	

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 coun-

tries. [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)

WCO releases transfer pricing case study

The WCO has [announced](#) that an important new instrument was finalised at the 42nd Session of the Technical Committee on Customs Valuation which took place in Brussels from 18 to 22 April 2016 under the Chairmanship of Ms. Yuliya Gulis of the United States. The case study (Case Study 14.1) has been made available on [the WCO website](#) in English and Spanish and will be published in the [WCO Valuation Compendium](#), subject to approval by the WCO Council in July 2016. The announcement states:

The instrument contains a case study illustrating a scenario where Customs took into account transfer pricing information in the course of verifying the Customs value.

The WTO Valuation Agreement sets out the methodology for establishing the Customs value, used as the basis for calculating Customs duties. The Agreement foresees that Customs may examine transactions between related parties where they have doubts that the price has been influenced by the relationship.

The Organisation for Economic Cooperation and Development (OECD) has developed Guidelines for establishing the transfer price, that is the price for goods and services sold between controlled or related legal entities, in order to determine business profit taxes where businesses are related.

Over recent years, the similar objectives but different methodologies of transfer pricing and Customs valuation have been noted, and it has been recognised that business documentation developed for transfer pricing purposes may contain useful information for Customs. An earlier instrument of the Technical Committee, Commentary 23.1, confirmed this principle.

The new case study provides an example of Customs making use of transfer pricing information based on the transactional net margin method. On the basis of this information, Customs accepted that the sale price in question had not been influenced by the relationship.

The OECD has provided valuable input to the Technical Committee discussions in the development of the new instrument which provides helpful guidance to both Customs administrations and the business community.

Both the WCO and the OECD advocate closer cooperation between Customs and tax administrations in order to strengthen governments' ability to identify the correct tax and duties legally due and enhance trade facilitation for the compliant business sector.

57th Session of the Harmonized System Committee concludes

On 1 April 2016, the WCO [announced](#) that the WCO Harmonized System Committee (HSC) held its 57th Session from 9 to 18 March 2016 at the WCO headquarters in Brussels. More than 120 participants representing 61 Contracting Parties to the HS Convention, one WCO Member administration and five international organizations attended.

The HSC took 326 classification decisions (including 305 decisions relating to pharmaceutical (INN) products in connection with the implementation of the *WTO Agreement on Trade in Pharmaceutical Products*), adopted 15 sets of amendments to the *Explanatory Notes* and approved 16 new Classification Opinions. When deemed approved by the WCO Council at the end of May 2016, these classification decisions (except for those in respect of which requests for re-examination will be entered) and amendments to the *Explanatory Notes* and

Compendium of Classification Opinions will be made available on the WCO website.

In support to the WCO Programme Global Shield (PGS), the HSC approved a draft WCO Council Recommendation on the insertion in national statistical nomenclatures of a number of subheadings to facilitate the monitoring of the international movement of goods required for the production and use of Improvised Explosive Devices (IED). The HSC also approved a new draft WCO Council Recommendation with regard to the use of standard units of quantity to facilitate the collection, comparison and analysis of international statistics, taking into account the amendments to the Nomenclature which have been accepted as a result of the Council Recommendations of 27 June 2014 and 11 June 2015. The WCO recommends that its Member Customs administrations as well as Contracting Parties to the HS Convention report their import and export trade statistics to the United Nations Statistical Division (UNSD). Both draft Recommendations will be submitted to the WCO Council for adoption at its 127th/128th Sessions in July 2016.

In the framework of the *HS Nomenclature 2017 Edition* that will enter into force on 1 January 2017, the Committee adopted the consolidated version of the amendments to the *Explanatory Notes* consequential upon the acceptance of the amendments and complementary amendments to the Nomenclature consequential to the Article 16 Council Recommendations of 27 June 2014 and 11 June 2015. Similarly, the HSC adopted the amendments to the *Compendium of Classification Opinions* consequential upon the acceptance of these HS amendments. The HSC also approved the 2017 version of the Interconnection Table, that is, the table which contains the correlations between the *Harmonized System 2017 Edition* and the product coverage of a number of selected international Conventions.

In addition, the HSC examined a series of general questions, including the status and challenges in relation to implementation of the *HS Nomenclature 2017 Edition*. Furthermore, the HSC endorsed the Technical Guidance for the first layer for the Achieving Excellence in Customs Performance measurement framework with respect to the Harmonized System Convention and Advance tariff rulings.

Announcements and news releases [dd-mm-yy]

Date	Title
01-04-16	57th Session Harmonized System Committee Concludes
04-04-16	WCO Regional Workshop on Strategic Leadership in Information Technology (Melaka, Malaysia, on 21 and 22 March 2016)
	WCO Regional Workshop on Coordinated Border Management (CBM), Single Window and the WCO Data Model (Riyadh, Saudi Arabia, from 27 to 31 March 2016)
	Nuclear Security Summit (NSS) in Washington D.C.
06-04-16	Iranian Customs Seizes 50 kilograms of opium at Imam Khomeini International Airport
07-04-16	2015 Annual Report of the UNODC-WCO Container Control Programme is now online
11-04-16	Strong political support for Customs reform in Tunisia
	Joint WCO-UPU Customs-Post Workshop
12-04-16	The WCO works in partnership with Vietnam Customs and their stakeholders to improve the design and implementation of new Customs procedures.
	Management in Serbia Customs benefit from the WCO LMD Workshop
14-04-16	Commitment of WCO Capacity Building regional structures to support Members
	GMS Customs administrations discuss efficient transit regimes
	National workshop on the implementation of the Revised Kyoto Convention and

Date	Title
	the SAFE Framework of Standards, Ouagadougou, Burkina Faso, 4-8 April 2016
	Time Release Study (TRS) Workshop: Mauritius
	WCO attends Ministerial Conference on Aviation Security and Facilitation in Africa
18-04-16	Serbia hosts two WCO National Seminars on the modernization of its Customs Laboratory and on the Harmonized System
20-04-16	WCO signs Memorandum of Understanding with OECD
	Heads of Customs Administrations in the Americas and Caribbean region adopt regional strategic plan in Santa Cruz, Bolivia
21-04-16	COPES workshop in Dakar in partnership with the UNODC-WCO-INTERPOL Project AIRCOP
	"Future of Customs- Capacity Building for Sustainability" - 7th session of the WCO Capacity Building Committee
22-04-16	WCO speaks at high-level inaugural panel of OECD Integrity Forum
	Important new instrument on transfer pricing and Customs valuation finalised by the Technical Committee on Customs Valuation
25-04-16	15th session of the WCO Integrity Sub-Committee (ISC)
	WCO participates in the United Nations General Assembly Special Session on the world drug problem
26-04-16	Finland launches "Customs protects and serves" video on YouTube
27-04-16	Regional Workshop on the HS 2017 amendments for the WCO Asia Pacific Region
28-04-16	Chriticles Pandeli Mwansa [former WCO Director of Tariff and Trade Affairs (2004 to 2007), passed away on Wednesday 27 April 2016]
	WCO participates in the XXXVIIth Meeting of COMALEP, attended by Directors General of Customs of Latin America, Spain and Portugal
29-04-16	WCO Supports the Consolidation of the RKC Implementation in Armenia
	New instrument on transfer pricing and Customs valuation issued by the TCCV now available

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
	2016/033 Solomon Islands – Withdrawal of a recommendation to suspend trade
	2016/034 China – Provisional measures on the suspension of import of tusks and ivory carvings of elephants
01-04-16	2016/035 A call for additional members for the intersessional working group of the Plants Committee on Annotations for Appendix-II orchids: Exemption of finished products of orchids from CITES provisions
	2016/036 Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) – Call for the nomination of experts to participate in a workshop to further scope the thematic assessment of the Sustainable Use of Biodiversity
	2016/037 Monitoring the illegal trade in ivory
07-04-16	2016/038 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
	2016/039 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
	2016/040 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

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

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A note on spelling, grammar and dates--

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Credits:

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

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

The Americas - Central America

Costa Rica

Customs Resolutions

Date dd-mm-yy	Series and №	Subject
06-04-16	DGA-DGT-001-2016	Application of Exemption Authorizations in customs offices releases

Nicaragua

Nicaraguan Classification Resolutions (Customs Rulings)

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

Circulars

Date dd-mm-yy	Series and №	Subject
01-03-16	Cir. CT/025-2016	General provisions for the control of cargo vehicles in ballast.
	Cir. CT/026-2016	General provisions for registration of carriers customs in land management module users (MGU)
18-03-16	Cir. CT/032-2016	Inspection of living beings by x-ray scanner
27-04-16	Cir. CT/048-2016	Implementation of technique of nonintrusive inspection in the administration of Customs in Los Manos.

Panama

Cabinet adopts major customs provisions complementing the Uniform Central American Customs Code and Regulations

On 19 April 2016, the *Gaceta Oficial* (Official Gazette) published [Cabinet Decree № 12 \(29-03-16\)](#) issuing [Complementary Provisions to the Uniform Central American Customs Code and its Regulations](#).

Official Gazette

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

Publication Date dd-mm-yy	Title
06-01-16	National Customs Authority: Resolution No. 083 (04-03-16) by which the Authorized Economic Operator office is created within the National Customs Authority.
06-04-16	Law № 7 (04-04-16) Amending and adding Articles to Law 29 of 1992 adopting a special system of a free port for the Columbus province, for effective implementation and operation

Publication Date dd-mm-yy	Title
	Law № 8 (04-04-16) Reorganizing the Colon Free Zone and for other provisions
12-04-16	Health: Res. № 417 (28-03-16) order the inclusion of new safety information by all manufacturers, distributors, laboratories of the active ingredient canagliflozin
	Health: Res. № 418 (28-03-16) order the inclusion of new safety information by all manufacturers, distributors, laboratories of the active ingredient pregabalin
	Health: Res. № 419 (28-03-16) order the inclusion of new safety information by all manufacturers, distributors, laboratories of the active ingredient sildenafil, tadalafil, vardenafil or riociguat
	Health: Res. № 420 (28-03-16) order the inclusion of new safety information by all manufacturers, distributors, laboratories of the active ingredients vildagliptin, sitagliptin, saxagliptin, linagliptin, Gemigliptin or alogliptin
	Health: Res. № 421 (28-03-16) order the inclusion of new safety information by all manufacturers, distributors, laboratories of the active ingredient febuxostat
	Health: Res. № 422 (28-03-16) ordering withdrawal from the Panama market five (5) lots of Clozaril 25mg and 100mg developed by Novartis Pharmaceuticals UK, Ltd with health registration 51793 and 51815, respectively.
	Health: Res. № 440 (31-03-16) Declaring tapentadol, mexazolam and zopiclone, as controlled substances.
13-04-16	National Assembly : Law № 9 (12-04-16) By which the Treaty of ADOPTING Marrakech to Facilitate Access to Published Works Blind People, Visually Impaired or other Difficulties to Access the Text Printed, Signed in Marrakech, June 27, 2013
19-04-16	Council of the Cabinet: Cabinet Decree № 12 (29-03-16) Complementary Provisions to the Uniform Central American Customs Code and its Regulations
20-04-16	Health: Exec. Decree № 121 (15-04-16) Health inspection regulations for beef
27-04-16	Council of the Cabinet: Cabinet Decree No. 14 (05-04-16) Amending the National Import Tariff
	Council of the Cabinet: Cabinet Decree No. 15 (05-04-16) Amending the National Import Tariff Pursuant to Article 5 of Protocol of Incorporation of the Republic of Panama to Central American Economic Integration Subsystem
28-04-16	Agricultural Development: Executive Decree No. 108 (26-04-16) Adopting Resolution No. 175-2006 issued by the Council of Ministers of Central American Economic Integration (COMIECO-XXXVIII), establishing the list of sub-products and plant products that nature disclaim the authorization of import and phytosanitary export certificate could be subject to inspection in the territory of states by the Customs Union.

Food Safety Standards

The following food safety standards (AUPSA-DINAN Decisions) were published by the Food Safety Authority in the *Gaceta Oficial – Digital* (Official Gazette – Digital) during the period of coverage. [Repealed documents are not shown; unless otherwise specified, food is for human consumption; dates are dd/mm/yy]:

Publication Date	AUPSA-DINAN № and Date	Food and Origin
07-04-16	012-2016 17-03-16	Phytosanitary requirements for importing grapefruits (<i>Citrus x paradisi</i>) fresh, for human consumption and / or transformation, originating in Turkey.
	013-2016 17-03-16	Plant protection requirements for importing mandarins (<i>Citrus reticulata</i>) fresh including tangerines and satsumas, clementines, wilkings and similar citrus hybrids (<i>Citrus</i>), for human consumption and / or transformation, originating in Turkey.

Publication Date	AUPSA-DINAN № and Date	Food and Origin
	014-2016 17-03-16	Plant protection requirements for importing lemons (<i>Citrus limon</i>, <i>Citrus limonum</i>) and limes (<i>Citrus aurantifolia</i>, <i>Citrus latifolia</i>) fresh, for human consumption and / or transformation, originating in Turkey.
22-04-16	019-2016 13-04-16	Amending resolution AUPSA-DINAN-001-2016 of 5 January 2016
	020-2016 13-04-16	Amending Resolution AUPSA-DINAN-002-2016 of 5 January 2016

The Americas - North America

Canada

Government invites comments on SIMA

On April 30, 2016, the *Canada Gazette* published a [notice announcing](#) that the Government is seeking stakeholder views regarding potential amendments to the *Special Import Measures Act* (SIMA). The intent of these consultations is to assess views with respect to the specific topics outlined in this notice. However, parties may also use this occasion to bring other issues relevant to the administration of the trade remedy system to the attention of the Department of Finance Canada.

Finance Canada is seeking the views of stakeholders to determine whether a focused set of potential changes to SIMA would help ensure that the trade remedy system continues to provide adequate remedies to domestic producers and to operate in a transparent and accessible manner. Finance Canada is also seeking input on the design of the related policies and procedures.

In assessing potential changes to SIMA, the Department of Finance Canada will consider their impact on

- the effectiveness of the system in addressing injury caused by dumped and subsidized imports;
- the overall balance of stakeholder interests, including those of producers, downstream users, and consumers;
- transparency and procedural fairness;
- administrative burden, both for interested parties and investigating authorities; and
- compliance with Canada's WTO obligations.

The consultations address three key areas:

A. Calculation of normal values: consideration of changes to better account for situations where prices or costs in the exporter's home market may not be reliable for the calculation of normal values or where profit rates cannot be established on the basis of an exporter's sales of the like good in the exporting market.

B. Enforcement: consideration of new proceedings to address circumvention or seek clarification of what goods are subject to a measure, as well as possible changes to the granting of product exclusions.

C. Evidentiary standards: consideration of changes to certain evidentiary standards to ensure that trade remedy proceedings are conducted where warranted, and that interested parties have sufficient opportunity to defend their interests.

All parties with an interest in these consultations are invited to make a submission in writing by June 29, 2016.

Government invites comments on proposed MFN tariff elimination on certain agri-food processing inputs

On April 23, 2016, the *Canada Gazette* published a [notice announcing](#) that the Government is seeking the views of interested parties on the elimination of Most-Favoured-Nation (MFN) rates of customs duty on certain agri-food processing inputs. The tariff items being considered for elimination of the rate of customs duty are listed in Table 1 of the notice with their current MFN rates.

The Canadian agri-food processing industry is Canada’s largest manufacturing employer and an important contributor to the Canadian economy. Budget 2016 announced the Government’s intention to launch public consultations on eliminating tariffs on certain imported food manufacturing ingredients, other than supply-managed products, to support investment and job creation in this important sector.

The Government has reviewed Canada’s tariff regime to identify opportunities to help improve the competitiveness of Canadian agri-food processors in domestic and foreign markets by reducing non-recoverable production costs.

The Government proposes to reduce to “Free” the MFN rates of customs duty on the tariff items listed in Table 1 of the notice. The tariff items in Table 1 have been selected based on the following factors:

- Goods covered by these tariff items are used in agri-food processing;
- Eliminating the tariff on these goods will reduce production costs for Canadian industry; and
- There is interest from stakeholders in eliminating MFN tariffs on some of these goods to enhance competitiveness.

The description of the tariff items listed in Table 1 can be found in the [latest consolidated version of the *Customs Tariff*](#).

Interested parties wishing to comment on the proposed MFN tariff elimination should submit their views in writing by June 21, 2016 with the information listed in the notice.

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, PO=Proposed Order)

Publication Date	Title
04-02-16	Environment: Proposed Regulations Amending the Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations pursuant to the Canadian Environmental Protection Act, 1999 (PR)
04-06-16	Environment: Order 2016-66-04-01 Amending the Domestic Substances List (SOR/2016-47, Mar. 16, 2016) pursuant to the Canadian Environmental Protection Act, 1999
	Environment: Order 2016-87-04-01 Amending the Domestic Substances List (SOR/2016-47, Mar. 16, 2016) pursuant to the Canadian Environmental Protection Act, 1999

Publication Date	Title
	Act, 1999
	P. E. I. Potato Board: Prince Edward Island Potato Marketing Levies Order (SOR/2016-49, Mar. 17, 2016) pursuant to the Agricultural Products Marketing Act [dealer and exporter levies]
04-09-16	Environment: Proposed Designation of Regulatory Provisions for Purposes of Enforcement (Canada Wildlife Act) Regulations pursuant to the Canada Wildlife Act (PR)
04-20-16	Health: Regulations Amending the Pest Control Products Regulations (Miscellaneous Program) (SOR/2016-61, Mar. 29, 2016) pursuant to the Pest Control Products Act (R)
04-23-16	Finance: Invitation to submit views on proposed Most-Favoured-Nation tariff elimination on certain agri-food processing inputs
	Environment/Health: Proposed Order Adding Toxic Substances to Schedule 1 to the Canadian Environmental Protection Act, 1999 (PO)
	Environment: Ministerial Condition No. 18427 pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999 [pertaining to the substance 1-propanaminium, 3-amino-N-(carboxymethyl)-N,N-dimethyl-, N-(C8-18 and C18-unsatd. acyl) derivs., inner salts, Chemical Abstracts Service No. 147170-44-3] (N)
	Environment/Health: Publication of final decision after screening assessment of a substance — Ethylbenzene, CAS1 RN1 100-41-4 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication of final decision after screening assessment of a substance — Hexachloroethane, CAS11 RN 67-72-1 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)
04-30-16	Environment/Health: Publication of final decision after screening assessment of seven heavy fuel oils specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999)
	Finance: Invitation to submit views on amendments to the Special Import Measures Act (SIMA) (PR)
	Health: Notice to interested parties — Proposed order to amend the schedule to the Tobacco Act (menthol) (PR)
	Energy: Notice of intent to improve the energy efficiency of consumer and commercial products through Amendment 14 to the Energy Efficiency Regulations (PR)

Restrictive measures

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

Publication Date	Title
04-06-16	Regulations Amending the Special Economic Measures (Russia) Regulations (SOR/2016-50, Mar. 16, 2016) pursuant to the Special Economic Measures Act
	Regulations Amending the Special Economic Measures (Ukraine) Regulations (SOR/2016-51, Mar. 16, 2016) pursuant to the Special Economic Measures Act

CBSA advance rulings

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

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Action	Title
04-01-16	CN 16-11		Proposed Amendment to the Length of Time to Request a Minister's Decision Under the <i>Presentation of Persons (2003) Regulations</i>
04-06-16	D10-14-61	Revised	Tariff Item 9937.00.00 and the Recognition of an Ethno-cultural Group
	D19-7-3	Revised	Export and Import of Hazardous Waste and Hazardous Recyclable Material
04-22-16	D2-5-11	Revised	Administrative and Operational Guidelines for Commercial Air-mode Carriers for the Processing of Prescribed Traveller Information Pursuant to the Requirements of the Canada Border Services Agency
04-25-16	Video		Importing a Motor Vehicle into Canada
	D19-6-2	Revised	International Boundary Commission
04-26-16	CN 16-12		Highway Sufferance Warehouse Closure (Corner Brook, Newfoundland and Labrador)
04-29-16	D21-1-1	Revised	Customs Privileges for Diplomatic Missions, Consular Posts and Accredited International Organizations (Tariff Item No. 9808.00.00)

Antidumping and countervailing duty cases

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

Mexico

Mexico publishes tariff rates, elimination schedule and procedures for goods originating in the Pacific Alliance

On April 29, 2016, the *Diario Oficial de la Federacion* (the *Official Gazette*) published the Presidential [Decree promulgating the Additional Protocol to the Framework Agreement of the Pacific Alliance, signed in Cartagena de Indias, DT and C., Republic of Colombia, on 10 February 2014](#) and the Ministry of Economy [Acuerdo announcing the applicable rate of the general import tax \(duty\) for goods originating in the countries that form the region of the Pacific Alliance](#). The Additional Protocol to the *Framework Agreement of the Pacific Alliance*, signed in Cartagena de Indias, Colombia on February 10, 2014 (the Additional Protocol), was approved by the Mexican Senate on 14 December 2015 according to decree published on 15 January 2016 in the *Official Gazette*.

The Presidential Decree sets forth the full Additional Protocol and all its provisions, including origin criteria, tariff and non-tariff measures, customs procedures, SPS, TBT, procurement, cross border services, investment, e-commerce, telecoms, transparency, dispute settlement, exceptions, etc.

In addition, the Additional Protocol provides preferential tariff rates for imports of goods originating in Pacific Alliance countries (Colombia, Chile, Mexico and Peru), in accordance with its Schedule of Tariff Elimination set out in Annex 3.4, as well as rules of origin and other specific mechanisms for defining such goods.

The Ministry of Economy Acuerdo provides the applicable rates for goods originating in Colombia, Chile and Peru that are imported into Mexico.

Also on April 29, 2016, the Ministry of Finance and Public Credit (Hacienda) published in the *Diario Oficial* the [Resolution establishing the general rules concerning the application of customs provisions of the Additional Protocol to the Framework Agreement of the Pacific Alliance and its Annex](#) which sets forth the certification, transshipment, recordkeeping, advance rulings, and verification requirements and procedures for goods originating in the Pacific Alliance countries.

The Additional Protocol enters into force on May 1, 2016 for trade between the Parties.

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
04-01-16	Hacienda: Call for Certification in Prevention of Operations With Resources of Illicit Origin and Terrorist Financing
	Economy: Acuerdo amending the Acuerdo by which the Ministry of Economy issues rules and criteria of a general character for Foreign Trade.
04-04-16	Economy: Decree amending the Tariff Law of General Taxes of Import and Export and the decree that establishes various sectoral promotion programs
04-07-16	General Council of Health: Second Update 2015 Basic Edition Table and Catalog Medicines
04-08-16	Economy: Draft Mexican Official Standard NOM-196-SCFI-2015, Products, terminal equipment connected or interconnected through a wireless access to a Public Telecommunications Network
04-13-16	Economy: Acuerdo amending the Acuerdo by which the Ministry of Economy issues rules and general criteria regarding Foreign Trade
04-19-16	Economy: Acuerdo establishing the mechanism and criteria for the allocation of quotas are set to export new light motor vehicles to Argentina, under the Fifth Additional Protocol to Appendix I "on Trade in the Automotive Sector between Argentina and Mexico "ACE 55
	Economy: Draft Mexican Official Standard NOM-203-SCFI-2015, which establishes the maximum permissible emission and formaldehyde content in particleboard wood and fiberboard timber made of urea formaldehyde and the products made these types of boards.
04-22-16	Economy: Response to comments of Proposed Official Mexican Standard NOM-194-SCFI-2014, essential safety devices in vehicles new- Safety specifications, published on February 25, 2015
04-29-16	Decree promulgating the Additional Protocol to the Framework Agreement of the Pacific Alliance, signed in Cartagena de Indias, DT and C., Republic of Colombia, on 10 February of two thousand and fourteen. (Continued in the 4th - 19th Sections)
	Hacienda: Resolution establishing the general rules concerning the application of customs provisions of the Additional Protocol to the Framework Agreement of the Pacific Alliance and its Annex
	Economy: Acuerdo announcing the applicable rate of the general import tax for goods originating in the countries that form the region of the Pacific Alliance.

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

Presidential documents

During the past month, President Obama signed the following documents relating to international trade, national emergencies, sanctions, embargoes, or blocking orders:

Date	Subject
04-01-16	Notice of March 30, 2016 – Continuation of the National Emergency With Respect to South Sudan
04-06-16	Notice of April 4, 2016 – Continuation of the National Emergency With Respect to Somalia
04-20-16	Executive Order 13725 of April 15, 2016 – Steps to Increase Competition and Better Inform Consumers and Workers to Support Continued Growth of the American Economy
04-21-16	Executive Order 13726 of April 19, 2016 - Blocking Property and Suspending Entry Into the United States of Persons Contributing to the Situation in Libya

President issues EO blocking property and suspending entry of persons contributing to situation in Libya

On April 21, 2016, the *Federal Register* published [Executive Order 13726 of April 19, 2016 - Blocking Property and Suspending Entry Into the United States of Persons Contributing to the Situation in Libya](#). The Executive Order (EO) expands the scope of the national emergency declared in Executive Order 13566 of February 25, 2011, finding that the ongoing violence in Libya, including attacks by armed groups against Libyan state facilities, foreign missions in Libya, and critical infrastructure, as well as human rights abuses, violations of the arms embargo imposed by United Nations Security Council Resolution 1970 (2011), and misappropriation of Libya's natural resources threaten the peace, security, stability, sovereignty, democratic transition, and territorial integrity of Libya, and thereby constitute an unusual and extraordinary threat to the national security and foreign policy of the United States. The EO addresses this threat and United Nations Security Council Resolutions 2174 of August 27, 2014, and 2213 of March 27, 2015.

Please check our [Sanctions Blog](#) for updates.

President continues national emergency with respect to Somalia

On April 6, 2016, the *Federal Register* published Presidential [Notice of April 4, 2016 – Continuation of the National Emergency With Respect to Somalia](#), which continues for an additional year the national emergency, first declared on April 12, 2010 in Executive Order (EO) 13536 because of 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.

Additional steps were taken in EO 13620 of July 20, 2016 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 extended 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.

President continues national emergency with respect to South Sudan

On April 1, 2016, the *Federal Register* published Presidential [Notice of March 30, 2016 – Continuation of the National Emergency With Respect to South Sudan](#), which continues for an additional year the national emergency, first declared on April 3, 2014, in Executive Order (EO) 13664 because the situation in and in relation to South Sudan, had been marked by activities that threaten the peace, security, or stability of South Sudan and the surrounding region, including widespread violence and atrocities, human rights abuses, recruitment and use of child soldiers, attacks on peacekeepers, and obstruction of humanitarian operations. The EO is being extended because the situation in and in relation to South Sudan continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Miscellaneous Tariff Bill process legislation passes in House

On April 27, 2016, the [American Manufacturing Competitiveness Act](#) (H.R. 4923) passed by a 415-2 vote in the House of Representatives. The bipartisan, bicameral legislation (an identical bill, [S 2794](#), was introduced in the Senate and referred to the Senate Committee on Finance) was reported out of the Ways and Means Committee unanimously on April 20, 2016. H.R. 4923 establishes a new framework for Miscellaneous Tariff Bills (MTBs) that permit tariff suspensions and reductions in duty for raw materials needed by American manufacturers and producers. The bill seeks to avoid the Congressional ban on “earmarks” by initiating the MTB process through a public International Trade Commission vetting process, before which ITC would analyze and seek public comment on MTB product petitions and submit its recommendations for goods to receive tariff benefits back to Congress for approval or disapproval. In past MTBs, involved importers, manufacturers and producers submitted petitions directly to a Member of Congress for introduction. It was then referred to the International Trade Commission, U.S. Customs and Border Protection and the Office of the U.S. Trade Representative for vetting and a determination of whether any resulting changes can be administered. Bills that passed this vetting were then consolidated in a single legislative package – sometimes tied to other trade legislation.

The Ways and Means Committee reported that the new MTB process has received broad bipartisan support from groups such as the National Association of Manufacturers, Americans for Tax Reform, the National Taxpayers Union, and a coalition of more than 200 small businesses.

[House Committee Report H. Rpt. 114-519](#), may be [downloaded](#). For more information about the American Manufacturing Competitiveness Act of 2016, [click here](#).

International Cultural Property Act sent to President

On April 29, 2016, the *Protect and Preserve International Cultural Property Act* was sent to the President for signature. It had passed the Senate by unanimous consent on April 14, and the House of Representatives by a voice vote.

The bill expresses the sense of Congress that the President should establish an inter-agency coordinating committee to coordinate and advance executive branch efforts to protect and preserve international cultural property at risk from political instability, armed conflict, or natural or other disasters.

The President shall apply specified import restrictions with respect to any archaeological or ethnological material of Syria:

- within 90 days;
- without regard to whether Syria is a state party to the convention on the means of prohibiting and preventing the illicit import, export, and transfer of ownership of cultural property (adopted by the General Conference of the United Nations Educational, Scientific, and Cultural Organization); and
- notwithstanding the requirement that an emergency condition applies.

The President shall at least once a year determine whether at least one of the following conditions is met: (1) Syria is incapable of fulfilling the requirements to request an agreement pursuant to the Convention on Cultural Property Implementation Act, and (2) it would be against the U.S. national interest to enter into such an agreement.

The President may waive such import restrictions for specified cultural property if the President certifies to Congress that: (1) the foreign owner or custodian of the specified cultural property has requested that the property be temporarily located in the United States for protection purposes, (2) the property shall be returned upon request to the foreign owner or custodian, and (3) the grant of a waiver will not contribute to illegal trafficking in cultural property or financing of criminal or terrorist activities.

Any archaeological or ethnological material that enters the United States pursuant to a waiver shall have immunity from seizure under P.L. 89-259 (which provides immunity from seizure for cultural items imported for temporary exhibition.)

The bill also requires the President to report annually to Congress on executive branch efforts to protect and preserve international cultural property.

State issues determinations under International Religious Freedom Act of 1998

On April 20, 2016, the Department of State published in the *Federal Register* a [document](#) [Public Notice: 9527] setting forth the Secretary of State's designation of "countries of particular concern" for religious freedom violations pursuant to Section 408(a) of the *International Religious Freedom Act of 1998* (Pub. L. 105-292), as amended (the Act). The Secretary has designated each of the following as a "country of particular concern" under the Act, for having engaged in or tolerated particularly severe violations of religious freedom: Burma, China, Eritrea, Iran, the Democratic People's Republic of Korea, Saudi Arabia, Sudan, Tajikistan, Turkmenistan, and Uzbekistan.

The Secretary simultaneously designated the following Presidential Actions for these countries:

- For Burma, the existing ongoing arms embargo referenced in 22 C.F.R. 126.1(a);
- For China, the existing ongoing restriction on exports to China of crime control and detection instruments and equipment, under the *Foreign Relations Authorization Act of 1990 and 1991* (Pub. L.101-246);
- For Eritrea, the existing ongoing arms embargo referenced in 22 C.F.R. 126.1(a);
- For Iran, the existing ongoing travel restrictions based on serious human rights abuses under sec. 221(a)(1)(C) of the *Iran Threat Reduction and Syria Human Rights Act of 2012*;
- For the Democratic People's Republic of Korea, the existing ongoing restrictions to which the Democratic People's Republic of Korea is subject, pursuant to sec. 402 and 409 of the *Trade Act of 1974* (the Jackson-Vanik Amendment);
- For Saudi Arabia, a waiver as required in the "important national interest of the United States";
- For Sudan, the restriction in the annual *Department of State, Foreign Operations, and Related Programs Appropriations Act* on making certain appropriated funds available for assistance to the Government of Sudan;
- For Tajikistan, a waiver as required in the "important national interest of the United States";
- For Turkmenistan, a waiver as required in the "important national interest of the United States";
- For Uzbekistan, a waiver as required in the "important national interest of the United States."

USTR establishes petition process for review of AGOA eligibility

On April 29, 2016, the Office of the U.S. Trade Representative (USTR) published in the *Federal Register* a [final rule](#) [Docket Number USTR-2016-0002] establishing a petition process to review the eligibility of countries for the benefits of the *African Growth and Opportunity Act* (AGOA). The final rule adopts, without change, the interim rule published in the *Federal Register* on March 18, 2016 (81 Fed. Reg. 14716).

USTR determines not to list any countries as denying fair market opportunities

On April 26, 2016, the Office of the U.S. Trade Representative (USTR) published in the *Federal Register* a [notice](#) indicating that, pursuant to section 533 of the *Airport and Airway Improvement Act of 1982*, as amended (49 U.S.C. 50104), the USTR has determined not to list any countries as denying fair market opportunities for U.S. products, suppliers, or bidders in foreign government-funded airport construction projects.

USITC initiates investigation on "Aluminum: Competitive Conditions Affecting the U.S. Industry"

On April 12, 2016, the United States International Trade Commission (USITC) published in the *Federal Register* a [notice of an investigation and the scheduling of a public hearing](#) [Investigation No. 332-557] entitled, *Aluminum: Competitive Conditions Affecting the U.S. Industry*, following receipt of a request from the U.S. House of Representatives, Committee on Ways and Means. The investigation will cover unwrought (e.g., primary and secondary) and wrought (e.g., semifinished) aluminum products. The Commission's report will provide, to the extent that information is available:

- An overview of the aluminum industry in the United States and other major global producing and exporting countries, including production, production capacity, capacity utilization, employment, wages, inventories, supply chains, domestic demand, and exports;
- Information on recent trade trends and developments in the global market for aluminum, including U.S. and other major foreign producer imports and exports, and trade flows through third countries for further processing and subsequent exports;
- A comparison of the competitive strengths and weaknesses of aluminum production and exports in the United States and other major producing and exporting countries, including such factors as producer revenue and production costs, industry structure, input prices and availability, energy costs and sources, production technology, product innovation, exchange rates, and pricing, as well as government policies and programs that directly or indirectly affect aluminum production and exporting in these countries;
- In countries where unwrought aluminum capacity has significantly increased, identify factors driving those capacity and related production changes; and
- A qualitative and, to the extent possible, quantitative assessment of the impact of government policies and programs in major foreign aluminum producing and exporting countries on their aluminum production, exports, consumption, and domestic prices, as well as on the U.S. aluminum industry and on aluminum markets worldwide.

As requested, the report will focus primarily on the 2011-2015 time period, but examine longer term trends since 2001 when appropriate. Information on the scheduling of the hearing and deadlines for submissions can be found in the *Federal Register* notice.

USITC investigations

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

Investigation. No. and title	Requested by:
Inv. No. 332-557 Aluminum: Competitive Conditions Affecting the U.S. Industry (I/H)	House Ways and Means
Inv. No. 332-558 Nepal: Advice Concerning Whether Certain Textile and Apparel Articles Are Import Sensitive (I/H)	USTR
Inv. No. 332-552 Overview of Cuban Imports of Goods and Services and Effects of U.S. Restrictions (USITC Pub. 4597) (R)	Senate Finance

Coast Guard says U.S. already has equivalent requirements for new SOLAS Regulation VI/2 on container weights

In [MSIB No. 009/16, dated 28 April 2016](#), the U.S. Coast Guard (USCG) states that it has determined that existing U.S. laws and regulations for providing verified container weights are equivalent to the requirements in SOLAS (Safety of Life at Sea) Regulation VI/2. The USCG sent to the International Maritime Organization (IMO) a letter outlining its determination that its current regulatory regime provides for other entities within the container export chain to work in combination with the shipper to determine and verify container weights, and it provides ships' masters with container weights in order to ensure ships are loaded and operated safely.

This equivalency acknowledges the dynamic and flexible business relationship between the entities in the export chain, and it provides flexibility for these entities to reach arrangements in order to ensure compliance with the SOLAS amendments that come into effect on July 1, 2016. Shippers, carriers, terminals, and maritime associations have outlined multiple acceptable methods for providing verified gross mass (VGM). A couple of examples are: (1) the terminal weighs the container, and when duly authorized, verifies the VGM on behalf of the shipper, and (2) the shipper and carrier reach agreement whereby the shipper verifies the weight of the cargo, dunnage, and other securing material, and the container's tare weight is provided and verified by the carrier.

For the purposes of determining the VGM of a container, any equipment currently being used to comply with Federal or State laws, including the *Intermodal Safe Container Transportation Act* and the container weight requirements in 29 C.F.R. 1918.85(b), are acceptable for the purpose of complying with SOLAS.

The Coast Guard, in the normal course of vessel inspections under its flag state and port state control authorities, will continue to verify that ships' masters receive the VGM of containers in order to ensure that ships are loaded safely and operate within their structural and stability safety limitations.

ICE/CBP IPR seizure statistics released for FY 2015

The Department of Homeland Security (DHS) has released the [Intellectual Rights Seizure Statistics for Fiscal Year 2015](#). As in past years, U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) statistics are combined. In Fiscal Year (FY) 2015, the number of IPR seizures increased nearly 25 percent to 28,865 from 23,140 in FY 2014. The total estimated manufacturer's suggested retail price (MSRP) of the seized goods, had they been genuine, increased 10 percent to \$1,352,495,341. Tactical interagency collaboration with the National Intellectual Property Rights Coordination Center (IPR Center) resulted in 538 arrests, with 339 indictments, and 357 convictions.

CBP/Forest Service announce intent to prepare Joint EIS

On April 27, 2016, CBP and the U.S. Forest Service (Forest Service), published in the *Federal Register* a [notice](#) announcing that CBP and the Forest Service Idaho Panhandle National Forests (IPNF) (collectively the "Agencies") intend to prepare a joint Environmental Impact Statement (EIS) to identify and assess potential impacts upon the environment of: Repairing and maintaining an approximately 5.6-mile section of the existing Bog Creek Road, which is located in the Selkirk Mountains in Boundary County, Idaho, within approximately two miles of the Canadian border, on land within the Blue-Grass Bear Management Unit (BMU) that is managed by the IPNF; and closing for motorized use additional roads within the Blue-Grass BMU to comply with the IPNF Forest Plan Amendments for Motorized Access Management within the Selkirk and Cabinet-Yaak Grizzly Bear Recovery Zones (Access Amendment) and reduce road density in the Blue-Grass BMU. The notice initiates the public scoping process for the preparation of the EIS. The purpose of the public scoping process is to solicit public comments regarding the potential environmental impacts that may be addressed. This notice commences the public scoping period for which CBP and IPNF are requesting written comments. This process is being conducted pursuant to the *National Environmental Policy Act (NEPA)*, the *Council on Environmental Quality Regulations for Implementing the NEPA* (40 C.F.R. parts 1500–1508), and CBP and Forest Service NEPA guidelines. Additionally, pursuant to Section 106 of the *National Historic Preservation Act*, the public scoping process will allow members of the general

public to provide CBP and IPNF comments on potential impacts to historic and cultural resources for the proposed action.

The scoping comment period will be 30 days. To ensure consideration, comments must be received by May 27, 2016.

Comments may be submitted as set forth in the ADDRESSES section of the *Federal Register* notice. This project implements a land management plan and is subject to 36 C.F.R. part 218, subparts A and B of the Forest Service's Project-level Predecisional Administrative Review Process. Pursuant to 36 C.F.R. part 218, only those who provide specific, written comments regarding the proposed project will be eligible to file an objection.

CBP announces ACE In-Transit Manifest Pilot Program

On April 27, 2016, CBP published in the *Federal Register* a [general notice](#) announcing that CBP plans to conduct a National Customs Automation Program (NCAP) test relating to truck shipments of commercial goods that transit from a point of origination in Canada through the United States to a point of destination in Canada. Under the NCAP test, CBP will use a new filing code to identify shipments as being part of the In-Transit Manifest Pilot Program in CBP's Automated Commercial Environment (ACE) Truck Manifest System. Test participants will submit electronically an in-transit manifest with a relaxed validation for the value data element and they will not have to provide the Harmonized Tariff Schedule (HTS) number. The notice provides a description of the NCAP test and specifies the duration and locations of the test. It also invites public comment on any aspect of the test.

The test will commence no earlier than May 27, 2016 and will run for approximately six months at the following ports: Port Huron, Michigan; Pembina, North Dakota; and Blaine, Washington. Comments concerning this notice and all aspects of the announced test may be submitted at any time during the test period.

COAC meeting announced

On April 11, 2016, CBP published in the *Federal Register* a [document](#) announcing a meeting of the Commercial Customs Operations Advisory Committee (COAC) in Washington, DC on April 27, 2016. The Agenda is below.

1. The **Trade Enforcement and Revenue Collection (TERC) Subcommittee** will discuss the progress made on prior TERC recommendations, the Intellectual Property Rights Working Group, Bond Working Group and recommendations from the Antidumping and Countervailing Duty Working Group.
2. The **Trusted Trader Subcommittee** will discuss their vision for an enhanced Trusted Trader concept that includes engagement with CBP to include relevant partner government agencies with a potential for international interoperability.
3. The **Trade Modernization Subcommittee** will discuss the progress of the Centers of Excellence and Expertise Uniformity ("Centers") Working Group. The subcommittee will provide an update on areas they have identified for Centers to develop uniform policies, processes and strategies, with consideration of an industry-focused and account-based approach. The subcommittee will also discuss the progress of the International Engagement and Trade Facilitation Working Group which is identifying examples of best practices in the U.S. and abroad that facilitate trade and could be applied globally. Additionally, the subcommittee will also discuss the formation of a Role of the Broker Working Group to provide updated recommendations for revising 19 C.F.R. 111.

4. The **One U.S. Government Subcommittee** will discuss progress of the Automated Commercial Environment (ACE) Single Window efforts and the previous COAC recommendations related to this matter. CBP will respond to the working group's previous recommendations and suggestions. There will also be an update from the North American Single Window Working Group on developments of the North American Single Window Vision statement.

5. The **Exports Subcommittee** will discuss the progress of the Air, Ocean, and Rail Manifest Pilots, and the beginning of work planned for the Truck Manifest sub-workgroup, which will be coordinating with the 1 USG North American Single Window (NASW) work group to ensure that the groups are not duplicating work. The Post Departure Filing (PDF) workgroup will be discussing the results of its planned Table Top exercise.

6. The **Global Supply Chain Subcommittee** will review and discuss recommendations related to the Pipeline Working Group and also provide an update on pilot discussions with industry. In addition, the subcommittee will report on the startup of the Customs-Trade Partnership Against Terrorism (C-TPAT) Working Group that will be reviewing and developing recommendations to update the C-TPAT minimum security criteria. Meeting materials will be available by April 22 2016, at the [COAC website](#).

CBP terminates and replaces statutory advisory committee

On April 1, 2016, CBP published in the *Federal Register* a [notice](#) [Docket No. USCBP-2016-0016] that terminates the Advisory Committee on Commercial Operations to U.S. Customs and Border Protection and establishes the Commercial Customs Operations Advisory Committee.

This action was necessary because section 9503(c) of the *Omnibus Budget Reconciliation Act of 1987*, (Pub. L. 100-203) (codified at 19 U.S.C. 2071 note), which established what is now the Advisory Committee on Commercial Operations to U.S. Customs and Border Protection, was repealed by section 109 of the *Trade Facilitation and Trade Enforcement Act of 2015* (Pub. L. 114-125) ("Section 109"). Accordingly, the Advisory Committee on Commercial Operations to U.S. Customs and Border Protection is terminated. Section 109 also provides that the Secretary of the Treasury and the Secretary of Homeland Security ("the Secretaries") shall jointly establish a Commercial Customs Operations Advisory Committee (COAC). The COAC shall be comprised of 20 members, the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner, who shall jointly co-chair meetings of the COAC, and the Assistant Secretary for Policy of the Department of Homeland Security and the Director of U.S. Immigration and Customs Enforcement, who shall serve as deputy co-chairs of meetings of the COAC.

The COAC members shall be appointed by the Secretaries and is to be representative of individuals and firms affected by the commercial operations of U.S. Customs and Border Protection (CBP) and without regard to political affiliation. Each individual appointed to the COAC is to be appointed for a term of not more than 3 years, and may be reappointed to subsequent terms, but may not serve more than 2 terms sequentially. The Secretaries may transfer members serving on what is now the Advisory Committee on Commercial Operations, on the day before the date of the enactment of Section 109 to the Commercial Customs Operations Advisory Committee.

The COAC, which is to meet at least 4 times each calendar year, will advise the Secretaries on all matters involving the commercial operations of CBP, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of CBP, and provide recommendations to the Secretaries on improvements to the commercial operations of CBP.

CBP corrects Code of Federal Regulations

On April 1, 2016, CBP published in the *Federal Register* corrections to sections shown below in title 19 Code of Federal Regulations (C.F.R.) Parts 0 to 140 (April 1, 2015 Edition):

Part affected	Correction
19 C.F.R. Part 10	page 96 -in § 10.1(h)(1); page 113 in § 10.31(f) page 596, in § 24.22(g)(7) remove the term “Customs” and add “CBP” in its place.
19 C.F.R. Part 4	page 67 revision to § 4.88(a) remove the words “with a registry which” and add in their place “with a registry endorsement which”.)
19 C.F.R. Part 10	page 259, in § 10.470 revise the section heading to read “Verification and justification of claim for preferential tariff treatment.”
19 C.F.R. Part 12	page 480, in § 12.74(b)(2) remove the phrase “a period of”.
19 C.F.R. Part 24	page 596, in § 24.22(g)(7) remove the term “Customs” and add “CBP” in its place.
19 C.F.R. Part 122	page 810, in § 122.24(b) after the paragraph heading, remove the introductory text before the table

Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
04-01-16	Agency Information Collection Activities: Request for Information (N) [CBP Form 28]
04-04-16	Agency Information Collection Activities: Administrative Rulings (N)
04-06-16	DHS: Privacy Act of 1974: Department of Homeland Security, U.S. Customs and Border Protection, DHS/CBP–014 Regulatory Audit Archive System (RAAS) System of Records [Docket No. DHS–2016–0027] (N)
	DHS: Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security/U.S. Customs and Border Protection–014 Regulatory Audit Archive System (RAAS) System of Records [Docket No. DHS–2016–0026] (PR)
04-11-16	Accreditation and Approval of King Laboratories, Inc., as a Commercial Gauger and Laboratory (N) [Carson, CA]
04-18-16	Agency Information Collection Activities: Prior Disclosure (N)
	Accreditation of Dixie Services Inc., as a Commercial Laboratory (N) [Galena Park, TX]
	Accreditation and Approval of Oiltest, Inc., as a Commercial Gauger and Laboratory (N) [Roselle, NJ]
04-19-16	Approval of AmSpec Services, LLC, as a Commercial Gauger (N) [Sulphur, LA]
04-22-16	Agency Information Collection Activities: Regulations Relating to Recordation and Enforcement of Trademarks and Copyrights (N)
04-26-16	Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory (N) [Corpus Christi, TX]
	Approval of Trust Control International as a Commercial Gauger (N) [Houston, TX]

CBP to permit submission of PGA forms through DIS until ACE mandatory deadlines

On April 22, 2016, CBP issued [CSMS#16-000321](#) (and [16-000320](#)) announcing that the below listed Partnering Government Agencies (PGAs) are now allowing the submission of the [forms on the linked list](#) to CBP and the appropriate agencies through the Document Imaging System (DIS) for ACE Cargo Release filers for an interim period from now until the ACE PGA message set and/or DIS becomes mandatory for PGA data.

The following agencies have agreed to allow their forms to be submitted via DIS during the course of their pilots until the ACE mandatory dates:

- Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)
- Drug Enforcement Administration (DEA)
- Environmental Protection Agency (EPA)
- Fish and Wild Life Service (FWS)
- National Marine Fisheries Service (NMFS)

CBP states that the PGA forms that require approval and/or signature by the PGA must obtain the approval/signature from the PGA prior to submitting the form in DIS. Those forms requiring PGA approval prior to submission in DIS are indicated by an asterisk in the forms list. These forms include the ATF Release & Receipt of Imported Firearms, Ammunition and Implements of War Form (6A) and the EPA Notice of Arrival of Pesticides and Devices Form (EPA 3540-1). Also, the ATF Form 6A no longer needs to be signed by CBP and mailed to ATF if the form is submitted through DIS. In addition, the EPA Form 3540-01 mentioned above does not need to be signed by CBP. Unless deemed necessary, there is no requirement for CBP to print out the submitted forms from DIS.

During this interim period, filers do not have to submit the forms in paper to CBP. Filers need only to upload the PGA forms via DIS in order for CBP to verify the PGA requirements have been met.

Filers participating in PGA pilots may still submit the required data via the PGA message set. This interim DIS policy is merely providing the option for Cargo Release filers to submit the attached set of PGA forms in DIS until the data captured in those forms will be required to be submitted through the PGA message set.

Once all ACE mandatory dates are implemented, all filers will have to conform to the PGA message set and/or DIS requirements set forth by each PGA. For example, the National Highway Safety Traffic Administration (NHTSA) filings are currently mandatory in ACE, and the HS-7 Declaration data must be transmitted with the PGA message set, so the HS-7 does not qualify for submission through DIS.

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 Certification and Production Outages which have already occurred and problems which have been resolved are not included below.

Date	CSMS#	Title
04-01-16	16-000262	Trade Webinar Series: ACE Accounts and Census Vetting Q&A TC - April 7th & 14 at 2:00 PM
	16-000269	Required filing in ACE for entry type 11 entries/entry summaries
04-05-16	16-000274	Agency Tariff Code to Agency Program Cross Reference
04-06-16	16-000275	ACE CERTIFICATION deployment, Wed. April 6, 2016 @2100ET, impact ACE CargoRel & EntrySumm
	16-000277	CERTIFICATION ACE Cargo Release deployment, Wed. April 6,

Date	CSMS#	Title
		2016 @1600ET
04-07-16	16-000278	ACE PRODUCTION Cargo Release Processing Delays Caused SO/SX Response issues, Thurs 4/7/2016
	16-000279	ACE PRODUCTION: Releases Suspended on Old Cargo Release Entries
	16-000280	Important Transition Update Specifically for AES EDI/VPN Filers
	16-000281	Seminario Web en Español de ACE Para La Comunidad Empresarial
	16-000282	ACE Single Window Webinar in Spanish for the Business Community
	16-000283	Reminder: Transition Dates for AESDirect and AESPcLink Users
04-08-16	16-000285	ACE CERTIFICATION Cargo Release deployment, Fri. April 8, 2016 @1330 ET
	16-000286	Port of Entry Enforcement on ACE Cargo Release Entries when PGA data is provided
	16-000287	ACE PRODUCTION: Processing problems for entries with FDA data, Friday 4/8/2016
04-11-16	16-000288	Harmonized System Update (HSU) 1602 created April 5, 2015
	16-000289	Transitioning to ACE with PGA Data (previously PGA Pilot Instructions)
04-12-16	16-000290	Inactive VPN Accounts
	16-000291	Appendix V - Government Agency Codes Document Update
	16-000292	ACE CERTIFICATION deployment, Tues. April 12,2016 @1700ET, impact ACE CargoRel & EntrySumm
04-13-16	16-000293	Request for Participants: Office of Marine Conservation (OMC) Trade Working Group
	16-000294	
	16-000295	ACE PRODUCTION deployment, Thursday April 14,2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000296	ACE Processing Issues
04-14-16	16-000297	ACE CERTIFICATION deployment, Thurs April 14,2016 @0700ET, impact ACE CargoRel & EntrySumm
	16-000298	GUIDANCE: Document Image System (DIS) Submission of P1/P2 Pasta Certificates
	16-000299	ACE CERTIFICATION deployment, Thurs April 14,2016 @1700ET, impact ACE CargoRel & EntrySumm
04-15-16	16-000300	ACE PRODUCTION deployment, Friday April 15, 2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000302	ACE CERTIFICATION deployment, Sat. April 16, 2016 @1000ET, impact ACE CargoRel & EntrySumm
04-18-16	16-000303	Update: CBP Port of Whitlash, Montana
	16-000305	Reminder: Office of Marine Conservation Trade Working Group Request for Participants
	16-000306	Quota entries, Foreign Trade Zone (type 06) and Temporary Importation Bond, entry type 23
	16-000308	Reminder: ACS Process for Satsuma Mandarin Oranges
	16-000309	Clarification - Quota entries, FTZ (type 06) and TIB (type 23)
04-19-16	16-000310	ACE PRODUCTION deployment, Tuesday April 19, 2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000311	Harmonized System Update (HSU) 1602 - Additional Information
04-20-16	16-000312	Local Closure - Port of Houston, TX April 18, 2016
	16-000313	ACE PRODUCTION deployment, Thursday April 21,2016 @0600ET, impact ACE CargoRel & EntrySum
	16-000314	CPSC eFiling Alpha Pilot Implementation Guide V3.2 dated March 30, 2016
	16-000315	Updated ACE Entry Summary Create/Update CATAIR Chapter posted to CBP.gov
04-21-16	16-000316	Announcement of Initiation of Antidumping Duty Investigations: Ferrovandium from the Rep. of Korea
	16-000317	AMS CATAIR Guidelines, March 30, 2016
	16-000318	Entry not Writing to Manifest if BOL is on Hold and within Variable

Date	CSMS#	Title
		Release Window
04-22-16	16-000320	Submission of PGA Forms Through DIS Until ACE Mandatory
	16-000321	
	16-000322	AESDirect Transition Reminder & April 23-24 Outage Notice
	16-000325	ACE Cargo Release issue with Entries for Air In-bond shipments
	16-000327	FDA Supplemental Guide Release 2.4.1 and FDA Supplemental Guide Example PG Message Sets
	16-000329	Announcement of Initiation of Antidumping and Countervailing Duty Investigations: 1-Hydroxyethylidene-1, 1-Diphosphonic Acid
	16-000330	ACE PRODUCTION Entry Summary Deployment
	16-000331	Notice of ACE Capabilities for Trade Deployed on 4/21/16
04-25-16	16-000332	Harmonized System Updates (HSU) 1603 & 1604 created April 21 and 22, 2016
	16-000334	Updated PGA Message Set CATAIR Chapter and Appendix PGA posted to CBP.gov
04-27-16	16-000337	Updated Draft Document Image System (DIS) Implementation Guide (IG) Posted to CBP.gov
	16-000338	New Federal Register Notice Published Concerning the In-Transit Manifest Pilot
	16-000339	CBP Deactivation of Port Code 3884 (Ferrysburg, MI)
	16-000340	Correction: CBP Deactivation of Port Codes 3844 and 3820
	16-000341	ACE CERTIFICATION deployment, Wed. April 27, 2016 @1700ET, impact ACE CargoRel & EntrySumm
	16-000342	ACE PRODUCTION deployment, Thursday April 28, 2016 @0600ET, impact ACE CargoRel & EntrySumm
	16-000343	ACE CERTIFICATION deployment, Wed. April 27, 2016 @1700ET, impact ACE CargoRel & EntrySumm
04-28-16	16-000344	ACE PRODUCTION deployment, Thursday April 28,2016 @1130ET, impact ACE CargoRel & EntrySumm
04-29-16	16-000345	Updated ACE CATAIR Documentation Posted to CBP.gov
	16-000346	ACE CERTIFICATION deployment, Fri. April 29,2016 @2030ET, impact ACE CargoRel & EntrySumm

Foreign Trade Zones

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

F.R. Date	Document
04-05-16	Foreign-Trade Zone 17-Kansas City, Kansas, Application for Reorganization, (Expansion of Service Area) Under Alternative Site Framework [B-16-2016]
04-08-16	Notification of Proposed Production Activity - Max Home, LLC - Subzone 158F (Upholstered Furniture) luka and Fulton, Mississippi [B-17-2016]
04-15-16	Foreign-Trade Zone (FTZ) 186—Waterville, Maine; Notification of Proposed Production Activity; Flemish Master Weavers (Area Rugs); Sanford, Maine [B-18-2016]
	Foreign-Trade Zone 172—Oneida County, New York; Application for Reorganization and Expansion Under Alternative Site Framework [B-19-2016]
04-18-16	Foreign-Trade Zone (FTZ) 20—Newport News, Virginia; Authorization of Proposed Production Activity, Canon Virginia, Inc., Subzone 20D, (Toner Cartridges and Bottles); Newport News, Virginia [B-85-2015]
	Foreign-Trade Zone (FTZ) 183—Austin, Texas; Authorization of Proposed Production Activity, Samsung Austin Semiconductor, L.L.C., Subzone 183B, (Semiconductors), Austin, Texas [B-83-2015]
04-20-16	Foreign-Trade Zone 214 – Lenoir County, North Carolina - Application for Reorganization/Expansion under Alternative Site Framework [B-20-2016]
04-26-16	Foreign-Trade Zone 291 -- Cameron Parish, Louisiana - Application for Subzone G2 LNG LLC - Cameron, Louisiana [B-22-2016]
	Foreign-Trade Zone 61 -- San Juan, Puerto Rico - Application for Subzone

F.R. Date	Document
	Rooms to Go (PR), Inc. - Toa Baja, Puerto Rico [S-49-2016] Foreign-Trade Zone (FTZ) 46G – Cincinnati, Ohio - Notification of Proposed Production Activity Givaudan Flavors Corporation - (Flavor Products) Cincinnati, Ohio [B-21-2016]
04-28-16	Foreign-Trade Zone 186 – Waterville, Maine - Application for Subzone Flemish Master Weavers - Sanford, Maine [S-50-2016] Foreign-Trade Zone 229 – Charleston, West Virginia - Application for Reorganization/Expansion under Alternative Site Framework [B-23-2016]

Commerce offers opportunity for listings of smart city products, etc.

On April 28, 2016, the International Trade Administration/Global Markets published in the *Federal Register* a [notice of opportunity](#) for U.S. companies to submit smart city products, services, and capabilities for showcasing as export listings in the upcoming *Smart Cities, Regions & Communities: Global Tools of Engagement*.

Located within the U.S. Department of Commerce International Trade Administration, Global Markets (GM) promotes trade and investment. GM works to improve the global business environment and helps U.S. organizations compete abroad. In furtherance of GM’s mission and the U.S. Department of Commerce strategic goal of increasing trade and investment opportunities for U.S. companies globally, GM is offering a new for-fee service for U.S. exporters to be listed in an Export Listing Guide as part of a larger Smart Cities Resource Guide inventorying the various initiatives and programming related to Smart Cities within the U.S. Department of Commerce.

The Export Listing Guide, which will be distributed at relevant trade fairs and exhibitions globally as well as on-line in a digital edition, aims to showcase U.S. goods and services in the various sectors comprising Smart City urban development globally. For the purposes of the Export Listing Guide, ‘Smart City’ is a broad urban development term generally referring to urban planning and infrastructure development focused around the integration of multiple information and communications technology (ICT) solutions to better manage a city’s municipal operations; and to provide real time citizen feedback for enhanced city governance. General domains of Smart City products and services can be categorized as: energy & power; water & sanitation; information and communications technology; transportation; healthcare; design & planning; infrastructure financing; environmental protection/safety; and/or governance solutions. Please see the supplementary information section of the *Federal Register* notice for additional detail regarding listing eligibility and submission requirements.

Submissions and payment must be received no later than 5:00 pm EDT on May 25, 2016 for publication in the 2016 edition. Please reference the ‘Submissions Instructions’ section of the *Federal Register* notice for submission guidance.

Treasury publishes current list of boycott countries

On April 8, 2016, the Department of the Treasury published in the *Federal Register* a [current list of countries](#) which require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the *Internal Revenue Code of 1986*). On the basis of the best information currently available to the Department of the Treasury, the following countries require or may require participation in, or cooperation with, an international boycott: Iraq,

Kuwait, Lebanon, Libya, Qatar, Saudi Arabia, Syria, United Arab Emirates and Yemen.

FinCEN amends definition of broker or dealer in securities

On April 4, 2016, the Financial Crimes Enforcement Network (FinCEN) published in the *Federal Register* a [notice of proposed rulemaking](#) that would amend the definitions of “broker or dealer in securities” and “broker-dealer” under the regulations implementing the *Bank Secrecy Act*. This rulemaking would amend those definitions explicitly to include funding portals that are involved in the offering or selling of crowdfunding securities pursuant to section 4(a)(6) of the *Securities Act of 1933*. The consequence of those amendments would be that funding portals would be required to implement policies and procedures reasonably designed to achieve compliance with the *Bank Secrecy Act* requirements currently applicable to brokers or dealers in securities. The proposal to specifically require funding portals to comply with the *Bank Secrecy Act* regulations is intended to help prevent money laundering, terrorist financing, and other financial crimes. Written comments must be submitted on or before June 3, 2016.

Extension of Belarus-Related General License

On April 29, 2016, the Department of the Treasury, announced that in consultation and coordination with the Department of State, it is extending the authorization by [general license of transactions involving certain Belarusian entities blocked pursuant to Executive Order 13405](#). This license does not generally authorize the release of property blocked pursuant to E.O. 13405. This authorization expires on October 31, 2016, unless extended or revoked.

OFAC issues Hizballah Financial Sanctions Regulations

On April 15, 2016, the Office of Foreign Assets Control (OFAC) published in the *Federal Register* a [final rule](#) issuing regulations to implement the *Hizballah International Financing Prevention Act of 2015* (HIFPA), which requires the President to prescribe certain regulations. The new *Hizballah Financial Sanctions Regulations* (HFSR) will be in 31 C.F.R. Part 566.

HIFPA requires the President to prescribe regulations to prohibit or impose strict conditions on the opening or maintaining in the United States of a correspondent account or a payable through account by a foreign financial institution that the President determines, on or after December 18, 2015, engages in one or more of the following activities: (1) Knowingly facilitating a significant transaction or transactions for Hizballah; (2) knowingly facilitating a significant transaction or transactions of a person identified on the List of Specially Designated Nationals and Blocked Persons (SDN List) maintained by OFAC, the property and interests in property of which are blocked pursuant to the *International Emergency Economic Powers Act* (50 U.S.C. 1701 *et seq.*) for acting on behalf of or at the direction of, or being owned or controlled by, Hizballah; (3) knowingly engaging in money laundering to carry out an activity described in (1) or (2); or (4) knowingly facilitating a significant transaction or transactions or providing significant financial services to carry out an activity described in (1), (2), or (3). The President delegated certain functions and authorities, with respect to the determinations provided for therein, to the Secretary of the Treasury, in consultation with the Secretary of State.

Part 566 is divided into subparts, as follows:

Subpart A - Relation of This Part to Other Laws and Regulations

Subpart B – Prohibitions [implements section 102 of the HIFTA]

Subpart C – General Definitions [defines key terms used throughout the Regulations]

Subpart D – Interpretations [contains interpretive sections regarding the Regulations and sets forth the types of factors that, as a general matter, the Secretary of the Treasury will consider in determining whether transactions or financial services are significant.]

Subpart E – Licenses, Authorizations, and Statements of Licensing Policy

Subpart F – Reports [refers to Part 501 for recordkeeping and reporting requirements]

Subpart G – Penalties [refers to Appendix A of Part 501]

Subpart H – Procedures [refers to subpart E of part 501 for applicable provisions relating to administrative procedures and contains a delegation of authority by the Secretary of the Treasury]

Subpart I – Paperwork Reduction Act

The rule was effective on April 15, 2016.

OFAC issues Burundi Sanctions Regulations

On April 6, 2016, OFAC published in the *Federal Register* a [final rule](#) issuing regulations to implement Executive Order 13712 of November 22, 2015 (“Blocking Property of Certain Persons Contributing to the Situation in Burundi”). The *Burundi Sanctions Regulations* are being published in abbreviated form at this time for the purpose of providing immediate guidance to the public. OFAC intends to supplement this 31 C.F.R. part 554 with a more comprehensive set of regulations, which may include additional interpretive and definitional guidance, and additional general licenses and statements of licensing policy. A copy of E.O. 13712 appears in Appendix A to part 554. The appendix to the Regulations will be removed when OFAC supplements this part with a more comprehensive set of regulations. The Regulations were effective on publication.

Census posts “ACE Export Reports in a Nutshell” on its blog

On April 13, 2016, the U.S. Census Bureau (Census) [posted on its website](#) an article entitled, “ACE Reports in a Nutshell.” The blog states:

[Automated Commercial Environment \(ACE\) Export Reports](#) were deployed on June 27, 2015, along with ACE Export Accounts functionality. These reports serve as a replacement to the export data that was previously provided to the filer and/or U.S. Principal Party in Interest (USPPI) per request. ACE Export Reports give users the flexibility to access an official record of their exports at any time, free of charge. This capability provides for customizable reports (dynamic and scheduled) for export data filed in the last five years, in addition to the current year.

The available reports can be run by Employer Identification Number (EIN) and either an export date range or a filing date range. There are three different export reports provided in the ACE system: the 201 Filer Report, the 202 USPPI Report and the 203 USPPI Routed Report.

- The 201 Filer: This report will return all shipments submitted by the filer requesting the report for the given date range.
- The 202 USPPI: This report will return all shipments submitted on behalf of the U.S. Principal Party in Interest (USPPI) requesting the report for the given date range (including self-filed reports, if applicable.)
- The 203 Routed: This report will return a data dump of only the subset of data elements approved by the Foreign Trade Regulations (FTR) for five years plus current year for shipments flagged as routed export transactions. *Note:*

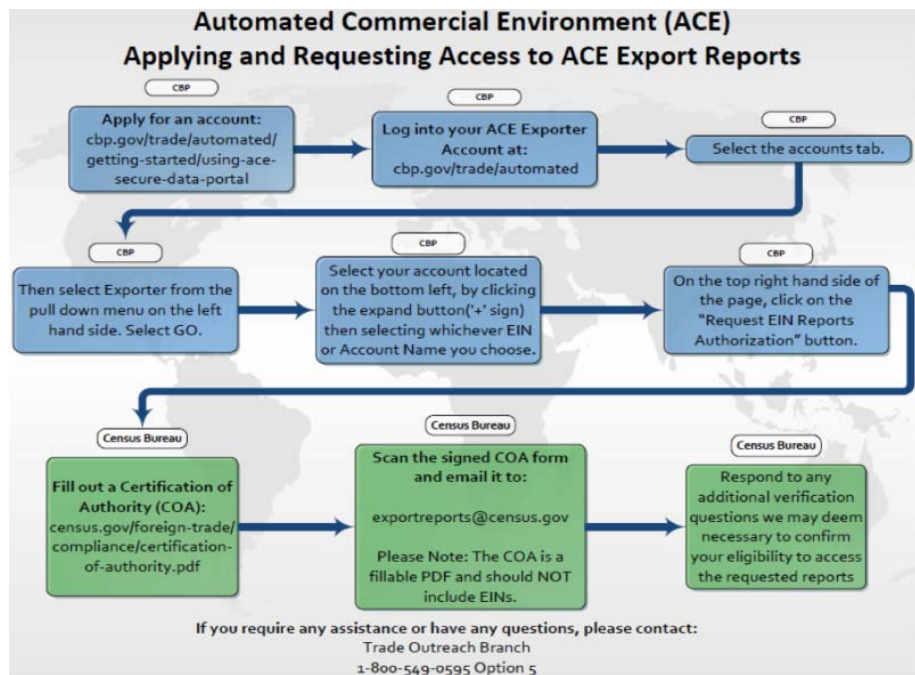
A change to the FTR has been proposed to include the Internal Transaction Number (ITN) and date of export to this subset of data elements to make this report searchable by date range.

An ACE Exporter Account is required to access these reports. If you have an ACE Importer Account, no further vetting is required. However, if you are new to ACE, you must be [vetted](#) to obtain export reports authorization after establishing an account. If you are new to ACE and need to apply for an account, please complete the ACE Exporter Account [application](#).

We (Census) have step-by-step [videos](#) available that cover requesting export reports authorization by EIN as well as the process applying for ACE accounts. We also have a [webinar](#) on Export Reports and Accounts available for viewing at your convenience.

NOTE: Vetting is **NOT** required to file Electronic Export Information (EEI) in the new AESDirect system in ACE or to access shipment data in the AESDirect Shipment Manager.

For more information, see the graphic below or visit [here](#) or call the Census Bureau's Trade Outreach Branch at 800-549-0595, option 5 or email export-reports@census.gov.



BIS publishes reminder for calendar year 2015 reporting of offsets agreements related to sales of defense articles or defense services to foreign countries or foreign firms

On April 8, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [notice](#) [Docket No. 160329302-6302-01] to remind the public that U.S. firms are required to report annually to the Department of Commerce (Commerce) information on contracts for the sale of defense articles or defense services to foreign countries or foreign firms that are subject to offsets agreements exceeding \$5,000,000 in value. U.S. firms are also required to report annually to Commerce information on offsets transactions completed in performance of existing offsets commitments for which offsets credit of \$250,000 or more has been claimed from the foreign representative. This year, such reports must include rel-

evant information from calendar year 2015 and must be submitted to Commerce no later than June 15, 2016.

BIS revises EAR based on 2015 Missile Technology Control Regime Plenary Agreements

On April 4, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160204079–6079–01] amending the *Export Administration Regulations* (EAR) to reflect changes to the Missile Technology Control Regime (MTCR) Annex that were agreed to by MTCR member countries at the October 2015 Plenary in Rotterdam, Netherlands, and the April 2015 Technical Experts Meeting (TEM) in Bern, Switzerland. This final rule makes conforming changes to correlate the Commerce Control List (CCL) (Supplement No. 1 to Part 774 of the EAR) and other EAR provisions with the current MTCR Annex. This final rule revises six Export Control Classification Numbers (ECCNs) to implement the changes that were agreed to at the meetings and to better align the MT controls on the CCL with the MTCR Annex. In addition, this final rule makes a change to MT licensing policy to be consistent with the MTCR Annex General Minimum Software Note and the MTCR Annex General Technology Note that specify that a license for MT controlled items should also authorize certain minimum “software” and “technology.” This final rule also adds a new paragraph to the section of the EAR that specifies which changes to a license are considered “non-material.” This amendment will facilitate this rule’s revised MT licensing policy, which will apply to all licenses for MT controlled items, except when excluded by a license condition. The rule was effective on publication.

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
04-01-16	State: In the Matter of the Review of the Designation of Ansar al Islam (and other Aliases) as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act, as Amended [Public Notice: 9506] (N)
04-05-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [4 individuals and 2 entities]
04-07-16	OFAC: Sanctions Action Pursuant to Executive Order 13664 (N) [updated identifying information for one individual]
	OFAC: Additional Designations, Foreign Narcotics Kingpin Designation Act (N) [seven entities and additions to the identifying information for five individuals and one entity]
	OFAC: Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to the Foreign Narcotics Kingpin Designation Act (N) [seven individuals, eight entities, and one vessel]
04-19-16	OFAC: Additional Designations, Foreign Narcotics Kingpin Designation Act (N) [eight individuals and one entity]
04-26-16	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) [one individual]

FTC proposes amendments to Hobby Protection Act rules

On April 20, 2016, the Federal Trade Commission (FTC) published in the *Federal Register* a [notice of proposed rulemaking and request for public comments](#) on proposed amendments to its *Rules and Regulations Under the Hobby Protection Act* (Rules) which were drafted in response to earlier public comments and in response to Congressional amendments to the *Hobby Protection Act* (Hobby Act).

On December 19, 2014, President Obama signed into law the *Collectible Coin Protection Act* (CCPA; Public Law 113– 288), a short set of amendments to the Hobby Act. The CCPA amends the Hobby Act’s scope to address not only the distribution by manufacturers and importers of imitation numismatic items, but also “the sale in commerce” of such items. Additionally, the CCPA makes it a violation of the Hobby Act “for a person to provide substantial assistance or support to any manufacturer, importer, or seller if that person knows or should have known that the manufacturer, importer, or seller is engaged in any act or practice” violating the marking requirements of the Hobby Act.

The FTC proposes to align its Rules with the Hobby Act by: (1) Extending the Rules’ scope to cover persons or entities engaged in “the sale in commerce” of imitation numismatic items; and (2) stating that persons or entities violate the Rules if they provide substantial assistance or support to any manufacturer, importer, or seller of imitation numismatic items, or any manufacturer or importer of imitation political items, when they know, or should have known, that such person is engaged in any act or practice violating the marking requirements set forth in the Hobby Act and the Rules. The FTC is soliciting comment on the proposed amendments and the regulatory burden they may impose on businesses.

However, the FTC does not propose amending its Rules to incorporate the CCPA’s provisions regarding the proper location for lawsuits or the protection of the trademark rights of collectible certification services as the existing Rules do not address, relate to, or conflict with those provisions. Additionally, it is not necessary to modify the Rules to address specific collectible items.

Lastly, the FTC does not propose modifying the Rules to ban the sale of fantasy coins outright. Sales of properly-marked fantasy coins are lawful under the FTC’s decision in *In re Gold Bullion Int’l, Ltd.*, 92 F.T.C. 196 (1978), which held that vendors could sell coins with date variations so long as the coins are marked with the word ‘Copy.’ By contrast, the federal statute prohibiting the alteration of U.S. coins requires fraudulent intent. 18 U.S.C. 331. Accordingly, the FTC finds no grounds to adopt a rule banning fantasy coins.

In order to be considered, comments must be received by the FTC on or before July 1, 2016.

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
04-06-16	FTC: Labeling and Advertising of Home Insulation (ANPR/RFC)
04-07-16	CPSC: Safety Standard for Automatic Residential Garage Door Operators [Docket No. CPSC–2015–0025] (FR)

F.R. Date	Subject
04-13-16	CPSC: Rules of Practice for Adjudicative Proceedings [CPSC Docket No. 2016–0006] (PR)
04-20-16	FTC: Rules and Regulations Under the Hobby Protection Act (PR/RFC)

FDA issues Import Alert on imported shrimp and prawns from peninsular Malaysia

On April 18, 2016, the U.S. Food and Drug Administration (FDA) [announced](#) that its District Offices may detain, without physical examination (DWPE), imports of shrimp and prawns from peninsular Malaysia due to testing that found that approximately one-third of imports from peninsular Malaysia contained residues of nitrofurans and/or chloramphenicol.

FDA testing in fiscal year 2015 has shown an increase in shipments of Malaysian shrimp and prawns containing residues of nitrofurans and chloramphenicol. Shrimp or prawns that contain residues of nitrofurans or chloramphenicol are adulterated and not permitted in United States commerce.

In the past, the FDA has taken steps to prevent companies with violative shipments from continuing to import shrimp and prawns containing nitrofurans and chloramphenicol residues by placing them on existing Import Alerts. This means that the companies' future shipments may be detained without physical examination at the port of entry and the importer may submit evidence, such as test results from a private laboratory, demonstrating that the products are free of nitrofurans and chloramphenicol residues. The agency has requested that the Malaysian government investigate the cause of the residue problem and develop a program of short-term and long-term actions to prevent the export of violative shrimp from Malaysia to the United States.

Despite Malaysia's ban on the use of chloramphenicol and nitrofurans in seafood farm operations, the FDA has continued to find residues of these drugs in shrimp and prawns from peninsular Malaysia exported to the United States. From October 1, 2014, to September 30, 2015, the FDA tested 138 samples of shrimp and prawns from peninsular Malaysia. In all, 45 samples (32 percent) contained residues of chloramphenicol and/or nitrofurans. For that reason, FDA is today placing companies processing and/or shipping shrimp and prawns from peninsular Malaysia on Import Alert. Malaysia's states of Sabah and Sarawak are not subject to the import alert.

In order to secure release of an individual shipment identified for DWPE under the import alert, the owner or consignee of the affected goods should provide the results of a private laboratory analysis of a representative sample(s) collected from the affected article as evidence that the product does not bear or contain any nitrofurans or chloramphenicol residues.

In order to facilitate and expedite a review of the processor's request for removal from DWPE under the import alert, the FDA recommends that the processor submit information to allow the FDA reviewers to adequately assess whether the processor(s) has appropriate controls and processes in place to ensure future shrimp and/or prawns from the processor will not bear or contain nitrofurans or chloramphenicol residues and will be in compliance with the *Federal Food Drug and Cosmetics Act*.

In addition to the FDA's review of documentation submitted requesting removal from DWPE, the FDA, either solely or in conjunction with the relevant Malaysian regulatory authority, may conduct on-site inspections of the processor and/or the processor's Malaysian supplier(s) (including aquaculture farms and processors preceding the shipper), where applicable, prior to rendering a decision to place the processor and processor's products on the Green List.

Additional information is available by accessing the [Import Alert](#).

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
04-04-16	Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 041 [Docket No. FDA-2004-N-0451] (N)
	Labeling for Biosimilar Products; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-0643] (N)
04-06-16	Sanitary Transportation of Human and Animal Food [Docket No. FDA-2013-N-0013] (FR)
04-15-16	Food Additives Permitted for Direct Addition to Food for Human Consumption; Folic Acid [Docket No. FDA-2012-F-0480] (FR)
	Exempt Infant Formula Production: Current Good Manufacturing Practices, Quality Control Procedures, Conduct of Audits, and Records and Reports; Guidance for Industry; Availability [Docket No. FDA-2014-D-0044] (N)
04-20-16	Distributor Labeling for New Animal Drugs; Guidance for Industry; Availability [Docket No. FDA-2015-D-3056] (N)
	Preparation for International Cooperation on Cosmetics Regulation [Docket No. FDA-2016-N-1024] (N/H)
04-25-16	Refurbishing, Reconditioning, Rebuilding, Remarketing, Remanufacturing, and Servicing of Medical Devices Performed by Third- Party Entities and Original Equipment Manufacturers; Extension of Comment Period [Docket No. FDA-2016-N-0436] (N/E)
04-28-16	Foreign Supplier Verification Programs for Importers of Food for Humans and Animals; Technical Amendment [Docket No. FDA-2011-N-0143] (FR)
	Compliance Policy Guide on Crabmeat--Fresh and Frozen--Adulteration with Filth, Involving the Presence of Escherichia coli [Docket No. FDA-2014-D-1842] (N)

APHIS and other USDA notices issued

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

F.R. Date	Subject
04-01-16	AMS: National Dairy Promotion and Research Program Order [Document No. AMS-DA-14-0074] (PR) [<i>affects importer membership on Dairy Board</i>]
04-04-16	APHIS: Importation of Fresh Cherimoya Fruit From Chile Into the United States [Docket No. APHIS-2015-0015] (PR)
	APHIS: Importation of Lemons From Chile Into the Continental United States [Docket No. APHIS-2015-0051] (PR)
	CCC: Notice of Funds Availability: Inviting Applications for the Foreign Market Development Cooperator Program (N)
	CCC: Notice of Funds Availability: Inviting Applications for the Market Access Program (N)
	CCC: Notice of Funds Availability: Inviting Applications for the Emerging Markets Program (N)
	CCC: Notice of Funds Availability: Inviting Applications for the Technical Assistance for Specialty Crops Program (N)
	CCC: Notice of Funds Availability: Inviting Applications for the Quality Samples

F.R. Date	Subject
	Program (N)
04-08-16	APHIS: Importation of Fresh Andean Blackberry and Raspberry Fruit From Ecuador Into the Continental United States [Docket No. APHIS-2014-0085] (FR)
	APHIS: Importation of Fresh Peppers From Ecuador Into the United States [Docket No. APHIS-2014-0086] (FR/C)
	APHIS: Importation of Fresh Pitahaya Fruit From Ecuador Into the Continental United States [Docket No. APHIS-2015-0004] (PR)
04-13-16	FSIS: Classes of Poultry [Docket No. FSIS-2015-0026] (FR)
	FSIS: Eligibility of Honduras To Export Poultry Products to the United States [Docket No. FSIS-2015-0016] (PR)
04-15-16	APHIS: Importation of Fresh Apple and Pear Fruit Into the Continental United States From Certain Countries in the European Union [Docket No. APHIS-2015-0073] (PR/RO)
04-20-16	FSIS: Eligibility of the Republic of Poland to Export Poultry Products to the United States [Docket No. FSIS-2015-0042] (PR)
04-25-16	FSIS: Codex Alimentarius Commission: Meeting of the Codex Alimentarius Commission [Docket No. FSIS-2016-0013] (N/H/RFC)
04-26-16	AMS: Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes: Revision to the Administrative Rules and Regulations for Shipments to Charitable Organizations [Doc. No. AMS-FV-14-0100; FV15-925-1 FR] (FR)
04-27-16	AMS: National Organic Program (NOP); Sunset 2016 Amendments to the National List; Correction [Doc. No. AMS-NOP-15-0052; NOP-15- 12PR] (PR/C)

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](#).

- Brazil - [Changes to Brazil's Excise Tax on Industrialized Products \(IPI\)](#)
- Canada - [Canada Proposes Cancellation of All Thiram Uses](#)
- China - [Registration of Formula Foods for Special Medical Purposes](#)
- Egypt - [Update - Exporter Registration Requirement](#)
- EU - [How the European Union Works - Updated Guide to EU Decision-Making](#)
- EU - [Increased Certification for Highly Processed Products](#)
- India - [Enforcement Measures for Nutraceuticals and Food-Health Supplements](#)
- India - [FSSAI Clarifies Use of Monosodium Glutamate in Noodles and Pasta](#)
- India - [FSSAI Publishes FAQs for Proprietary Food](#)
- India - [FSSAI Publishes Parameters for Testing Various Food Products](#)
- India - [WTO Notified – GOI Standards for Fruits and Vegetables](#)
- India - [WTO Notified - Histamine Level in Fish and Fish Products](#)
- India - [WTO Notified Draft Standards for Fortified Milk and Edible Lactose](#)
- Indonesia - [Indonesia Modifies Import Regulations for Livestock Products](#)
- Indonesia - [SPS 108 Notification on Requirements for Commercial Sterile Foods](#)
- Malaysia - [Exporter Guide](#)
- Mexico - [Mexico Announces Increased Sugar Export Quota to the United States](#)
- Mexico - [Mexico Lifts Ban for U.S. Poultry Products](#)
- Philippines - [Philippine Biotechnology Regulations to be Replaced](#)
- Poland - [Polish Ministry of Agriculture outlines its position on TTIP](#)
- South Africa - [Promoting rules based governance and Intra-Africa Trade](#)
- Turkey - [FAIRS - Narrative](#)
- Turkey - [Lists of animals and products to be subject to veterinary controls](#)
- Turkey - [Turkey Updates List of Restricted Substances for Food Supplement](#)

CITA requests comments on availability under US-Morocco FTA

On April 15, 2016, the Committee for the Implementation of Textile Agreements (CITA) published in the *Federal Register* requests for public comments concerning commercial availability requests under the U.S. Morocco Free Trade Agreement:

Requests	Comments Due
Modification of the rules of origin for dresses, skirts, blouses and tops made from certain woven fabric	05-16-16
Modification of rules of origin for certain women's pants made from certain woven fabrics	
Modification of rules of origin for pants, skirts, jackets, shirts, and casual dresses made from certain woven fabrics	

NMFS/NOAA requests comments on trusted trader program

On April 29, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), published in the *Federal Register* a [notice](#) in which the National Ocean Council Committee on Illegal Unreported and Unregulated (IUU) Fishing and Seafood Fraud (NOC Committee) is seeking public input on the design and implementation of a Commerce Trusted Trader Program as part of an effective seafood traceability process to combat IUU fishing and seafood fraud. The Commerce Trusted Trader Program will establish within the previously proposed Seafood Import Monitoring Program such benefits as reduced targeting and inspections, and enhanced streamlined entry into U.S. commerce for holders of an International Fisheries Trade Permit that are certified for participation in the Commerce Trusted Trader Program.

Comments must be received by June 28, 2016. Public webinars will take place from 2:00 to 3:30 p.m. EDT on May 4, 2016, 2:00 to 3:30 p.m. EDT on May 10, 2016, and 2:30 to 4:00 p.m. EDT on June 6, 2016.

Commerce seeks information on softwood lumber export subsidies

On April 28, 2016, Enforcement and Compliance, International Trade Administration (Commerce) published in the *Federal Register* a [notice](#) seeking public comment on any subsidies, including stumpage subsidies, provided by certain countries (*i.e.*, those whose exports accounted for at least one percent of total U.S. imports of softwood lumber by quantity, as classified under Harmonized Tariff Schedule code 4407.1001 (which accounts for the vast majority of imports)), exporting softwood lumber or softwood lumber products to the United States during the period July 1, 2015 through December 31, 2015. Comments must be submitted within 30 days after publication of the notice.

Procurement: DoD requests input on negotiation of a Reciprocal Defense Procurement MOU with the Ministry of Defense of Latvia

On April 13, 2016, the Department of Defense (DoD) published in the *Federal Register* a [notice](#) [Docket No. DARS-2016-0013] advising the public that on behalf of the U.S. Government, DoD is contemplating negotiating and concluding a Reciprocal Defense Procurement (RDP) Memorandum of Understanding (MOU) with the Ministry of Defense of Latvia. DoD is requesting industry feedback regarding its experience in public defense procurements conducted by or on behalf

of the Latvian Ministry of Defense or Armed Forces. Comments must be received by May 13, 2016.

Procurement: FTA proposes Policy Statement on the implementation of the phased increase in domestic content under the Buy America waiver for rolling stock

On April 6, 2016, the Federal Transit Administration (FTA) published in the *Federal Register* a [notice of proposed policy statement and request for comments](#) [Docket No. FTA–2016–0019] regarding the implementation of the phased increase in domestic content for rolling stock under the Federal Transit Administration’s (FTA) *Buy America* statute, as amended by the *Fixing America’s Surface Transportation (FAST) Act*. The FAST Act was signed into law on December 4, 2015, with an effective date of October 1, 2015. FTA seeks comments from all interested parties. After consideration of the comments, FTA will issue a second Federal Register notice responding to comments and noting any changes made to the policy statement as a result of the comments received.

Comments must be received by May 6, 2016. Late-filed comments will be considered to the extent practicable.

Procurement: FTA requests comments for public interest waiver for rolling stock procurements in limited circumstances

On April 6, 2016, the FTA published in the *Federal Register* a [notice of proposed general public interest waiver and request for comments](#) [Docket No. FTA–2016–0020] on the FTA’s justification for waiving its Buy America requirements for rolling stock under certain limited circumstances because application of the increased domestic content requirements is inconsistent with public policy. The *Fixing America’s Surface Transportation (FAST) Act* amended FTA’s *Buy America* statute to include a phased increase in domestic content for rolling stock. The FAST Act was signed into law on December 4, 2015, but included an effective date of October 1, 2015. FTA proposes a public interest waiver for the following categories of contracts: (1) For contracts entered into between the FAST Act’s effective date and date of enactment (i.e., between October 1, 2015 and December 4, 2015), the increased domestic content requirements for FY2018 and beyond will not apply, regardless of when the vehicles are delivered; and (2) for contracts entered into after December 4, 2015 as a result of solicitations for bids or requests for proposals that were advertised before December 4, 2015, the increased domestic content requirements for FY2018 and beyond will not apply, regardless of when the vehicles are delivered. FTA is providing notice of this public interest waiver and seeks public comment. After consideration of the comments, FTA will issue a second *Federal Register* notice responding to comments and issuing final public interest waivers.

Comments must be received by April 13, 2016. Late-filed comments will be considered to the extent practicable.

NOAA/NMFS allows yellowfin tuna imports from four countries

On April 6, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), published in the *Federal Register* a [notice](#) announcing that the NMFS Assistant Administrator has issued new five-year affirmative findings for the Governments of Ecuador, Guatemala, Mexico, and Spain (“The Nations”) under the *Marine Mammal Protection Act* (MMPA). These new five-year affirmative findings will allow yellowfin tuna and yellowfin

tuna products harvested in the eastern tropical Pacific Ocean (ETP) in compliance with the *International Dolphin Conservation Program* (IDCP) by The Nations' flagged purse seine vessels or purse seine vessels operating under The Nations' jurisdiction to be imported into the United States. The new five-year affirmative findings were based on reviews of documentary evidence submitted by the Governments of The Nations and obtained from the Inter-American Tropical Tuna Commission (IATTC). These new five-year affirmative findings are effective for the five-year period of April 1, 2015, through March 31, 2020.

Commerce reporting requirements

The following notices of reporting requirements related to international trade or services were published in the *Federal Register*:

F.R. Date	Report
04-04-16	BE-15: Annual Survey of Foreign Direct Investment in the United States [Docket No. 160316249-6249-01]
	BE-37: Quarterly Survey of U.S. Airline Operators' Foreign Revenues and Expenses [Docket No. 160303194-6194-01]
	BE-577: Quarterly Survey of U.S. Direct Investment Abroad-Transactions of U.S. Reporter With Foreign Affiliate [Docket No. 160304201-6201-01]
	BE-125: Quarterly Survey of Transactions in Selected Services and Intellectual Property With Foreign Persons [Docket No. 160304199-6199-01]
	BE-605: Quarterly Survey of Foreign Direct Investment in the United States-Transactions of U.S. Affiliate With Foreign Parent [Docket No. 160304202-6202-01]
	BE-30: Quarterly Survey of Ocean Freight Revenues and Foreign Expenses of U.S. Carriers [Docket No. 160304195-6195-01]
	BE-150: Quarterly Survey of Payment Card and Bank Card Transactions Related to International Travel [Docket No. 160304197-6197-01]
	BE-45: Quarterly Survey of Insurance Transactions by U.S. Insurance Companies With Foreign Persons [Docket No. 160304198-6198-01]
	BE-29: Annual Survey of Foreign Ocean Carriers' Expenses in the United States [Docket No. 160303193-6193-01]
	BE-9: Quarterly Survey of Foreign Airline Operators' Revenues and Expenses in the United States [Docket No. 160303190-6190-01]
	BE-11: Annual Survey of U.S. Direct Investment Abroad [Docket No. 160303191-6191-01]
	BE-185: Quarterly Survey of Financial Services Transactions Between U.S. Financial Services Providers and Foreign Persons [Docket No. 160304200-6200-01]

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
04-01-16	National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): Endangered and Threatened Wildlife and Plants; Notice of 12-Month Finding on Petitions to List the Common Thresher Shark and Bigeye Thresher Shark as Threatened or Endangered Under the Endangered Species Act (ESA) [Docket No. 141219999-6234-02] (N)
04-04-16	Environmental Protection Agency (EPA): Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2015-0022; FRL-9944-05] (N)
04-06-16	NOAA/NMFS: Taking and Importing of Marine Mammals (N) [Notice; new five-year affirmative findings for Ecuador, Guatemala, Mexico, and Spain].

F.R. Date	Subject
	<p>U.S. Fish and Wildlife Service (FWS) and NMFS/NOAA: Endangered and Threatened Wildlife and Plants: Final Rule To List Eleven Distinct Population Segments of the Green Sea Turtle (Chelonia mydas) as Endangered or Threatened and Revision of Current Listings Under the Endangered Species Act; Final Rule [Docket No. 120425024-6232-06] (FR)</p> <p>EPA: Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2015-0338 and EPA-HQ-OPP-2015-0339; FRL-9942-32] (FR)</p> <p>National Highway Traffic Safety Administration (NHTSA): Federal Motor Vehicle Safety Standards: Occupant Crash Protection [Docket No. NHTSA-2016-0021] (Denial of rulemaking petition)</p> <p>NHTSA: Federal Motor Vehicle Safety Standards: Occupant Crash Protection [Docket No. NHTSA-2016-0121] (Denial of petitions for reconsideration)</p>
04-07-16	<p>Energy: Energy Conservation Program: Data Collection and Comparison With Forecasted Unit Sales of Five Lamp Types [Docket No. EERE-2011-BT-NOA-0013] (N)</p> <p>FWS: Endangered and Threatened Wildlife and Plants: Listing the Scarlet Macaw [Docket No. FWS-R9-ES-2012-0039; 4500030115] (Revised PR/RO)</p> <p>FWS: Endangered and Threatened Wildlife and Plants: Threatened Species Status for the Big Sandy Crayfish and Endangered Species Status for the Guyandotte River Crayfish [Docket No. FWS-R5-ES-2015-0015; 4500030113] (FR)</p> <p>Pipeline and Hazardous Materials Safety Administration (PHMSA): Hazardous Materials: ICAO Lithium Ion Battery Prohibition Safety Advisory Notice [Docket No. PHMSA-2016-0014; Notice No. 2016-05] (N)</p>
04-08-16	<p>Energy: Test Procedures for Commercial Clothes Washers; Correction [Docket Number EERE-2013-BT-TP-0002] (FR/C)</p> <p>EPA: Fluazinam; Pesticide Tolerances [EPA-HQ-OPP-2015-0197; FRL-9942-99] (FR)</p> <p>EPA: Trichloroethylene; Significant New Use Rule [EPA-HQ-OPPT-2014-0697; FRL-9943-83] (FR)</p> <p>EPA: Flubendiamide; Notice of Intent to Cancel Pesticide Registrations [Docket No. FIFRA-HQ-2016-0001] (N/H)</p> <p>EPA: Certain New Chemicals; Receipt and Status Information for February 2016 [EPA-HQ-OPPT-2016-0021; FRL-9944-58] (N)</p>
04-11-16	<p>Energy: Energy Conservation Program: Energy Conservation Standards for Direct Heating Equipment [Docket Number EERE-2016-BT-STD-0007] (N of Proposed Determination)</p> <p>EPA: Flubendiamide; Notice of Receipt of Request To Voluntarily Cancel a Pesticide Product Registration [EPA-HQ-OPP-2007-0099; FRL-9944-33] (N)</p>
04-12-16	<p>EPA: 1,2-Propanediol, 3-[3-[1, 3, 3-tetramethyl-1-[(trimethylsilyl)oxy]-1-disiloxanyl]propoxy]- ; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0449; FRL-9944-11] (FR)</p> <p>International Trade Administration (ITA),Commerce: Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty (N)</p>
04-13-16	<p>EPA: Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0382; FRL-9944-34] (FR)</p> <p>EPA: Significant New Use Rule on Certain Chemical Substances [EPA-HQ-OPPT-2015-0388; FRL-9944-43] (PR)</p>
04-14-16	<p>Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Placement of AH-7921 Into Schedule I [Docket No. DEA-432] (Final order)</p>
04-18-16	<p>Energy: Appliance Standards and Rulemaking Federal Advisory Committee: Notice of Open Meetings for the Dedicated Purpose Pool Pumps (DPPP) Working Group To Negotiate a Notice of Proposed Rulemaking (NOPR) for Energy Conservation Standards [Docket Number EERE-2015-BT-STD-0008] (N/H)</p> <p>Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Determination of Portable Air Conditioners as a Covered Consumer Product [Docket No. EERE-2013-BT-STD-0033] (Final Determination)</p>

F.R. Date	Subject
04-19-16	EPA: Cyprodinil; Pesticide Tolerances [EPA-HQ-OPP-2015-0180; FRL-9943-85] (FR)
	PHMSA: Hazardous Materials: U.S. Designated Agents by Non-Resident Fire-work Manufacturers Guidance [Docket No. PHMSA-2016-0035; Notice No. 2016-03] (N)
04-20-16	Energy: Appliance Standards and Rulemaking Federal Advisory Committee: Notice of Open Meetings for the Circulator Pumps Working Group to Negotiate a Notice of Proposed Rulemaking (NOPR) for Energy Conservation Standards and Test Procedures [Docket Number EERE-2016-BT-STD-0004] (N/H)
	EPA: Aquashade, Nithiazine, d-limonene, and 2H-Cyclopent(d)isothiazol-3(4H)-one, 5,6-dihydro-2-methyl- (MTI) Registration Review Interim Decisions: Notice of Availability [EPA-HQ-OPP-2015-0393; FRL-9944-09] (N)
04-21-16	EPA: 2-(Decylthio) Ethanamine Hydrochloride, Aliphatic Alcohols C1-C5, Bentazon, Propoxur, Propoxycarbazone-sodium, Sodium Acifluorfen, Thidiazuron; Registration Review Proposed Interim Decisions: Notice of Availability [EPA-HQ-OPP-2015-0774; FRL-9944-31] (N)
04-25-16	Energy: Energy Conservation Program: Energy Conservation Standards for Refrigerated Bottled or Canned Beverage Vending Machines: Correction [Docket Number EERE-2013-BT-STD-0022] (FR/C)
	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2015-0032; FRL-9944-86] (N)
04-28-16	EPA: Pesticide Product Registration; Receipt of Application for New Active Ingredient [EPA-HQ-OPP-2016-0205; FRL-9945-49] (N)
	Commerce – ITA: Subsidy Programs Provided by Countries Exporting Softwood Lumber and Softwood Lumber Products to the United States: Request for Comment (N/RFC)
04-29-16	Energy: Energy Conservation Program: Clarification of Test Procedures for Fluorescent Lamps Ballasts [Docket No. EERE-2009-BT-TP-0016] (FR)

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Boletin Oficial publications

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

BO Date	Subject
05-04-16	National Administration of Medicines, Food and Medical Technology (ANMATM): Disp. № 2984/2016 (30-03-16) Prohibition on the use and distribution of certain medical products
06-04-16	ANMATM: Disp. № 3110/2016 (31-03-16) Prohibition on the use and marketing of certain household products
	ANMATM: Disp. № 3111/2016 (31-03-16) Prohibition on the use and marketing of certain household products
	ANMATM: Disp. № 3112/2016 (31-03-16) Prohibition on the use and marketing of certain household products
	ANMATM: Disp. № 3113/2016 (31-03-16) Prohibition on the use and marketing of certain household products

BO Date	Subject
07-04-16	Decree № 559/2016 (06-04-16) Exempting from the payment of import duty and other charges to products originating from countries participating in the “XII Festival of Communities and Crafts of the World”.
	ANMATM: Disp. № 3109/2016 (31-03-16) Prohibition on marketing of certain medical products
08-04-16	Federal Public Revenue Administration (AFIP) and Secretary of Transport Management: General Joint Resolution № 3859 and 9/2016 (07-04-16) Extending the term of General Joint Resolution 3805 and Resolution 3/2015 [electronic exchange of information]
11-04-16	Trade: Resolution № 57/2016 (06-04-16) Modifying Resolution № 30/2016. (see Annexes for lists of tariff headings and subheadings).
14-04-16	ANMATM: Disp. № 3480 (08-04-16) ban on marketing and use of certain cosmetic products
	ANMATM: Disp. № 3481 (08-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 3482 (08-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 3483 (08-04-16) ban on marketing and use of certain medical products
18-04-16	ANMATM: Disp. № 3763 (13-04-16) ban on marketing of certain medical products
	ANMATM: Disp. № 3764 (13-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 3765 (13-04-16) ban on marketing and use of certain medical products
20-04-16	AFIP: Gen. Res. № 3867 (18-04-16) final export of Goods. Value Added Tax. General Resolution No. 3,577. Modification.
	AFIP: Gen. Res. № 3868 (18-04-16) Reduction procedure temporarily imported inputs at the time of export. General Resolution No. 2147 and its amendment. Modification.
25-04-16	Decree 609 /2016 (22-04-16) Exempting from the payment of import duty and other charges products originating from countries participating in the “Forty Second International Book Exhibition Fair of Buenos Aires”
27-04-16	ANMATM: Disp. № 4339 (21-04-16) ban on marketing and use of certain cosmetic products
	ANMATM: Disp. № 4340 (21-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 4341 (21-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 4342 (21-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 4343 (21-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 4344(21-04-16) ban on marketing and use of certain medical products
	ANMATM: Disp. № 4378 (22-04-16) ban on marketing and use of certain medical products

Brazil

Brazil and Peru sign agreements on public procurement areas, services, investment and free trade of light vehicles and trucks

On 29 April 2016, the Ministry of Development, Industry and Foreign Trade [announced](#) that the Governments of Brazil and Peru signed a broad bilateral agreement, including government procurement chapters, services and investments. The *Brazil - Peru Commercial Expansion Economic Agreement* establishes liberalization of services, opening of public procurement markets and includes a chapter of investments along the lines of cooperation agreements and

Investment that have already been signed with other countries in Latin America and Africa. In the context of this broad agreement, Brazil signed its first international agreement on government procurement. From this, the Peruvian procurement of goods and services will be automatically open to Brazilian companies and Brazil's bids will be open to the Peruvian companies. In Peru, the participation of Brazilian companies in some bids has been hampered by the requirement of deposit in Peruvian financial institution for an amount not less than 5% of its maximum hiring capacity. This requirement does not apply to Peruvian companies and companies from other countries with which Peru has agreements in the area of public procurement. Therefore, with the implementation of the agreement Brazilian companies now have equivalent access. In the service area, Peruvian commitments are equivalent to those under the Trans-Pacific Partnership Agreement (TPP) and the Pacific Alliance. The agreement also eliminates duties on light vehicles and pick-up trucks.

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
01-04-16	CAMEX Res. № 30 (31-03-16) Changes CAMEX Resolutions n.º 42/2011, 13/2012, 27/2015 and 93/2015, replacing the SEAE / MF by SAIN / MF on assignments related to GTAR-08 and GTIP groups.
	CAMEX Res. № 31 (31-03-16) Changes the Brazilian Exceptions List the Common External Tariff of Mercosur and other measures
04-04-16	CAMEX Res. № 31 Correction
	CAMEX Res. № 32 (01-04-16) Grants temporary reduction in the rate of import duty under the terms of Resolution No. 08/08 of the MERCOSUR Common Market Group.
05-04-16	CAMEX Res. № 31 Correction
07-04-16	SECEX Circ. № 19 (06-04-16) makes public the proposed modifications of the MERCOSUR Common Nomenclature - NCM and the Common External Tariff - TEC, now under review by the Department of International Negotiations (DEINT), the Foreign Trade Secretariat (SECEX), in order to gather information for positioning definition under the Technical Committee 1, Tariffs, Nomenclature and Classification of Goods, Mercosur.
	SECEX Ordinance № 17 (06-04-16) Repeals section XLVI of art. 1 of Annex III of Portaria SECEX No. 23 of 14 July 2011 on the basis of CAMEX Resolution No. 14 of February 18, 2016
	SECEX Ordinance № 18 (06-04-16) establishes criteria for allocating quota for imports, determined by CAMEX Resolution No. 32 of April 1, 2016
22-04-16	CAMEX Resolution № 33 (20-04-16) Changes to 2% (two percent) the rates of import duty levied on Informatics and Telecommunication Goods, the ex-tariff condition.
	CAMEX Resolution № 34 (20-04-16) Changes to 2% (two percent) the rates of import duty levied on capital goods, the ex-tariff condition
	CAMEX Resolution № 35 (20-04-16) Changes the constant auto parts list in Annex I of CAMEX Resolution № 116 of 18 December 2014
	CAMEX Resolution № 38 (20-04-16) Quits the application of price undertaking for companies Natiprol Lianyungang Corporation, TTCA Co. Ltd., Weifang Ensign Industry Co. Ltd. and Wenda Co. Ltd.
	CAMEX Resolution № 39 (20-04-16) Changes the Brazilian Exceptions List the Common External Tariff of MERCOSUR
	CAMEX Resolution № 40 (20-04-16) Changes the Brazilian Exceptions List the Common External Tariff of MERCOSUR

Antidumping and countervailing duty cases

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

Chile

National Customs postings and Diario Oficial

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

Date	Subject
05-04-16	NCS: Resolution № 1525 Modification to the Compendium of Customs Rules NCS: Resolution № 1573 Modification to the Compendium of Customs Rules
14-04-16	Hacienda: Applying rebates of customs duties for importing wheat and wheat flour meslin
22-04-16	Hacienda: Decree 130 Establishing definitive safeguard measure on imports of goodsz
23-04-16	Foreign Affairs: Decree 97 Compliance with UN Security Council Resolutions Nos 1989, 2011, 2161, 2014, 2170, 2014, and its annex, and 2199, 2015, Relating to Al-Qaeda and People and Associates Foreign Affairs: Decree 104 Amending the Supreme Decree No. 14 of 2012, creating the Interministerial Committee for the implementation and compliance with United Nations Security Council Resolutions
25-04-16	Foreign Affairs: Decree 24 signs the additional protocol to the Framework Agreement signed between Pacific Alliance of the Republic of Colombia, the Republic of Chile, the United Mexican States and the Republic of Peru
29-04-16	Hacienda: Decree 128 Applying for refunds of customs duties on imports of crude sugar, refined sugar grade 1 and 2, and refined sugar grade 3 and 4, and substandard

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present and [Classification Opinions](#) (Dictámenes de Clasificación) from 1993-2009 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

Colombia adopts a new Customs law

On 7 March 2016, the President signed [Decree 390 of 2016](#) establishing the Customs Regulation. The new regulation is intended to facilitate trade and reduce processing times by using advance cargo electronic transmissions, risk management techniques to focus on high risk transactions and traders, electronic payments and bank and surety guarantees for duty, as well as advance rulings. The regulation also includes provisions related to cargo movement, improved inspections, including non-intrusive devices, and revised penalties.

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 (rulings) may be found at the [DIAN website here](#)..

MinCIT, MinHacienda and DIAN Documents

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

Date	Subject
17-02-16	DIAN (and other agencies): Res. № 15/2016 Whereby the AEO is regulated.
07-03-16	DIAN: Decree № 390 of 2016 Whereby the customs regulation is established
08-03-16	DIAN: Res. № 24/2016 Resolution No. 000024 of March 8, 2016 "Whereby Resolution No. 000220 of 31 October 2014 and Resolution No. 000111 of 29 October 2015 partially modified
14-03-16	MinCIT: Cir. № 10/2016 Reference prices of agricultural products.
15-03-16	MinCIT: Cir. № 3200/2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.
17-03-16	MinCIT and DIAN: Res. № 412/2016 Whereby the suspension of some procedural terms extension
31-03-16	DIAN: Res. № 30/2016 Deadline for submitting to the Tax and Customs DIAN tax information dealt with in Article 5 of Resolution No. 132 of December 22, 2016 and the technical specifications are changed.
	MinCIT: Circular 008 of 2016 "Resolution 2016 000045 - Regulates the import quotas for products originating in the Swiss Confederation or the Principality of Liechtenstein"
01-04-16	MinCIT: Cir. № 12/2016 Reference Prices of Agricultural Products
	MinCIT: Cir. 2341/2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-products or by-products
04-04-16	MinCIT: Circular 009 of 2016 "is modified partially Circular 021 of 2015 "
07-04-16	MinCIT: Resolution 0492 of 2016 "Whereby administrative measures of coordination, planning and organization to the Ministry of Commerce, Industry and Tourism and the administrative sector is adopted".
	MinCIT: Circular 010 of 2016 "Partial amendment of Circular 019 of 2015 "
11-04-16	MinCIT: Cir. № 2380/2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.
	MinCIT: Decree 588 of 2016 "By which partially amending the Customs Tariff"
	MinCIT: Decree 586 of 2016 "Whereby measures on exports of hides and skins are taken raw and wet blue ("wet-blue")"
	MinCIT: Decree 587 of 2016 "Whereby a chapter is added to Book 2 of Part 2 of Title 2 Single decree Trade Sector, Industry and Tourism, Decree 1074 of 2015 and Article 51 of Law 1480 of 2011 regulates "
12-04-16	MinCIT: Circular 011 of 2016 "Decree 588 of 2016 - By which the customs tariff is partially modified" [LEDs Heading 9405]
14-04-16	DIAN: Circular 2398 2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts
17-04-16	DIAN: Resolution 15 of 2016 Whereby the Authorized Economic Operators are regulated.
28-04-16	DIAN: Circular 000014 2016 Reference Prices of Agricultural Products
28-04-16	DIAN: Circular 2413 2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.

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
04-04-16	Transport and Communications: Ministerial Resolution No. 192-2016 MTC / 01.02 And alternate representatives appointed head of the SUTRAN to the Multi-Sectoral Working Group which is the Peruvian National Section of the Peruvian Bolivian Bilateral Commission to Eradicate Smuggling and Organized in Agricultural and Other Products
	Agriculture and Irrigation: Directorial Resolution No. 0012-2016-MINAGRI-SENASA-DSV Authorize entry of a shipment to 1900 olive rooted cuttings from Chile
06-04-16	Economy and Finance: Vice Ministerial Resolution No. 008-2016-EF / 15.01 Reference prices and additional variables rights referred to Supreme Decree No. 115-2001-EF applicable to imports of sugar corn rice and whole milk powder
	Agriculture: Directorial Resolution No. 0014-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance importing stakes cherry origin and provenance Israel
10-04-16	Agriculture: Directorial Resolution No. 0015-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance dried tomato imports natural source and origin Turkey
13-04-16	SUNAT: Res. № 05-2016/SUNAT/5F0000 Modified general procedure "temporary admission for re-export in the same state" INTA-PG.04-A (version 1)
	SUNAT: Res. № 06-2016/SUNAT/5F0000 Modified general procedure "temporary admission for re-export in the same state" INTA-PG.04-A (version 5)
17-04-16	Foreign Trade: Res. № 125-2016-MINCETUR Expand scope of delegation granted to the Chamber of Commerce and Production of Piura so that it can issue certificates of origin to goods produced in different regions or produced by companies in those regions
21-04-16	Congress of the Republic: Law № 30424 Law governing the administrative liability of legal persons for the offense of active bribery transnational
29-04-16	External Relations: Supreme Resolution No. 075-2016-RE - Delegated powers to the Minister of Foreign Trade and Tourism to sign the Deepening Economic Trade Agreement between the Republic of Peru and the Federative Republic of Brazil
30-04-16	External Relations: Convention - Entry Into Force of the Additional Protocol to the Agreement Under The Pacific Alliance
	International Agreement: Convention - Additional Protocol Agreement - Additional Protocol to the Framework Agreement of the Pacific Alliance
	Foreign Trade and Tourism: Supreme Decree No.003-2016-MINCETUR Implementation of the Additional Protocol to the Framework Agreement of the Pacific Alliance

Venezuela

Official Gazette

Date	Subject
01-04-16	Presidency of the Republic: Decree No 2292 whereby the Instructions on simplification of procedures is issued, and processes associated with the export of goods not Tradicionales.-
07-04-16	Central Bank: Exchange Agreement No. 36, by which the rules governing foreign exchange transactions carried out by tourism service providers operating Receptive Tourism and payments of goods destined for sale to passengers are issued.

Asia-Pacific

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

Australia

Update on the implementation of the Australian Government's proposed country origin labelling reforms for food sold in Australia

The Department of Industry, Innovation and Science [announced](#) that on 31 March 2016, Commonwealth, state and territory ministers with responsibility for consumer affairs met and agreed to the Commonwealth's preferred proposal for country of origin labelling reform, supported by a Decision Regulatory Impact Statement (RIS). See the [Communique](#) from the meeting.

There is still work to be done to finalise the reforms before they can officially commence. It is expected that reforms will commence from 1 July 2016 and business will have two years to transition to the new arrangements. In addition, current stock in trade will also be allowed to see out its use-by-date.

Work still to be done includes:

- registration, tabling and passing of changes to *Australian Consumer Law* (ACL) legislation including the new Information Standard and amendments to the ACL safe harbour defences;
- finalisation of an online tool, Style Guide and other resources to assist businesses to determine which labels to use, and to download label artwork; and
- a national information campaign to inform consumers and business about the reforms.

[More information about the labelling reforms](#)

The new system, which was the result of extensive consultation with industry and consumers, will see the continuation of mandatory country of origin labelling for most food offered for retail sale in Australia. In addition to a statement about where the food was produced, grown, made or packaged, most Australian food will carry the familiar kangaroo symbol and an indication of the proportion of Australian ingredients by weight through a statement and a bar graph. The new system will also see clearer rules around when food labels can carry 'made in' or 'packed in' statements.

Guidance on new export control requirements from the *Defence Trade Controls Act 2012* is available

Defence Export Controls (DEC) [announced](#) that new export controls for supplying and publishing Defence and Strategic Goods List (DSGL) technology and for brokering DSGL goods and technologies have undergone an implementation period and came into force on 2 April 2016. Individuals and organisations can [apply for permits](#) now for the new controls.

Guidance information, to help individuals and organisations learn about the new export controls, is available on:

- [Supply of Export Controlled Technology](#)
- [Publication of Export Controlled Technology](#)
- [Brokering of Export Controlled Goods and Technologies](#)

Question and answer scenarios on how the *Defence Trade Controls Act 2012* impact publications, conferences, educational instruction, research, correspondence and informal scientific exchanges, editing and peer review, commercial consulting, foreign nationals, patented information, sanctions, travelling and working overseas and records management is available on the '[Export Controls Training](#)' page under the 'scenarios' tab.

Defence is working with stakeholders as they establish internal compliance arrangements by providing implementation support through outreach and engagement sessions.

DEC now accepts DSP-83 - Non Transfer and Use Certificates in an electronic format

Defence Export Controls (DEC) signs DSP-83 Non Transfer and Use Certificates on behalf of the Commonwealth of Australia. The DSP-83 certificate provides a non-transfer and end-use assurance for defence goods and technology exported from the U.S. to Australia.

With immediate effect, DEC [announced](#) that it will accept scanned PDF copies of DSP-83 forms, with the relevant parts completed. These forms can be submitted electronically to [DEC](#). DEC will sign the form, and return a scanned copy to you via email, generally within 1 - 2 business days.

DEC has previously only accepted original DSP-83 forms in hardcopy based on U.S. Government requirements, with certificates posted or hand delivered to DEC before they could be finalised and returned to the U.S. The U.S. Government is now accepting scanned copies of fully executed DSP-83 forms submitted by U.S. applicants.

DIBP notices and advices

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

Date	Series and №	Title
07-04-16	DIBP № 2016/10	Cheese and Curd Quota Scheme – Allocations for 2016-2017
14-04-16	DIBP № 2016/11	Revised timeframe for the customs licensing review

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
06-04-16	TC16-12
13-04-16	TC16-13
20-04-16	TC16-14
27-04-16	TC16-15

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)

New policy on cross-border e-commerce

On March 24, 2016, the Ministry of Finance (MOF) State Administration of Taxation and the General Administration of Customs issued [Caiguanshui No. \[2016\] 18](#), Notice of cross-border e-commerce retail import tax policy. The new policy was approved by the State Council to facilitate cross border e-commerce retail sales. It took effect on April 8, 2016 and sets a temporary zero customs tariff and a VAT and consumption tax at 70% of the normal VAT and consumption tax on individual retail transactions of listed goods up to RMB 2,000 per transaction, and annual individual transaction limits of RMB 20,000. Taxes and duties will be based on the transaction value (purchase price). Sales exceeding these amounts will be subject to normal taxes and duties. If goods are returned to the seller within 30 days, the purchaser may apply for a refund of the taxes paid and request readjustment of the annual limit.

Prior to the announcement, individual non-commercial imports were subject to the personal postal articles tax which combined the customs tariff, import VAT and consumption tax. The Customs Tariff Commission of the State Council has also adjusted the personal postal articles tax policy by changing the four rates of 10%, 20%, 30% and 50% into three, namely 15%, 30% and 60%. The 15% tax rate applies to MFN items with zero tariff, while the 60% tax rate applies to luxury goods. The rest are subject to the 30% tax rate.

MOFCOM, MOF and GAC notices

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

Date	Series and №	Subject
03-24-16	(MOF) Caiguanshui No. [2016] 18	Notice of cross-border e-commerce retail import tax policy
03-28-16	GAC Ann. № 20	Revisions to the Import / Export Declaration Form
03-29-16	MOFCOM/GAC № 12	2016 Australian Wool country import tariff quota management implementation details
04-01-16	For.Aff./MOFCOM/GAC № 13	On the export to Iran of nuclear dual-use items and related technologies
04-05-16	MOFCOM/GAC № 11	Announcement concerning the embargo against North Korea part of the list of minerals [UNSC]
04-06-16	GAC № 25, 2016	On the “PRC imported articles classified” and the “PRC goods entering the country duty-paid price list” of the announcement)
	GAC № 26, 2016	Concerning cross-border regulatory issues related to e-commerce retail import and export commodities announcement) [See article above and MOF № 18]

Antidumping and Countervailing Duty Cases

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

India

India launches safeguard investigation on unwrought aluminium

On 21 April 2016, India [notified](#) the WTO's Committee on Safeguards that it initiated on 19 April 2016 a safeguard investigation on unwrought aluminium. In the notification, India indicated as follows:

“All interested parties may make their views known within a period of 30 days from the date of the notice issued (i.e. 19 April 2016) by the Director General (Safeguards) to:

The Director General (Safeguards)
 Bhai Vir Singh Sahitya Sadan: 2nd Floor,
 Bhai Vir Singh Marg,
 Gole Market, New Delhi-110 001, INDIA.
 Telefax: 011-23 74 15 42/ 23 74 15 37
 E-mail: dgsafeguards@nic.in

Any other party to the investigation who wishes to be considered as an interested party may submit its request so as to reach the Director General (Safeguards) on the aforementioned address within 15 days from the date of the aforesaid date of issuance of the notice by the Director General (Safeguards).”

Further information is available in [G/SG/N/6/IND/43](#) and its corrigendum.

India permits 100% foreign investment in e-commerce marketplaces

In [Press Note No. 3 released on March 29, 2016](#), the Government of India (“GOI”) announced that 100% foreign direct investment (“FDI”) is now permitted in e-commerce “marketplaces” in India, subject to certain stringent caveats.

India's e-commerce sector is poised for dramatic growth over the next few years (largely driven by exploding Internet and smartphone penetration in India, among other market catalysts such as evolving e-payment systems) and continues to attract significant FDI inflows from global e-commerce companies and private equity firms worldwide. However, prior to the new FDI rules, there was lack of clarity under India's existing [Consolidated FDI Policy Circular 2015](#) (“FDI Policy”) regard-

ing the permitted FDI in this sector. While the FDI Policy permits up to 100% FDI in India's business-to-business (B2B) e-commerce but not in India's business-to-consumer (B2C) e-commerce, certain aspects of the FDI Policy created ambiguity and uncertainty for foreign investors as well as India's emerging e-commerce players. The new FDI rules bring much-needed clarity regarding the contours of the FDI Policy vis-à-vis India's e-commerce sector.

The new FDI rules are summarized below:

- **100% FDI permitted in e-commerce marketplace model.** Under the new rules, up to 100% FDI under the automatic route (i.e., without any prior approval from GOI) is permitted only in India's "marketplace" model of e-commerce, also referred to as the B2B model. According to the new rules, this is a model in which the e-commerce entity provides an information technology or trading platform on "a digital and electronic network" (which include TV, mobile and online channels) to act as a facilitator between the buyer and seller. Such entity does not itself own the inventory or sell directly to consumers. In return for providing the trading platform to sellers, it earns commissions from sellers.
- **No FDI permitted in "inventory" model of e-commerce.** The new rules reiterate the previously existing policy that no FDI is permitted in India's "inventory" model of e-commerce, also referred to as the B2C model. According to the new rules, this is a model in which the e-commerce entity owns the inventory of goods and services and sells directly to consumers. The very few exceptions to the foregoing prohibition under India's FDI norms are noted below:
 - A foreign single brand entity with permission to sell through brick-and-mortar stores in India (which is allowed via the automatic route for up to 100% FDI) is permitted to engage in retail e-commerce activities and sell products to customers through online channels
 - An Indian manufacturer (investee) with foreign investment that is controlled by an Indian entity is permitted to sell its products to customers through retail e-commerce and online channels provided that it makes 70% of the products in house and sources the remainder from local Indian companies
 - A manufacturer is permitted to sell to customers through retail e-commerce its products manufactured in India
- **E-commerce marketplace must comply with certain new conditions.** The new rules impose a number of onerous conditions on the e-commerce marketplace entity that must be complied with for access to FDI. These conditions are geared towards preserving the true nature of the marketplace model including, among other things, (i) leveling playing field with India's brick-and-mortar retailers, (ii) providing greater transparency relative to sellers and their online offerings, (iii) curtailing the monopoly of big online vendors and creating more opportunities for small to medium enterprises to sell goods online, and (iv) curtailing the marketplace entity's ability to leverage affiliated entities for sales or otherwise influence online pricing/discounting practices that potentially undercut India's traditional distribution channels. The new conditions are:
 1. The entity cannot exercise ownership over inventory, as any such ownership will render it into an "inventory" based model in which no FDI is currently permitted in India.
 2. The entity cannot permit more than 25% of total sales made through its marketplace from a single vendor or a group company.
 3. The entity can only enter into transactions with sellers registered on its platform on B2B basis.

4. The entity cannot directly or indirectly influence the sale price of goods or services and must “maintain level playing field.”
 5. The entity must make sure that any goods and services made available through its marketplace for sale to consumers must clearly provide the name, address and other contact details of the seller.
 6. Any after sale support, delivery of goods to consumers and customer satisfaction must be the responsibility of the seller and cannot be assumed by the entity. That said, the entity is free to provide certain support services to sellers as noted below.
- **E-commerce marketplace may provide ancillary services to sellers.** The new rules expand the scope of the “marketplace” model beyond the trading platform by permitting the marketplace entity to provide certain support services to sellers such as warehousing, logistics, order fulfilment, call center, payment collection and other services. The entity may also, at its option, facilitate payments for sale between sellers and customers in conformity with the applicable regulatory guidelines.

Implications for US Investors

In recent years, a number of India’s emerging e-commerce companies have leveraged “hybrid” operating models (a mix of marketplace and inventory) to grow and scale operations and attract foreign investment. With the new FDI rules in place, one can expect to see restructuring of these existing e-commerce models to be compliant with the FDI norms and avoid triggering hefty penalties under India’s foreign investment laws.

The new rules undoubtedly present significant opportunities for US e-commerce companies and private equity firms looking to tap India’s thriving e-commerce sector, but challenges still exist. For US investors keen to enter or expand in India’s e-commerce sector, it is vital to fully assess the impact of the new rules and Indian’s changing regulatory framework on their current and planned investments and operating models in India and devise their India entry strategy to fit the changing operating environment so as to avoid pitfalls and be well-positioned to capitalize on emerging opportunities in India’s rapidly growing e-commerce sector.

For additional information, please contact [Sonia Baldia](#), a Partner in the Washington, DC office .

Other CBEC and DGFT notifications, circulars and instructions

The following Central Board of Excise and Customs (CBEC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than anti-dumping, countervailing duty and safeguard) and Directorate General of Foreign Trade (DGFT) notifications (Not), trade Notices (TN) and Public Notices (PN) were issued during the period covered by this Update:

Date	Series and №	Subject
01-04-16	45/2016-Cus (NT)	Bill of Entry (Electronic Declaration) (Amendment) Regulation, 2016
	46/2016-Cus (NT)	Customs (Fees for Rendering Services by Customs Officers) Amendment Regulations, 2016
13-04-16	54/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver

Date	Series and №	Subject
26-04-16	29/2016-Cus (T)	Amends notification No. 12/2012-Customs dated 17.03.2012 to prescribe simplified procedure for units engaged in Maintenance, Repair and Overhaul of aircrafts
	Cir 13/2016	Regarding relaxation of Know Your Customer (KYC) norms
27-04-16	56/2016-Cus (NT)	Exempts vessels carrying exclusively coastal goods from the provisions of sections 92, 93, 94, 95, and 97 and sub-section (1) of the section 98 of the Customs Act
	57/2016-Cus (NT)	Sections 30 and 41 of the Customs Act shall apply to vessels carrying exclusively coastal goods operating from berths used by vessels carrying imported goods or export goods requiring coastal manifest
29-04-16	60/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
DGFT		
08-04-16	Not: 01/2015-2020	Requirement of Certification regarding export of Betel Leaves.
11-04-16	Not: 02/2015-2020	Introduction of definition of e-commerce in Foreign Trade Policy (2015-2020)
25-04-16	Not: 03/2015-2020	Introduction of Policy Conditions on Import of dogs in Chapter 01 of ITC(HS), 2012-Schedule -1(Import Policy)
06-04-16	PN: 01/2015-2020	Amendment in General Note No. 15 for Textiles (Product Code:J).
08-04-16	PN: 02/2015-2020	New Pre-Shipment Inspection Agencies (PSIAs) recognised in terms of FTP 2015-20
21-04-16	PN: 03/2015-2020	Implementation of the Track and Trace system for export of Pharmaceuticals and drug consignments.
07-04-16	TN: No.03/2016	Eligibility of Liquid Glucose under Focus Market Scheme of Foreign Trade Policy(FTP), 2009-14.
19-04-16	TN: No.02/2016	Clarification on Benefit of MEIS on exports of Tamarind Kernel Powder under ITC(HS) Code 13023290.
21-04-16	TN: No.03/2016	Grant of relaxation of ILC with Regional Authorities with reference to Notification No. 38 dated 5th Feb. 2016

Antidumping and countervailing duty cases

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

Korea

Special Act on Imported Food Safety Management registration requirement

On April 5, 2016, the U.S. Alcohol and Tobacco Tax and Trade Bureau (TTB) [announced](#) that effective February 4, 2016, the Ministry of Food & Drug Safety (MFDS) of the Republic of Korea implemented the *Special Act on Safety Management of Imported Food* (Act). TTB is part of an interagency group that is working with the U.S. Department of Agriculture's Foreign Agricultural Service personnel stationed in Korea, who continue to engage with Korean authorities as they implement the Act. TTB will continue to monitor the situation and provide updates as the Act's implementation unfolds.

The Act requires all foreign food facilities and livestock establishments, including alcohol production plants that export their products to Korea, to be registered with the Korean government at least seven working days prior to import declaration. The Act provides a six-month grace period during which foreign facilities that are

not registered with the MFDS may continue to export products to Korea without registration. The grace period expires on August 3, 2016.

How To Register with Ministry of Food & Drug Safety

Industry members can register online or by mail, and such registrations remain valid for two years. Registration renewals must be completed at least seven days before the registration expires.

- To register online, go to <https://impfood.mfds.go.kr/> .
- To register by mail, send the registration application to the following office:
Food Import Policy Division, Ministry of Food & Drug Safety, 187 Osong Saengmyung 2-ro, Osongseup, Cheongwon-gun, Chungcheongbuk-do, South Korea 363-700

Malaysia

Federal Government Gazette

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

Date	Matter
18-04-16	P.U. (B) 160/2016 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
20-04-16	P.U. (B) 161/2016 Notice of Initiation of Administrative Review of an Anti-Dumping Duty With Regard to the Imports of Polyethylene Terephthalate Originating or Exported From the Kingdom Of Thailand - Countervailing and Anti-Dumping Duties Act 1993 and - Akta Customs Act 1967
21-04-16	P.U. (A) 107/2016 Customs (Anti-Dumping Duties) (Extension) Order 2016 - Countervailing and Anti-Dumping Duties Act 1993 and - Akta Customs Act 1967
26-04-16	P.U. (B) 193/2016 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
	P.U. (B) 194/2016 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: [Keputusan Ketetapan Kastam](#).

Singapore

Notices, circulars, etc.

Date	Reference	Matter
18-04-16	Circular 06/2016	New Criterion for Classification of Cooking Wine
26-04-16	Circular 07/2016	Removal of Shut-Out Goods From Free Trade Zone (FTZ)

Vietnam

Law on Export and Import Duties 2016

On 6 April 2016, the National Assembly passed the *Law on Export and Import Duties 2016*, which shall take effect on 1 September 2016. As one of the four key

issues of customs modernization, the *Law on Export and Import Duties 2016* is expected to establish a more competitive business environment in Vietnam under the context of accelerating roadmap for duty elimination following Vietnam's commitments in international trade treaties.

To such extent, the new law supplements new regulations on customs duty, duty exemptions and time limits for duty payment. Certain key developments under the *Law on Export and Import Duties 2016* are as follows:

1. Duty exemption applicable to a larger number of imports and exports

The new Law grants duty exemption to 23 types of goods, which is significantly higher than those under the current regulations. In particular, pursuant to Law on Export and Import duties 2016, notable additional goods under such exemption include:

- Raw material, supplies and accessories imported for export production under contract manufacturing, which are currently entitled to 275-day duty deferral;
- Goods for temporary import/export for following purposes:
 - Machines and equipment for repairing marine vessels and airplanes: Under current regulations, only spare parts and accessories of temporary import/export are entitled to duty exemption. The new Law expands duty exemption to also cover the machines and equipment of temporary import/exports;
 - Temporary imports/exports for repair and warranty;
 - Goods for trading business of temporary import/export (bank guarantee or deposit required);
- Fertilizer, pesticide which have not been domestically produced, subject to necessity appraisal of line ministries;
- Goods for non-commercial purpose including: samples, photos, films, alternative models for samples, advertising publication in small quantities;
- Goods are not domestically produced, which are imported directly for educational purposes.

The *Law on Export and Import duties 2016* also eliminates exemption for imports as fixed assets of investment projects of official development assistance (ODA) capital sources.

2. Duty refund in the event of wrong declaration

Under the current regulations, wrong declaration may be entitled to duty refund if such wrong declaration is conducted within 365 days from the date of detection. This regulation accommodates the possibility of refunding the overpaid duty if such wrong declaration is detected within 365 days since the customs declaration. Nonetheless, the new Law has abolished this regulation. As such, taxpayers will no longer have chance to claim the overpaid duty if such mistakes are made by themselves.

3. Time limits for duty payment

Privileged enterprises (under Authorized Economic Operators Scheme) are entitled to a grace period of up to 40 days in comparison with other taxpayers. As such, instead of paying duties before goods release, privileged enterprises may make payment no later than the 10th day of the month following the month of goods release or clearance.

4. Anti-dumping duty, countervailing duty, safeguard duty

The new law supplements a Chapter to clarify application of the above-mentioned duties. The Ministry of Industry and Trade is the decision maker, and Ministry of Finance decides relating protocols, including declaration, collection, payment, refund of such duties.

Countervailing duty and anti-dumping duty shall be applied for up to five years from effective date. For safeguard duty, the duration will not exceed four years inclusive of the temporary period . Where necessary, these periods may be extended.

For additional information, please contact [Fred Burke](#) or [Nguyen Thanh Vinh](#).

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
01-04-16	Official Letter No. 438 / GSQL-GQ1 of 01-04-2016 of the General Department of Customs on business procedures TNTX
04-04-16	Official Letter No. 4463 / BTC-TCHQ dated 04-04-2016 of the Ministry of Finance on VAT for imported goods of a financial leasing company
06-04-16	Official Letter No. 459 / GSQL-GQ1 dated 06-04-2016 of the General Department of Customs on the implementation of customs procedures
	Official Letter No. 460 / GSQL-TH of 06-04-2016 of the General Administration of Customs on customs procedures for goods purchased are raw materials produced from the bonded warehouse for priority business
07-04-16	Official Letter No. 4735 / BTC-TCHQ dated 07-04-2016 of the Ministry of Finance confirmed the courier goods passed through the surveillance area
08-04-16	Decision No. 907 / QĐ-TCHQ dated 08-04-2016 of the General Administration of Customs on the recognition of agency procedures HQ
12-04-16	Official Letter No. 3027 / TCHQ-TXNK dated 12-04-2016 of the General Department of Customs on the supplementary declaration quantity NK
15-04-16	Official Letter No. 3201 / TCHQ-TXNK dated 15-04-2016 of the General Department of Customs on the deferred payment of tax on the export of wood chips
20-04-16	Official Letter No. 5310 / BTC-TCHQ dated 20-04-2016 of the Ministry of Finance on the classification and tax rate Artemia eggs imported goods
25-04-16	Official Letter No. 3478 / TCHQ-TXNK dated 25-04-2016 of the General Department of Customs refund / adjustment by additional taxes of C/O

Europe

European Union and EFTA

New deal to cut roaming prices and standardise mobile phone chargers in the EEA among joint decisions

On 29 April 2016, the European Free Trade Association (EFTA) announced that decisions on lower roaming prices, standardised mobile phone chargers and revised public procurement rules were among those adopted by the EEA Joint Committee on 29 April 2016. In total, 37 decisions were adopted incorporating 64 EU legal acts into the *European Economic Area (EEA) Agreement*. The announcement said:

Among the acts incorporated was a directive on the harmonisation of laws relating to radio equipment. The new rules aim to keep pace with the growing number of devices on the market and ensure that they respect essential health and safety requirements. They apply to devices such as mobile phones, car door openers and modems, but exclude radio equipment used for public security and defence activities. The directive states that the compatibility of accessories such as chargers should be an essential requirement for mobile phones that are made available on the market, reducing unnecessary waste and cost.

Also incorporated was a regulation aiming to cut roaming fees within the EEA. This should reduce costs for consumers travelling within Europe. The regulation also guarantees that everyone has the right to access and distribute content and use and provide applications and services, irrespective of their location and of the origin or destination of the service.

Three directives, which together represent a major overhaul of public procurement law, were also incorporated. This new set of rules simplifies public procurement procedures and allows for more flexibility, which in turn should open up the public procurement market in the EEA. Cutting red tape to facilitate the participation of small and medium-sized enterprises is an important objective, for example by paving the way for the digitalisation of public procurement. The directives also recognise that public procurement is a legitimate instrument for policy strategies, enabling national authorities to implement societal and environmental policies.

So far this year 102 decisions have been adopted by the EEA Joint Committee and 180 legal acts have been incorporated into the *EEA Agreement*.

- [Full list of EEA Joint Committee Decisions adopted on 29 April 2016](#)
- [Texts of EEA Joint Committee Decisions adopted in 2016](#)

EFTA publishes its annual report

On 28 April 2016, the European Free Trade Association (EFTA) announced that The [55th Annual Report of the European Free Trade Association](#) has been published. The report contains an overview of the functions and activities of EFTA throughout 2015 in the areas of managing the *European Economic Area (EEA) Agreement*, EFTA's worldwide network of Free Trade Agreements (FTAs) and the *EFTA Convention*.

Among the highlights of EFTA's work was the political agreement reached between the EEA EFTA States and the European Union on renewed financial contributions to reduce social and economic disparities and to promote cooperation in Europe for the period 2014 to 2021. The EEA Joint Committee adopted 320 decisions incorporating 483 legal acts in 2015.

EFTA continued its ambitious pursuit of a worldwide network of FTAs in 2015, with EFTA Ministers signing a Joint Declaration on Cooperation with Ecuador and a protocol on the accession of Guatemala to the FTA between the EFTA States and Central American States. In addition, free trade negotiations were launched with Georgia and the Philippines.

EU introduces surveillance of certain iron and steel imports

On 29 April 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/670 of 28 April 2016 introducing prior Union surveillance of imports of certain iron and steel products originating in certain third countries](#) ("the Regulation"), which requires that the release for free circulation in the Union of certain iron and steel products listed in Annex I to the Regulation (whose net weight exceeds 2 500 kg) shall be subject to prior Union surveillance in accordance with Regulation (EU) 2015/478 and Regulation (EU) 2015/755. The Regulation is summarised below:

The classification of the products covered by the Regulation is based on the tariff and statistical nomenclature of the Union ('TARIC'). The origin of the products covered by the Regulation are to be determined in accordance with [Article 60 of the Union Customs Code](#). Products originating in Norway, Iceland and Liechtenstein are exempted.

21 working days after the entry into force of the Regulation, the release for free circulation in the Union of the products referred to above will be subject to presentation of a surveillance document issued by the competent authorities of a Member State. The surveillance document will be issued automatically by the competent authorities in the Member States, without charge and for any quantities requested, within 5 working days of presentation of an application by any importer into the Union.

A surveillance document issued by one of the authorities listed in Annex II to the Regulation is required to be made out on a form corresponding to the model in Annex I to Regulation (EU) 2015/478 or Annex II to Regulation (EU) 2015/755 for imports from the third countries listed in Annex I to that Regulation and shall be valid throughout the Union. The surveillance document will be valid for 4 months and unused or partly used surveillance documents may be renewed for an equal period.

The importer's application shall include the following elements:

- the full name and address of the applicant (including telephone and e-mail or fax numbers and any number identifying the applicant to the competent national authority), plus the applicant's VAT registration number if he is liable for VAT;
- where appropriate, the full name and address of the declarant or of any representative appointed by the applicant (including telephone and e-mail or fax numbers);
- a description of the goods giving their (1) trade name; (2) the TARIC code; and (3) place of origin and place of consignment;
- the quantity declared, in kilograms, and, where appropriate, any other additional unit (pairs, items, etc.);
- the value of the goods, CIF at the Union frontier, in euro;
- the following statement, dated and signed by the applicant, with the applicant's name spelt out in capital letters: 'I, the undersigned, certify that the information provided in this application is true and given in good faith, and that I am established in the Union.'

The importer is also required to submit commercial evidence of the intention to import, such as a copy of the contract of sale or purchase or of the pro forma invoice. If so requested, for example in cases where the goods are not directly purchased in the country of production, the importer must present a certificate of production issued by the producing steel mill. The competent authorities may allow the submission of declarations or requests to be transmitted or printed by electronic means, under the conditions fixed by them. However, all documents and evidence must be made available to the competent authorities upon request. The surveillance document may be issued by electronic means as long as the customs offices involved have access to the document via a computer network.

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

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

The Member States are required to communicate to the Commission on as regular and up-to-date a basis as possible and at least by the last day of each month, details of the quantities and values (calculated in euro) for which surveillance documents have been issued, broken down by product, TARIC code and by country.

The Member States are also required to give the Commission notification of any anomalies or cases of fraud which they discover and, where relevant, the basis on which they have refused to grant a surveillance document.

Notice are to be communicated electronically via the integrated network set up for this purpose, unless for imperative technical reasons it is necessary to use other means of communication temporarily.

This Regulation shall apply from the day following its publication in the *Official Journal of the European Union* until 15 May 2020.

EU issues release on Union Customs Code – effective 1 May

On 29 April 2016, the European Commission issued a [press release](#) on the [Union Customs Code](#) (UCC) which comes into force on 1 May 2016. The release states:

New EU rules for a simpler, faster and safer Customs Union come into force

Brussels, 29 April 2016

New customs rules come into force on Sunday 1 May that will make life simpler for businesses that trade in Europe and better protect consumers against illegal and counterfeit goods.

The new [Union Customs Code](#) (UCC) represents a major overhaul of existing EU customs legislation, which dates back to 1992. It is a milestone for the [European Customs Union](#), the framework which allows more than €3 trillion worth of goods to flow in and out of the EU each year.

The new rules aim to:

- allow traders to clear customs procedures more simply and quickly, getting goods to consumers faster and more cheaply;
- better protect consumers against illegal goods or goods which don't respect European environmental, health and safety requirements;
- improve cooperation between customs administrations with the help of new IT systems.

Pierre Moscovici, Commissioner for Economic and Financial Affairs, Taxation and Customs said: *“An efficient EU Customs Union facilitates trade while at the same time enforcing necessary rules for security, safety and intellectual property rights. The new Union Customs Code opens the door to new state-of-the-art IT systems that will provide fast and quality data on goods being traded and will allow extremely close coordination among the administrations of our Member States”*.

Modern IT systems are essential in order to allow customs systems to work efficiently and they are at the heart of the new rules. The new UCC puts in place IT systems that both customs administrations and traders need for simple and fast clearance of customs procedures while also ensuring that all necessary checks and controls are carried out. The new rules are the outcome of a rigorous and comprehensive dialogue involving all partners.

The Customs Union is unique in the world. It is a foundation of the European Union and essential for the proper functioning of the Single Market. Once cleared by Customs in one Member State, goods can move freely within the Union on the basis that all Member States apply the same revenue and protection rules at external borders.

The 28 customs administrations of the EU must act as though they were one entity, while also facilitating trade and protecting the health and safety of all EU citizens. These are not easy tasks. The EU is one of the largest trading blocks in the world. In 2015, the EU accounted for almost 15% of world trade in goods, worth €3.5 trillion. Managing this volume of international trade requires handling millions of customs declarations per year in a fast and efficient manner.

But customs are also there to protect. They play an important role in the fight against terrorism by checking for the illegal trafficking of firearms and illegal trade in works of art and cultural goods. They protect consumers against goods which present a risk to safety and health. For example, 454.2 tonnes of drugs, [35 million counterfeit goods](#) and 3.2 billion cigarettes were seized in the EU in 2014. Appropriate controls require fast, high-quality and updated information and sound coordination among the customs administrations of our Member States.

What is the UCC?

The UCC is the new framework regulation for the rules and procedures for customs throughout the EU. It reflects a move towards a more modern customs environment for EU countries, making European business more competitive and advancing the EU Strategy for growth and jobs.

More specifically, it will:

- streamline customs legislation and procedures across the EU;
- offer greater legal certainty and uniformity to businesses and increase clarity for customs officials;
- simplify customs rules and procedures to make customs transactions more efficient and modern;
- complete the shift to a paperless and fully electronic and interoperable customs environment;
- introduce more speedy customs procedures for compliant and trustworthy businesses.

The UCC should be fully implemented by the end of 2020. During the transitional period, the new rules will apply by using existing IT systems and, in some cases, paper forms. Work to develop the new systems or to upgrade existing ones has already begun.

More information:

[UCC on the DG TAXUD website](#)

[VIDEO: What is the UCC?](#)

[VIDEO: EU Customs in one minute](#)

[Follow the latest news from DG TAXUD](#)

[DG TAXUD on YouTube](#)

EU amends level of retaliatory duties on certain US goods

On 28 April 2016, the *Official Journal* published [Commission Delegated Regulation \(EU\) 2016/654 of 26 February 2016 amending Council Regulation \(EC\) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America](#). The Delegated Regulation amends the Regulation that established retaliatory duties (of 15%) on 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, more commonly known as the 'Byrd Amendment') in compliance with its obligations under the World Trade Organisation (WTO) agreements. In conformity with the WTO authorisation to suspend the application of concessions to the United States, the Commission is required to adjust the level of suspension annually to the level of nullification or impairment caused by the CDSOA to the European Union at that time.

The CDSOA disbursements for the most recent year for which data are available relate to the distribution of anti-dumping and countervailing duties collected during the fiscal year 2015 (1 October 2014 to 30 September 2015) as well as the additional distribution of anti-dumping and countervailing duties collected during the fiscal years 2011 and 2014. On the basis of the data published by the U.S. Customs and Border Protection, the level of nullification or impairment caused to the Union is calculated at USD 887 696.

The level of nullification or impairment and consequently of suspension has decreased. However, the level of suspension cannot be adjusted to the level of nullification or impairment by adding or removing products from the list in Annex I to Regulation (EC) No 673/2005. As a consequence, in accordance with Article

3(1)(e) of Regulation (EC) No 673/2005, the Commission kept the list of products in Annex I to that Regulation unchanged and amended the rate of the additional duty in order to adjust the level of suspension to the level of nullification or impairment. The four products listed in Annex I to Regulation (EC) No 673/2005 will therefore be maintained on the list and the rate of additional import duty is amended and set at 0,45 %.

The products on which additional duties apply are identified by their eight-digit CN codes: 0710 40 00, 9003 19 30, 8705 10 00, and 6204 62 31.

Commission publishes draft guidance on Arts. 128, 136 IA of UCC

The European Commission has published draft guidance ([Information Document Taxud B4/ \(2016\) 808781](#)) for consideration and comments in relation to certain customs valuation rules in the Union Customs Code (UCC) legal package. The guidance is limited to UCC Implementing Act (IA) provisions on transaction value (Art. 70 UCC and Art. 128 IA) and royalties and licence fees (Art. 71 UCC and 136 IA). Guidance on the full range of valuation topics in the UCC legal package will follow in due course, according to the Commission. The *Customs Valuation Compendium* will be updated in a comprehensive manner in order to reflect the UCC legal package.

Commission publishes report on state of play of TTIP negotiations

On 27 April 2016, the Commission published [a report](#) which presents a detailed break-down of progress made in the ongoing negotiation of a trade agreement between the EU and the United States, the *Transatlantic Trade and Investment Partnership* (TTIP). The report shows that negotiators are making good progress in many TTIP chapters, while significant strides remain to be made in some areas in order to have the main elements of a deal finished this year.

The negotiations are currently in their 13th round, which is taking place in New York this week. Also this week, during the Hannover industrial fair, Commissioner Cecilia Malmström met the US Trade Representative Michael Froman to take stock of the progress made so far in the negotiations.

Commission corrects UCC 2015 Delegated Regulation

On 27 April 2016, the *Official Journal* published [Commission Delegated Regulation \(EU\) 2016/651 of 5 April 2016 correcting Delegated Regulation \(EU\) 2015/2446 supplementing Regulation \(EU\) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code](#) (UCC). The new Delegated Regulation corrects two errors that were detected following publication of Delegated Regulation (EU) 2015/2446:

The first error concerns the presumption of a customs declaration laid down in Article 139 of Delegated Regulation (EU) 2015/2446 for some of the types of goods referred to in Article 136(1) of that Delegated Regulation.

That presumption was intended to cover the same types of goods as under the currently applicable Commission Regulation (EEC) No 2454/93, namely pallets, containers and means of transport, and spare parts, accessories and equipment for those pallets, containers and means of transport, personal effects and goods for sports purposes, welfare materials for seafarers used on a vessel engaged in international maritime traffic, medical, surgical and laboratory equipment, disaster relief material used in connection with measures taken to counter the effects of disasters or similar situations

affecting the customs territory of the Union and portable musical instruments temporarily imported by travellers and intended to be used as professional equipment. When Delegated Regulation (EU) 2015/2446 was finalised, the order of the goods listed in its Article 136 was changed, but, by mistake, the references to those goods in Article 139 of that Delegated Regulation were not updated.

The references have therefore been corrected by replacing Article 139 with the following:

'Article 139

1. Where not declared using other means, the goods referred to in points (a) to (d), point (h) and point (i) of Article 136(1) shall be deemed to be declared for temporary admission in accordance with Article 141.
2. Where not declared using other means, the goods referred to in points (a) to (d), point (h) and point (i) of Article 136(1) shall be deemed to be declared for re-export in accordance with Article 141 discharging the temporary admission procedure.';

The second error concerns Article 141(1) of Delegated Regulation (EU) 2015/2446.

The currently applicable Article 233(1)(b) of Regulation (EEC) No 2454/93 provides for the possibility, in a number of limited and very specific cases, to deem the crossing of the border to be a declaration for temporary importation, export or re-export. By mistake, that provision was not included in Delegated Regulation (EU) 2015/2446, and as a result there is no possibility to declare certain goods by the sole act of crossing the frontier of the Union customs territory. At the adoption of Delegated Regulation (EU) 2015/2446, no change to the provision regarding the types of acts that are deemed to be a customs declaration was intended.

Article 141(1) has therefore been corrected by adding the following point (d):

'(d) the sole act of the goods crossing the frontier of the customs territory of the Union in any of the following situations:

- (i) where an exemption from the obligation to convey goods to the appropriate place applies in accordance with the special rules referred to in Article 135(5) of the Code;
- (ii) where goods are deemed to be declared for re-export in accordance with Article 139(2) of this Regulation;
- (iii) where goods are deemed to be declared for export in accordance with Article 140(1) of this Regulation.'

EU extends sanctions against Myanmar/Burma until 30 April 2017

By [Decision \(CFSP\) 2016/627 of 21 April 2016](#), the Council of the European Union has extended the EU sanctions against Myanmar/Burma until 30 April 2017.

EU takes actions to boost Tunisia's economy

On 18 April 2016, the *Official Journal* published [Regulation \(EU\) 2016/580 of the European Parliament and of the Council of 13 April 2016 on the introduction of emergency autonomous trade measures for the Republic of Tunisia](#). The Regulation seeks to boost Tunisia's economy following the terrorist attack of 26 June 2015 near Sousse, Tunisia by setting up an attractive and reliable market for Tunisia's exports of olive oil by introducing autonomous trade measures allowing for the import of 35 000 tons of Tunisian olive oil into the Union on the basis of a duty free tariff quota. In order to prevent fraud and to ensure that the envisioned autonomous trade measures will really benefit the Tunisian economy, those measures are subject to compliance by Tunisia with the rules provided for in the

Euro-Mediterranean Agreement regarding the origin of products and the procedures related thereto, as well as to Tunisia's effective administrative cooperation with the Union. . The duty free quota will apply to untreated olive oil originating in Tunisia and falling within CN codes 1509 10 10 and 1509 10 90 where such untreated olive oil is wholly obtained in Tunisia and transported directly from Tunisia to the Union.

The additional volume generated by the autonomous trade measures is only made available after the exhaustion of the volume of the annual untreated olive oil duty free tariff quota laid down in Article 3(1) of Protocol No 1 to the Agreement. The emergency autonomous trade measures established by the Regulation are intended to alleviate the difficult economic situation, which Tunisia is currently facing, due to the terrorist attacks. The measures are limited in time (the Regulation applies until 31 December 2017) and are without prejudice to negotiations between the Union and Tunisia on the establishment of a Deep and Comprehensive Free Trade Area (DCFTA).

On 20 April 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/605 of 19 April 2016 opening and providing for the administration of a temporary tariff quota for olive oil originating in Tunisia and amending Regulation \(EC\) No 1918/2006](#).

Commission establishes work programme relating to the development and deployment of the Union Customs Code electronic systems

On 15 April 2016, the *Official Journal* published [Commission Implementing Decision \(EU\) 2016/578 of 11 April 2016 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code](#).

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

On 9 April 2016, the Commission published in the *Official Journal* a [Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products](#), that informs Economic operators 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 2017.

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 17 June 2016 which is the date of the second scheduled meeting of the Economic Tariff Questions Group.

Interested operators are advised to consult the list regularly in order to be informed on the status as the requests. More information on the autonomous tariff suspension procedure can be found on the [Europa website](#).

EEA Joint Committee adopts EU acts including decisions on prevention of illicit trade in chemicals and application of aviation security standards

The European Free Trade Association (EFTA) [announced](#) that the EFTA Standing Committee and the EEA Joint Committee met in Brussels on 17 and 18 March 2016 respectively. At the Joint Committee, the EU side gave an update on the EU-US negotiations on TTIP.

In the Joint Committee meeting, 25 decisions were adopted incorporating 39 EU legal acts into the EEA Agreement. Among the acts incorporated was a regulation aiming to further prevent illicit trade in certain chemicals that could be used in the illegal manufacture of controlled substances, and to strengthen existing rules regarding drug precursors, and a regulation concerning statistics on healthcare expenditure and financing.

Also incorporated were acts regarding aviation security, including a regulation on third countries recognised as applying security standards equivalent to the common basic standards on civil aviation.

The EEA Joint Committee meeting, which was chaired by Mr Claude Maerten, Head of Division at the European External Action Service, included a briefing from the European Commission on the latest developments in the negotiations between the EU and the US on the Transatlantic Trade and Investment Partnership (TTIP), and updates from the European Commission and the Icelandic delegation on capital control measures in Greece and Iceland respectively.

So far this year 65 Joint Committee Decisions have been adopted by the EEA Joint Committee and 116 legal acts have been incorporated into the EEA Agreement.

- [Full list of EEA Joint Committee Decisions adopted on 18 March 2016](#)
- [Texts of EEA Joint Committee Decisions adopted in 2016](#)

Updated Common Military List of the EU published

On 6 April 2016, the *Official Journal* published [Common Military List of the European Union adopted by the Council on 14 March 2016 \(equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment\) \(updating and replacing the Common Military List of the European Union adopted by the Council on 9 February 2015 \) \(CFSP\) \(2016/C 122/01\)](#).

EU repeals Regulation 2454/93 laying down provisions for implementing the Community Customs Code

On 2 April 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/481 of 1 April 2016 repealing Commission Regulation \(EEC\) No 2454/93 laying down provisions for the implementation of Council Regulation \(EEC\) No 2913/92 establishing the Community Customs Code. Regulation \(EEC\) No. 2454/93 becomes redundant as Regulation \(EU\) No 952/2013 of the European Parliament and of the Council lays down the *Union Customs Code* and applies from 1 May 2016. That Regulation replaces \[Regulation \\(EEC\\) No 2913/92\]\(#\) with effect from 1 May 2016. It also confers powers on the Commission to adopt delegated acts in order to supplement certain non-essential elements of the Union](#)

Customs Code and to adopt implementing acts to provide uniform conditions for its implementation.

The Commission has exercised its delegated powers by adopting [Delegated Regulation \(EU\) 2015/2446](#). The Commission has exercised its implementing powers by adopting [Implementing Regulation \(EU\) 2015/2447](#). Both those Regulations are also to apply from 1 May 2016. Therefore (EEC) Regulation 2454/93 is repealed from 1 May, 2016.

EU expands restrictive measures against N. Korea in line with UNSC resolution

On 31 March 2016, the Council of the EU [announced](#) that it had expanded restrictive measures against the Democratic People's Republic of Korea (DPRK or N. Korea) in accordance with United Nations Security Council (UNSC) resolution 2270 adopted on 2 March 2016.

The measures extend, *inter alia*, export and import prohibitions to any item (except food or medicine) that could contribute to the development of the operational capabilities of the DPRK's armed forces. Member states will be required to inspect all cargoes to and from the DPRK on their territories, to ban DPRK chartering of vessels or aircraft and to de-register vessels. They will have to ban flights carrying prohibited items and port calls of vessels engaged in violation of the relevant UNSC resolutions. They will also be required to ban exports from the DPRK of certain mineral products (including coal, iron and gold) and exports to the DPRK of aviation fuel. Member states will be required to expel DPRK representatives and third country nationals involved in the DPRK's illicit programmes (as identified by the relevant UNSC resolutions).

Moreover, additional financial measures being introduced include:

- an asset freeze on government entities associated with the DPRK's nuclear or ballistic missile programmes or other activities prohibited by UNSC resolutions;
- an obligation to close:
 - existing branches, subsidiaries or representative offices of DPRK banks;
 - existing joint ventures, ownership interests and correspondent banking relationships with DPRK banks; and
 - existing branches, subsidiaries or banking accounts in DPRK if they could contribute to DPRK's illicit programmes
- a ban on private financial support for trade if such financial support could contribute to DPRK's illicit programmes

The legal acts will be published in the Official Journal on 1 April 2016.

UNSCR 2270 was adopted in response to the DPRK's nuclear test and launch using ballistic missile technology on 6 January 2016 and 7 February 2016.

On 5 March 2016, the Council transposed a first set of measures under UNSCR 2270 by adding 16 people and 12 entities to the list of targets subject to travel restrictions and asset freeze.

EU restrictive measures against the DPRK were introduced on 22 December 2006. The existing measures implement all UNSC resolutions adopted after the DPRK's nuclear tests and launches using ballistic missile technology. They also

include additional EU autonomous measures. They target the DPRK's nuclear, WMD (weapons of mass destruction) and ballistic missile programmes. The measures include prohibitions on the export and import of arms, goods and technology that could contribute to these programmes, and other restrictions in the financial, trade and transport sectors.

- [Press release from 4 March 2016 on transposition of first set of measures against DPRK under UNSCR 2270](#)

Commission issues revised AEO Guidelines

On 11 March 2016, the European Commission Directorate-General of Taxation and Customs Union issued revised [Authorised Economic Operators \(AEO\) Guidelines](#) (Doc. TAXUD/B2/047/2011–Rev.6). The AEO concept is based on the Customs-to-Business partnership introduced by the World Customs Organisation (WCO). Traders who voluntarily meet a wide range of criteria work in close cooperation with customs authorities to assure the common objective of supply chain security. The Guidelines do not constitute a legally binding act and are of an explanatory nature. Their purpose is to ensure a common understanding for both customs authorities and economic operators and to provide a tool to facilitate the correct and harmonised application by Member States of the legal provisions on AEO. They constitute a single document together with its annexes covering all main tools used during the AEO application and management procedure. These Guidelines are updated on a regular basis to reflect legal developments and to include practical experience gained so far as well as best practices acquired. The most recent Guidelines consist of 7 parts with 4 annexes:

- Part 1 of the Guidelines provides general information about the EU AEO programme including the benefits of the status and mutual recognition.
- Part 2 of the Guidelines describes the AEO criteria and the different aspects of the security requirements and supply chain security.
- Part 3 of the Guidelines deals with the overall decision-making process concerning both customs authorities and economic operators.
- Part 4 of the Guidelines describes different aspects of the exchange of information between customs authorities including consultation.
- Part 5 of the Guidelines covers all aspects related to the management of the already granted status, including monitoring, re-assessment, amendment, suspension and revocation.
- Part 6 of the Guidelines deals with Mutual Recognition of AEO Programmes
- Part 7 of the Guidelines contains the Annexes.
 - Annex 1 includes the Self-assessment questionnaire (SAQ) and its Explanatory Notes. According to Article 26 *Union Customs Code Delegated Act* (UCC DA) in order to apply for the status of AEO the applicant shall submit a self-assessment questionnaire, which the customs authorities shall make available, together with the application.
 - Annex 2 includes the document 'Threats, Risks and Possible solutions' which is addressed both to customs authorities and economic operators. It aims at facilitating the audit and the examination to ensure compliance with AEO criteria by matching the information provided in the SAQ and the risk areas identified and also provide examples of possible solutions to cover the risks and threats identified.
 - Annex 3 includes an example of a template for security declaration.

- Annex 4 includes a list of examples of information to be shared with customs authorities according to Article 23 (2) *Union Customs Code* (UCC).

Commission amends Combined Nomenclature

On 6 April 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/533 of 31 March 2016 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#), which amended the Combined Nomenclature as follows:

In Chapter 22 of Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87, the following Additional note 13 is added:

'13. For the purposes of subheadings 2202 90 11 and 2202 90 15, the protein content shall be determined by multiplying the total nitrogen content, calculated using the method laid down in points 2 to 8 of part C of Annex III to Commission Regulation (EC) No 152/2009 (*), by the factor of 6,25.

On the same date, the *Official Journal* also published [Commission Implementing Regulation \(EU\) 2016/534 of 31 March 2016 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#) which amended the Combined Nomenclature as follows:

In Chapter 4 of Part Two of the Combined Nomenclature set out in Annex I to Regulation (EEC) No 2658/87, the following Additional notes 3 and 4 are added:

3. Dairy produce of Chapter 4 includes dairy permeates, which are milk products characterised by a high content of lactose and obtained by removing milk fats and milk proteins from milk, whey, cream and/or sweet buttermilk, and/or from similar raw material by ultrafiltration or other processing techniques.

4. For the purposes of subheadings 0404 10 and 0404 90 the following applies:

Milk permeate and whey permeate can be analytically distinguished by the presence of substances (e.g. lactic acid, lactates and glycomacropeptides) which are associated with whey production.

Subheading 0404 10 includes "whey permeate" which is a product with generally a slightly sour smell, obtained from whey or mixtures of natural whey constituents by ultrafiltration or other processing techniques.

The presence of substances associated with whey production (e.g. lactic acid, lactates and glycomacropeptides) is a condition for the classification of whey permeates into that subheading.

Subheading 0404 90 includes "milk permeate" which is a product with generally a milky smell obtained from milk by ultrafiltration or other processing techniques. The quantitatively limited level or absence of lactic acid and lactates (max. 0,1 % by weight, in milk permeates in powder form, or max. 0,015 % by weight in milk permeates in liquid form) as well as the absence of glycomacropeptides, are the conditions for the classification of milk permeates into subheading 0404 90.

The method to be used for the detection of lactates shall be the ISO 8069:2005 method and the method to detect rennet whey (i.e. the presence of caseinomacropeptides such as glycomacropeptides) shall be the method set out in Annex XII to Commission Regulation (EC) No 273/2008 [\(U\)](#).

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
01-04-16	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 to 29 February 2016(Published pursuant to Article 13 or 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) (2016/C 116/1)
02-04-16	Commission Regulation (EU) 2016/479 of 1 April 2016 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of steviol glycosides (E 960) as a sweetener in certain energy-reduced or with no added sugars beverages
	Commission Implementing Regulation (EU) 2016/481 of 1 April 2016 repealing Commission Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code
	Corrigendum to Commission Delegated Regulation (EU) 2015/2446 of 28 July 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code (OJ L 343, 29.12.2015)
	Corrigendum to Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015)
05-04-16	Commission Implementing Decision (EU) 2016/530 of 1 April 2016 on a measure taken by Germany pursuant to Directive 2006/42/EC of the European Parliament and of the Council, to prohibit the placing on the market of a type of a power generator (notified under document C(2016) 1779)
06-04-16	Commission Implementing Regulation (EU) 2016/533 of 31 March 2016 amend-

OJ Date	Subject
	<p>ing Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff</p> <p>Commission Implementing Regulation (EU) 2016/534 of 31 March 2016 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff</p> <p>Commission Implementing Regulation (EU) 2016/535 of 5 April 2016 amending Annex II to Regulation (EU) No 206/2010 as regards the entry of Singapore in the list of third countries, territories or parts thereof from which the introduction into the Union of fresh meat is authorised</p> <p>Commission Regulation (EU) 2016/486 of 29 March 2016 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 cyazofamid, cycloxydim, difluoroacetic acid, fenoxycarb, flumetralin, fluopicolide, flupyradifurone, fluxapyroxad, kresoxim-methyl, mandestrobino, mepanipyrim, metalaxyl-M, pendimethalin and tefluthrin in or on certain products</p> <p>Common Military List of the European Union adopted by the Council on 14 March 2016 (equipment covered by Council Common Position 2008/944/CFSP defining common rules governing the control of exports of military technology and equipment) (updating and replacing the Common Military List of the European Union adopted by the Council on 9 February 2015) (CFSP) (2016/C 122/01)</p>
07-04-16	<p>EFTA Surveillance Authority Decision No 447/14/COL of 5 November 2014 adopting guidelines for the management of the Rapid Information System 'RAPEX' as established under Articles 11 and 12 of Directive 2001/95/EC (the General Product Safety Directive) [2016/487]</p> <p>Decisions of the EEA Joint Committee No 1/2015 through No 33/2015</p>
09-04-16	<p>Commission Implementing Regulation (EU) 2016/548 of 8 April 2016 approving the basic substance diammonium phosphate 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</p> <p>Commission Implementing Regulation (EU) 2016/549 of 8 April 2016 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances bentazone, cyhalofop butyl, diguat, famoxadone, flumioxazine, DPX KE 459 (flupyr-sulfuron-methyl), metalaxyl-M, picolinafen, prosulfuron, pymetrozine, thiabendazole and thifensulfuron-methyl</p> <p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (published pursuant to Article 64(9) of Regulation (EC) No 1907/2006)</p> <p>Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products</p>
12-04-16	<p>Commission Implementing Regulation (EU) 2016/557 of 7 April 2016 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds</p> <p>Commission Implementing Regulation (EU) 2016/560 of 11 April 2016 approving the basic substance whey 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</p> <p>Commission Implementing Regulation (EU) 2016/561 of 11 April 2016 amending Annex IV to Implementing Regulation (EU) No 577/2013 as regards the model of animal health certificate for dogs, cats and ferrets moved into a Member State from a territory or a third country for non-commercial purposes</p>
13-04-16	<p>List of national authorities designated according to Article 35(3) of Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricul-</p>

OJ Date	Subject
	tural matters [2016/C 130/5]
14-04-16	Commission Implementing Decision (EU) 2016/575 of 29 March 2016 extending the validity of Decision 2006/502/EC requiring Member States to take measures to ensure that only lighters which are child-resistant are placed on the market and to prohibit the placing on the market of novelty lighters (notified under document C(2016) 1702)
15-04-16	Commission Implementing Regulation (EU) 2016/576 of 14 April 2016 amending Regulation (EU) No 37/2010 as regards the substance 'rafoxanide'
	Commission Implementing Decision (EU) 2016/578 of 11 April 2016 establishing the Work Programme relating to the development and deployment of the electronic systems provided for in the Union Customs Code
	Commission Regulation (EU) 2016/567 of 6 April 2016 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 chlorantraniliprole, cyflumetofen, cyprodinil, dimethomorph, dithiocarbamates, fenamidone, fluopyram, flutolanil, imazamox, metrafenone, myclobutanil, propiconazole, sedaxane and spiroadiclofen in or on certain products
	Notice from the Commission pursuant to Article 85 of Regulation (EEC) No 2454/93, implementing the provisions of the Community Customs Code — Generalised System of Preferences (GSP) rules of origin — Extension to Turkey of the bilateral cumulation system established by that article [2016/C 134/1]
	Corrigendum to the explanatory notes to the Combined Nomenclature of the European Union (OJ C 76, 4.3.2015) [2016/C 134/4]
18-04-16	Council Decision (EU) 2016/581 of 11 April 2016 on the signing, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the Eastern Republic of Uruguay 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 Delegated Directive (EU) 2016/585 of 12 February 2016 amending, for the purposes of adapting to technical progress, Annex IV to Directive 2011/65/EU of the European Parliament and of the Council as regards an exemption for lead, cadmium, hexavalent chromium, and polybrominated diphenyl ethers (PBDE) in spare parts recovered from and used for the repair or refurbishment of medical devices or electron microscopes
	Commission Implementing Decision (EU) 2016/586 of 14 April 2016 on technical standards for the refill mechanism of electronic cigarettes (notified under document C(2016) 2093)
	Commission Implementing Decision (EU) 2016/587 of 14 April 2016 on the approval of the technology used in efficient vehicle exterior lighting using light emitting diodes as an innovative technology for reducing CO2 emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council
	Commission Implementing Decision (EU) 2016/588 of 14 April 2016 on the approval of the technology used in 12 Volt efficient alternators as an innovative technology for reducing CO2 emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council
	Corrigendum to Commission Delegated Regulation (EU) 2016/341 of 17 December 2015 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards transitional rules for certain provisions of the Union Customs Code where the relevant electronic systems are not yet operational and amending Delegated Regulation (EU) 2015/2446 (OJ L 69, 15.3.2016)
18-04-16	Regulation (EU) 2016/580 of the European Parliament and of the Council of 13 April 2016 on the introduction of emergency autonomous trade measures for the Republic of Tunisia
19-04-16	Council Regulation (EU) 2016/591 of 15 April 2016 amending Regulation (EU) No 1370/2013 determining measures on fixing certain aids and refunds related to the common organisation of the markets in agricultural products, as regards applicable quantitative limitations for the buying-in of butter and skimmed milk powder

OJ Date	Subject
	<p>Commission Implementing Decision (EU) 2016/598 of 14 April 2016 authorising an extension of use of lipid extract from Antarctic Krill (<i>Euphausia superba</i>) as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council</p> <p>Commission Implementing Decision (EU) 2016/600 of 15 April 2016 amending Decision 2007/453/EC as regards the BSE status of Romania (notified under document C(2016) 2186)</p>
20-04-16	<p>Commission Implementing Regulation (EU) 2016/605 of 19 April 2016 opening and providing for the administration of a temporary tariff quota for olive oil originating in Tunisia and amending Regulation (EC) No 1918/2006</p> <p>Commission communication in the framework of the implementation of Directive 2014/29/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of simple pressure vessels (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 138/2]</p> <p>Commission communication in the framework of the implementation of Directive 2014/33/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to lifts and safety components for lifts (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 138/3]</p>
22-04-16	<p>Commission Regulation (EU) 2016/621 of 21 April 2016 amending Annex VI to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products</p> <p>Commission Regulation (EU) 2016/622 of 21 April 2016 amending Annex III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products</p> <p>Commission Implementing Regulation (EU) 2016/623 of 21 April 2016 amending Implementing Regulation (EU) No 498/2012 on the allocation of tariff-rate quotas applying to exports of wood from the Russian Federation to the European Union</p>
23-04-16	<p>Commission Implementing Regulation (EU) 2016/636 of 22 April 2016 withdrawing the approval of the active substance Z,Z,Z,Z-7,13,16,19-docosatetraen-1-yl isobutyrate, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) No 540/2011</p> <p>Commission Regulation (EU) 2016/637 of 22 April 2016 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances</p> <p>Commission Implementing Regulation (EU) 2016/638 of 22 April 2016 withdrawing the approval of the active substance Z-13-hexadecen-11-yn-1-yl acetate, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council, and amending Commission Implementing Regulation (EU) No 540/2011</p>
26-04-16	<p>Commission Regulation (EU) 2016/646 of 20 April 2016 amending Regulation (EC) No 692/2008 as regards emissions from light passenger and commercial vehicles (Euro 6)</p> <p>Commission Implementing Decision (EU) 2016/650 of 25 April 2016 laying down standards for the security assessment of qualified signature and seal creation devices pursuant to Articles 30(3) and 39(2) of Regulation (EU) No 910/2014 of the European Parliament and of the Council on electronic identification and trust services for electronic transactions in the internal market</p> <p>Corrigendum to Commission Regulation (EU) 2016/71 of 26 January 2016 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 1-methylcyclopropene, flonicamid, flutriafol, indolyacetic acid, indolylbutyric acid, pethoxamid, pirimicarb, prothioconazole and teflubenzuron in or on certain products (OJ L 20, 27.1.2016)</p>
27-04-16	<p>Commission Delegated Regulation (EU) 2016/651 of 5 April 2016 correcting Delegated Regulation (EU) 2015/2446 supplementing Regulation (EU) No 952/2013 of the European Parliament and of the Council as regards detailed rules concerning certain provisions of the Union Customs Code</p>

OJ Date	Subject
	List of the bilateral investment agreements referred to in Article 4(1) of Regulation (EU) No 1219/2012 of the European Parliament and of the Council of 12 December 2012 establishing transitional arrangements for bilateral investment agreements between Member States and third countries [2016/C 149/1]
28-04-16	Commission Delegated Regulation (EU) 2016/654 of 26 February 2016 amending Council Regulation (EC) No 673/2005 establishing additional customs duties on imports of certain products originating in the United States of America
29-04-16	Commission Implementing Regulation (EU) 2016/662 of 1 April 2016 concerning a coordinated multiannual control programme of the Union for 2017, 2018 and 2019 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
	Commission Implementing Regulation (EU) 2016/667 of 27 April 2016 amending Council Regulation (EC) No 2368/2002 implementing the Kimberley Process certification scheme for the international trade in rough diamonds
	Commission Implementing Regulation (EU) 2016/668 of 27 April 2016 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin
	Commission Implementing Regulation (EU) 2016/670 of 28 April 2016 introducing prior Union surveillance of imports of certain iron and steel products originating in certain third countries
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 March 2016 to 31 March 2016 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2016/C 154/1]
	Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 March 2016 to 31 March 2016 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2016/C 154/2]
30-04-16	Notice concerning the provisional application of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part
	Information concerning the entry into force of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union
	Commission Implementing Regulation (EU) 2016/672 of 29 April 2016 approving peracetic acid as an existing active substance for use in biocidal products for product-types 1, 2, 3, 4, 5 and 6
	Commission Implementing Regulation (EU) 2016/673 of 29 April 2016 amending Regulation (EC) No 889/2008 laying down detailed rules for the implementation of Council Regulation (EC) No 834/2007 on organic production and labelling of organic products with regard to organic production, labelling and control
	Commission Implementing Regulation (EU) 2016/674 of 29 April 2016 amending Implementing Regulation (EU) No 543/2011 as regards the trigger levels for additional duties on certain fruit and vegetables
	Commission Implementing Decision (EU) 2016/678 of 29 April 2016 pursuant to Article 3(3) of Regulation (EU) No 528/2012 of the European Parliament and of the Council on a product consisting of dried lavender blossoms contained in a pad placed on the market to repel moths
	Corrigendum to Commission Implementing Regulation (EU) 2016/670 of 28 April 2016 introducing prior Union surveillance of imports of certain iron and steel products originating in certain third countries (OJ L 115, 29.4.2016)

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
01-04-16	Council Decision (CFSP) 2016/476 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea
	Council Regulation (EU) 2016/465 of 31 March 2016 amending Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2016/475 of 31 March 2016 amending Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea
	Council Decision (CFSP) 2016/477 of 31 March 2016 amending Decision 2011/173/CFSP concerning restrictive measures in view of the situation in Bosnia and Herzegovina
	Commission Implementing Regulation (EU) 2016/473 of 31 March 2016 amending for the 244th 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 [C/2016/2009]
	Council Decision (CFSP) 2016/478 of 31 March 2016 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya
	Council Implementing Regulation (EU) 2016/466 of 31 March 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya
12-04-16	Council Regulation (EU) 2016/555 of 11 April 2016 amending Regulation (EU) No 224/2014 concerning restrictive measures in view of the situation in the Central African Republic
	Council Decision (CFSP) 2016/564 of 11 April 2016 amending Decision 2013/798/CFSP concerning restrictive measures against the Central African Republic
	Council Implementing Regulation (EU) 2016/556 of 11 April 2016 implementing Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran
	Council Decision (CFSP) 2016/565 of 11 April 2016 amending Decision 2011/235/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Iran
13-04-16	Commission Implementing Regulation (EU) 2016/569 of 12 April 2016 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
	Council Implementing Decision (CFSP) 2016/573 of 12 April 2016 implementing Decision 2013/183/CFSP concerning restrictive measures against the Democratic People's Republic of Korea
14-04-16	Corrigendum to Council Implementing Regulation (EU) 2016/466 of 31 March 2016 implementing Article 21(2) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya (OJ L 85, 1.4.2016)
	Corrigendum to Council Decision (CFSP) 2016/478 of 31 March 2016 amending Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya (OJ L 85, 1.4.2016)
20-04-16	Council Decision (CFSP) 2016/609 of 18 April 2016 amending Decision 2010/413/CFSP concerning restrictive measures against Iran
	Council Implementing Regulation (EU) 2016/603 of 18 April 2016 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran
22-04-16	Council Implementing Regulation (EU) 2016/620 of 21 April 2016 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and amending Implementing Regulation (EU) 2015/2425
	Council Decision (CFSP) 2016/627 of 21 April 2016 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma
	Council Decision (CFSP) 2016/628 of 21 April 2016 updating and amending the list of persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and amending Decision (CFSP) 2015/2430
26-04-16	Commission Implementing Regulation (EU) 2016/647 of 25 April 2016 amending

OJ Date	Restrictive Measure
	for the 245th 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
28-04-16	Commission Implementing Regulation (EU) 2016/659 of 27 April 2016 amending Council Regulation (EC) 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea

Antidumping and countervailing duty cases

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

Individual Countries

France

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
05-04-16	2016/20 - Notice to importers of ammonium nitrate from Russia
15-04-16	2016/21 - Notice to importers of goods from Kosovo
22-04-16	2016/22 - Notice to importers on the extension to Turkey of the origin of bilateral cumulation rules of origin under the GSP
29-04-16	2016/23 - Notice to importers of certain products originating in the United States
19-04-16	DA 16-015 Customs Bulletin № 7109 Refunds and Rebates of import duties under Article 116 of the Customs Code of the Union
28-04-16	DA 16-019 Customs Bulletin № 7113 Authorization Approved Exporter (EA) for self-certification of origin on commercial document / The supplier's declaration
29-04-16	DA 16-020 Customs Bulletin № 7116 customs regulations applicable to the binding tariff information from 1 May 2016.
	DA 16-021 Customs Bulletin № 7115 Circular on customs procedures under UCC

United Kingdom

Brexit - Export controls and sanctions considerations

With the UK referendum on a so-called “Brexit” set to take place in under two months, businesses should start considering what effect leaving the European Union (EU) will have for them. In our earlier article ([see below](#)) we set out general considerations for businesses in the lead-up to the referendum on 23 June 2016, which would help them establish whether or not the UK’s membership of the EU is an overall benefit to them or not.

If the UK left the EU, things will change, at least in the short term. It is a safe assumption that the *European Communities Act 1972* (ECA) will be repealed, but what this means in practice is far from certain.

For businesses with a focus on customs and export controls, and businesses which frequently encounter sanctions issues as part of their day-to-day trade, we have compiled a more focused list of questions, to which consideration should be

given when determining whether or not to remain in the EU, and what to do in the event of a Brexit.

Export Controls

What statutory powers would permit export controls by UK?

- A priority is likely to be determining whether the UK could create its own export regime in the wake of a Brexit. Even if the ECA 1972 were to be repealed, by virtue of the Export Control Act 2002 the Secretary of State would have the statutory power to make impose export controls in relation to goods of any description. The UK could therefore, reconstitute its own, UK-specific export controls regime in the event of a Brexit.

Will the UK remain part of all relevant international agreements?

- The UK is currently a member of relevant international agreements (i.e. Wassenaar, MTCR, Australia Group and NSG) in its own right; not by virtue of being a member of the EU. In the event of a Brexit, the UK would therefore remain a member of these agreements even if it were to leave the EU.

Would the UK adopt a Union General Export Authorisation (UGEA) equivalent for the EU, or just add various Member States (MS) to OGELs?

- If the UK were to leave the EU, there would be a question as to whether the UK would want to control any of its exports to the EU-27, and whether the UK would adopt a 'one size fits all' UGEA for the EU, or simply add various MS to OGELs. Administratively, a UGEA-type licence for EU-27 would be much easier.

Would all EU MS given equal status as "UK UGEA" or "OGEL" beneficiaries, or would some EU MS be preferred?

- It is likely that the UK would not want to grant the same status to all the MS of the EU, but rather that it would grant preference to some MS over others, due to possible end-use concerns that may be more prevalent with regard to some MS than others.

How would the EU-27 treat the UK? Would it add the UK to a UGEA? Would the EU-27 permit UK to participate in any discussions around policy/coordination?

- It is unlikely that the EU-27 would refuse to grant a UGEA to the UK, but in order to maximise the chances of the UK being added to the EU's UGEA, it would make sense for the UK to coordinate and align with the EU with regard to its export control policy.

Would the UK now need more export control specialists at the operational level, or at the policy level?

- If the ECO were required to audit every export to the EU-27, it is likely that it will need more staff to cope with the increased volume of exports that require scrutiny. In addition, as the UK's own export control policy starts to develop, it is also likely that more specialists will be required at the policy level.

Potential issue if Scotland withdraws from the UK to stay in EU?

- If Scotland held another referendum in the wake of a Brexit and voted to leave the UK in order to stay in the EU, then the UK would need a border with Scotland for export control purposes. This would mean increased export controls and customs issues when trading with Scotland, which could pose issues especially in the oil and gas sector.

Sanctions

Will UK be able to become part of all relevant international systems?

- The UK is already part of the United Nations (UN) and a permanent member of the UN Security Council (UNSC). It therefore should not have issues regarding influencing sanctions-related decisions at an international level, even if it left the EU.

In the event of a Brexit, will the UK keep EU measures that it has implemented into national law, or undo them?

- If the UK repeals the ECA 1972, in principle all EU law (such as EC Regulations and CFSP Decisions) will no longer be binding and, even if implemented into national law, could technically be repealed. Any EU sanctions measures would therefore become discretionary in the UK.

What sanctions policy would the UK adopt in the event of a Brexit?

- In terms of a UK sanctions policy post-Brexit, it is difficult to say whether they UK would want to coordinate with the EU-27, create its own separate UK policy, or look towards the U.S. for direction on its sanctions policy. Ideas of sovereignty would suggest that the UK may want to create its own, independent policy, but security needs may push the UK to align itself with the U.S. or continue to coordinate with the EU-27.

What statutory powers would permit imposition of sanctions by the UK? Do we need new primary legislation?

- UK statutory instruments (SIs) implementing EU sanctions legislation state that the ECA 1972 confers the power on the UK Treasury to create the UK sanctions legislation. In the event of a Brexit, if the ECA 1972 were to be repealed, the UK would therefore need to create new primary legislation in order to permit imposition of sanctions.

Is the Office Of Financial Sanctions Implementation (OFSI) optimised to be a coordinator of sanctions in the UK?

- Whilst OFSI ensures that financial sanctions are properly understood, implemented, and enforced in the UK, it does not specialise in goods and products controls contained in many EU sanctions. It is therefore likely that the Foreign and Commonwealth Office (FCO) or the UK Department for Business Innovation and Skills (BIS) would need to provide some input in coordinating implementation of sanctions in the UK post-Brexit.

Should you want to talk through the issues in more detail and discuss the possible implications for your business then we can help. Please contact [Ross Denton](#) or [Sunny Mann](#) at our London Office. Check our [Sanctions Blog](#) for additional updates.

We will also be hosting a webinar on 18 May 2016 which will look at the possible implications of a Brexit vote. If you would like further details on this, please contact kate.bullard@bakermckenzie.com.

Brexit – Are you ready?

The referendum to be held on 23 June 2016 will offer UK voters the choice of (i) remaining in the EU, or (ii) leaving, a so-called “Brexit”. The referendum is shrouded by uncertainty, both as to the result, and what might happen if a Brexit vote does in fact happen. Businesses themselves have little or no role or influence in the vote, but if a Brexit vote does happen, businesses can and should have a significant role in what comes next. In the period of uncertainty that will inevitably follow a Brexit vote, businesses with clear and reasoned views as to what should happen next will be listened to by the UK Government and Civil Service.

If there is a Brexit vote, the UK will need to have some form of relationship with the remaining EU Member States (the “EU-27”), as well as with third countries. There is currently no legal or political framework for what these relationships will look like, but what is sure is that there will be a significant period of uncertainty. What is likely is that most (if not all) trade agreements to which the EU is a party will cease to benefit the UK, and it is unlikely that new trade agreements will be

concluded with all relevant third parties by the time the UK withdraws from the EU. At some point, therefore, the UK will lose (even if only on a temporary basis) the benefit of duty free trade in goods and liberalised access to service markets with the EU-27 and all other major trading partners.

Many businesses are struggling to understand whether or not they will benefit or be at risk if the UK does decide to withdraw from the EU. Asking the right questions now will help companies identify the potential risks and opportunities that a Brexit scenario will cause for the business.

The starting point for any business should be to ask itself two questions:

1. Is the UK's membership of the European Union an overall benefit or a disadvantage to your business?
2. How will the answer to the first question change when considering the possible alternatives to EU membership?

In order to determine the answers to these two questions, we have compiled a list of issues that businesses should begin to consider:

- **Does your business manufacture in the UK? If so, where does your business purchase its inputs from?**
If you purchase inputs from a third country, with which the EU has a FTA, import into the UK post-Brexit would become subject to tariffs.
- **Does your business consume services in the UK provided from third countries?**
If you consume services from a third country, with which the EU has a FTA, provision of those services in the UK post-Brexit would become subject to limitations.
- **Where are your business' main markets?**
If you sell goods to a third country, with which the EU has a FTA, those exports post-Brexit would become subject to tariffs.
- **Does your business' supply of goods/services into the EU require establishment in the EU?**
UK businesses not established in the EU may lose access to rights that are dependent on an entity being established in the EU.
- **Does your business have many mobile employees or employees that travel/work in different locations around the EU?**
Free movement of workers will not be guaranteed post-Brexit, and conditions may be imposed on the movement of UK citizens into the EU-27.
- **Does your business have any long term contracts which might be affected by withdrawal from the EU? What, if any, steps can be taken to rebalance rights and obligations under such contracts?**
Important to understand how your rights and obligations under contracts will be affected by a Brexit. Consider contractual wording (e.g. applicability of force majeure clauses) to reduce risks.
- **Does your business receive any grants or subsidies from the UK government and/or from the EU?**
UK funding would no longer be restricted by State Aid rules and the UK government would be able to provide subsidies to UK companies without having to notify the European Commission.
EU funding may be withdrawn for UK companies post-Brexit.

Should you want to talk through the issues in more detail and discuss the possible implications for your business then we can help. We could work through the spe-

cific nature of any impact, and analyse which options would produce advantages and disadvantages in your specific situation. We can also assist you in making arguments to HMG as to which options should be pursued. Please contact [Ross Denton](#) or [Sunny Mann](#) of our London office to discuss this further.

Finally, we will be hosting a webinar on 18 May 2016 which will look at the possible implications of a Brexit vote. If you would like further details on this, please contact kate.bullard@bakermckenzie.com.

HMRC to release exporter information

On 17 February 2016, HM Revenue and Customs (HMRC) published [Revenue and Customs Brief 8 \(2016\)](#), which announced that from 8 April 2016, HMRC will start to publish certain information relating to exporters and the goods they export. This is intended to facilitate trade, boost UK growth and help exporters to find new markets. This is part of HMRC's commitment to publish more information where this can generate public benefits without compromising the core principle of taxpayer confidentiality.

The law that requires HMRC to publish this information is section 10 of the *Small Business Employment and Enterprise Act 2015* and *Statutory Instrument No. 2060 The Disclosure of Exporter Information Regulations 2015*.

The information to be released comprises the following information of individual exporters and the goods they export:

- exporter's name and address
- commodity code (for product identification)
- description of the commodity code covering the goods
- month and year of export

This information will be available on [HMRC's stand-alone trade statistics website](#) from 8 April 2016 onwards. HMRC will not publish:

- national strategic and sensitive information, such as armaments exporters and their products
- commercially sensitive information, for example where there are a few exporters of a given product where actual levels of trade could be identified or deduced

Details of markets, customers and market share are never made available.

This mirrors the importer information that HMRC has been publishing since the 1980s and has proved very popular, generating approximately 60,000 hits per month.

Exporters may 'opt-out' from having information published by contacting HMRC at uktradeinfo@hmrc.gsi.gov.uk. A request to exclude a business from the exporter and importer information sent to HMRC by day 18 of the month will mean removal from the information published the following month. For example, if the request is sent by 18 March HMRC will make sure the information is not published in April. However this cannot apply retrospectively so HMRC will not be able to remove information on importers or exporters already published.

UK publishes another new SI for enforcement of Iran Sanctions

On 18 April 2016, the UK government published the [Export Control \(Iran Sanctions\) Order 2016](#) (the “2016 Sanctions Order”), which will come into force on 6 May 2016, replacing the *Export Control (Iran Sanctions) Order 2012* (S.I. 2012/1243) (the “2012 Sanctions Order”).

This follows the recent implementation of the *Iran (Sanctions) (Overseas Territories) Order 2016* (the “2016 Overseas Territories Order”), which came into force on 17 March 2016; the *Iran (United Nations Sanctions) (Amendment) Order 2016* (SI 2016/378) (the “UN Sanctions Amendment Order”), which came into force on 13 April 2016; and the *Iran (European Union Financial Sanctions) Regulations 2016* (SI 2016/36), which came into force on 18 Jan 2016. Each of these implements aspects of the sanctions relief agreed under the Joint Comprehensive Plan of Action (“JCPOA”).

Enforcement Provisions in the new 2016 Sanctions Order

The 2016 Sanctions Order provides for the enforcement of trade sanctions set out in the Iran Sanctions Regulation, as last amended by Council Regulation (EU) 2015/1861. Please see our earlier [“Adoption Day” blog post](#) and [“Implementation Day” blog post](#) for further details of the amendments to the Iran Sanctions Regulation and the staged sanctions relief agreed in the JCPOA.

In addition to implementing the Iran Sanctions Regulation, the 2012 Sanctions Order also implemented Council Regulation (EU) 359/2011 (the “Iran Human Rights Regulation”); the relevant provisions remain and have not been amended in the new order.

As well as creating offences for the contravention and the circumvention of the trade restrictions in the Iran Sanctions Regulation and the Iran Human Rights Regulation, the 2016 Sanctions Order prohibits the procurement of military goods and creates an offence for breach of that prohibition, and includes offences related to the provision of false information (knowingly and recklessly) for the purpose of obtaining an authorisation or licence and failure to comply with authorisation or licence requirements or conditions. The penalties for the offences are higher under the new order; fines on both summary conviction and conviction on indictment are no longer subject to the statutory maximum, as they were under the 2012 Sanctions Order.

The 2016 Sanctions Order also makes changes to the *Export Control (Russia, Crimea and Sevastopol Sanctions) Order 2014* to correct a drafting error, and to the *Export Control Order 2008*, moving the Central African Republic to the list of destinations under embargo and subject to transit control for military goods in Schedule 2 Part 2, from the list of destinations subject to transit controls for Category B goods in Schedule 2 Part 4.

Other new/updated UK SIs for enforcement of Iran Sanctions

The *Iran (European Union Financial Sanctions) Regulations 2016* (SI 2016/36), which came into force on 18 Jan 2016, implemented updated prohibitions and offences with respect to financial sanctions as amended pursuant to the JCPOA (in particular, to reflect the removal of funds transfer controls); this SI revoked and replaced the *Iran (European Union Financial Sanctions) Regulations 2012*.

The UN Sanctions Amendment Order, which came into force on 13 April 2016,

updated prohibitions in the *Iran (United Nations Sanctions) Order 2009* (S.I. 2009/886) governing the use of certain vessels, aircraft and vehicles to carry specified goods to and from Iran, to reflect the changes in the sanctions regime against Iran as provided for in United Nations Security Council resolution 2231. Chiefly, these changes lessened the restrictions on carriage of certain goods to and from Iran and removed restrictions on the provision of ship supply services.

The 2016 Overseas Territories Order, which entered into force on 17th March 2016, gives effect in certain UK Overseas Territories to the amendments to the *Iran Sanctions Regulation in Council Regulation (EU) 2015/1861* and Council Implementing Regulation (EU) 2015/1862. These amendments provide for the “Implementation Day” sanctions relief agreed in the JCPOA. The 2016 Overseas Territories Order extends to: Anguilla; British Antarctic Territory; British Indian Ocean Territory; Cayman Islands; Falkland Islands; Montserrat; Pitcairn, Henderson, Ducie and Oeno Islands; St Helena, Ascension and Tristan da Cunha; South Georgia and the South Sandwich Islands; The Sovereign Base Areas of Akrotiri and Dhekelia in the Island of Cyprus; the Turks and Caicos Islands; and the Virgin Islands. Bermuda has also applied this Order, pursuant to recent changes to the *Bermudan International Sanctions Regulations 2013*.

For additional information, please contact [Ross Denton](#) or [Sunny Mann](#) at our London Office. Check our [Sanctions Blog](#) for future updates.

Office of Financial Sanctions issues guidance on sanctions

This month, the [Office of Financial Sanctions Implementation](#) (OFSI), a part of HM Treasury, which is the competent authority for the implementation of financial sanctions in the UK, issued a document entitled, [Financial Sanctions: Guidance](#) (the Guide). Most financial sanctions are made through EU law which has direct effect under UK law. OFSI works closely with the EU Commission and other member states in implementing sanctions and developing EU guidance in this area. Other financial sanctions are put in place by UK laws. OFSI cannot issue definitive guidance as to how an EU or UK court might interpret these laws.

The guide document provides a guide to the approach which OFSI will take when issuing licences and considering compliance, taking into account case law and EU guidance as at the date of publication. It does not represent legal advice.

The Guide is prepared in two parts. Part A provides a general overview of the financial sanctions framework which applies in the UK. Part B provides practical examples of how OFSI will generally approach licencing and compliance questions, although each case will be considered on its own facts and the specific legal requirements applying to the relevant financial sanctions regime.

References to ‘a person’ throughout the Guide include natural people, as well as entities and bodies of any type. References to a ‘designated person’ are to persons who are subject to an asset freeze, and references to the ‘listing’ of a person means their inclusion on the list of designated persons.

HMRC updates

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

Release Date	Ref. No. and Subject
Customs Information Papers (CIPs)	
05-04-16	CIP 08 (2016): Transfer of Residence - implementation of Article 123 of EC Regulation 1186/2009 (update)
	CIP 11 (2016): treatment of Export Simplifications under the Union Customs Code
	CIP 12 (2016): treatment of transit simplifications and Union Status under the Union Customs Code
08-04-16	CIP 17 (2016): new banking supplier
15-04-16	Tariff Notice 1 (2016): knitted interior blinds of synthetic fibres
18-04-16	CIP 2 (2016): amendment to the EU-Andorra preferential Trade Agreement
20-04-16	CIP 18 (2016): changes to Temporary Storage arrangements under the Union Customs Code
	CIP 19 (2016): fresh banana imports
	CIP 20 (2016): removal of requirement to complete sensitive goods and third quantity fields on NCTS declarations
21-04-16	CIP 57 (2015): publication of Notice 3001 special procedures for the Union Customs Code
	CIP 6 (2016): special procedures under the Union Customs Code - Customs Procedure Codes
22-04-16	CIP 22 (2016): currency conversion fluctuations under the Union Customs Code
	CIP 23 (2016): Low Value Bulking of Imports requirements under the Union Customs Code
	CIP 24 (2016): Customs Comprehensive Guarantee
25-04-16	CIP 25 (2016): changes to temporary storage 90 day time limit conditions
28-04-16	CIP 26 (2016): special procedure - transfer of rights and obligations movement of goods under the Union Customs Code
29-04-16	CIP 27 (2016): Onward Supply Relief declarations from Customs Warehouse
	CIP 28 (2016): update on the public consultation on the removal of manual customs declarations
Other documents and publications	
01-04-16	Tariff Stop Press Notice 9 (2016): changes to the monthly trade euro rate
	Customs Handling of Import Export Freight (CHIEF): service availability and issues
06-04-16	Electronic Binding Tariff Information: service availability and issues
	Notice 199B: approved depositories under external temporary storage facility
	Import and export: apply for a Customs Comprehensive Guarantee (CCG1)
11-04-16	Notice 199A: temporary storage and approved depositories
	HMRC exchange rates for 2016: monthly
12-04-16	Genuine HMRC contact and recognising phishing emails
	Import and Export: apply for Union Transit and other simplifications (C1343)
	Import and export: apply for authorisation of a regular shipping service (C1349)
13-04-16	Phishing emails and bogus contact: HM Revenue and Customs examples
	Transit Manual Supplement
14-04-16	Tariff Stop Press Notice 1 (2016): amendments to commodity codes in chapters 29,39,81 and 85
	Tariff Stop Press Notice 2 (2016): inserting a second supplementary unit of number
18-04-16	Tariff Stop Press Notice 5 (2016): amendments to commodity codes in chapters 19, 38 and 39
20-04-16	Community, Common Transit and TIR: newsletters
	Customs Freight Simplified Procedures: service availability and issues
	VAT Notice 702: imports
	Tariff Stop Press Notice 3 (2016): removal of autonomous suspension from commodity codes
	Tariff Stop Press Notice 7 (2016): amendments to commodity codes in chapter 29
21-04-16	Tariff Notice 2 (2016): pointed cylinder glitter lamp
	Customs Freight Simplified Procedures: contact lists

Release Date	Ref. No. and Subject
22-04-16	Tariff Notice 3 (2016): plastic drawing board
25-04-16	Notice 102: General Guarantee Accounts
27-04-16	Customs Handling of Import Export Freight (CHIEF): service availability and issues
	Notice SIVA 1: Simplified Import VAT Accounting
28-04-16	UK Trade Tariff: department responsibility and legislation
	UK Trade Tariff: inland clearance depots and free zone codes
	UK Trade Tariff: Common Agricultural Policy (charges and refunds)
	UK Trade Tariff: relief from customs and excise duties and VAT
	UK Trade Tariff: customs procedure codes
	UK Trade Tariff: preferential trade arrangements for countries outside the EU
	UK Trade Tariff: end-use relief on goods used for a prescribed use
	UK Trade Tariff: European Union and new member states
	UK Trade Tariff: imports and community transport inwards
	UK Trade Tariff: suspensions from Customs Duty
	UK Trade Tariff: exports
	UK Trade Tariff: community and common transit outwards
	UK Trade Tariff: trader entry of customs data into CHIEF
	Tariff Stop Press Notice 11 (2016): changes to the monthly trade euro rate
	Tariff Notice 7 (2016): amendment covering pine kernels
	Notice 266: rejected imports - repayment or remission of duty and vat
	Notice 199: imported goods, customs procedures and customs debt
	Notice 117: Authorised Economic Operator
	Notice 3001: customs special procedures for the Union Customs Code
	Import and export: repayment or remission of charges on rejected imports (C&E1179)
VAT Returns and EC Sales List: commercial software suppliers	
VAT Notice 701/19: fuel and power	
29-04-16	Tariff Stop Press Notice 8 (2016): amendments to commodity codes in chapter 24
	Tariff Stop Press Notice 11 (2016): changes to the monthly trade euro rate
	Tariff Notice 4 (2016): determination of the protein content in soy-based beverages
	Tariff Notice 5 (2016): amendment to Annex I to Council Regulation No 2658/87
	Notice 252: valuation of imported goods for customs purposes, VAT and trade statistics
	Notice 205: official customs seals and trader sealing
	VAT Notice 702: imports
	Anti-Dumping Duty measure AD2111
	Anti-Dumping Duty measure AD2113
	Anti-Dumping Duty measure AD2114
	Anti-Dumping Duty measure AD2116
	Phishing emails and bogus contact: HM Revenue and Customs examples
Rates and allowances: monthly euro conversion rates for calculating duty	

ECO Notices to Exporters and BIS documents

The following Export Control Organisation (ECO) [Notices to Exporters](#) and other Department for Business, Innovation and Skills (BIS) documents were issued:

Date	Notice No. and Subject
05-04-16	BIS/16/193 Textile labelling regulations: guidance on the Textile Products (Labelling and Fibre Composition) Regulations 2012
08-04-16	Notice to Exporters 2016/11: Read our blog on replacing SPIRE
14-04-16	BIS/16/153 Open general export licence (PCBs and Components for military goods)
	BIS/16/152 Open general export licence (PCBs and components for dual-use

Date	Notice No. and Subject
	items)
15-04-16	Notice to Exporters 2016/12: ECO publishes two new OGELs
28-04-16	Open general trade control licence (maritime anti-piracy): list of registered companies [corrected to add list of missing companies]
29-04-16	BIS/16/247 List of suspension and quota applications round: 1 January 2017

Other EU-EFTA Notices

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
France	
13-04-16	№ 18 Decree of 29 March 2016 fixing the form of the certificate for receiving electricity exempt, exempt or reduced rate of domestic tax on final consumption of electricity provided for in Article 266 d C Customs code
	№ 19 Order of 1 April 2016 adopted under Article 265 septies of the Customs Code
	№ 20 Order of 1 April 2016 adopted under Article 265 octies of the Customs Code [refund of consumption tax on diesel fuel]
14-04-16	№ 107 Notice to importers and exporters on the customs agent licenses (298th list)
15-04-16	№ 3 Decree No 2016-459 of 13 April 2016 concerning the publication of the Agreement between the Government of the French Republic and the Association of Caribbean States defining the Martinique region how to participate in the Association of the Caribbean States as an, associate member, signed in Carbet, Martinique, on 11 April 2014 ; of the agreement between the Government of the French Republic and the Association of Caribbean States defining the area of participation modalities Guadeloupe to the Association of Caribbean States, as an associate member, signed in Basse-Terre, Guadeloupe, on 14 April 2014 ; of the Protocol amending the agreement signed in Mexico City May 24, 1996 between the Government of the French Republic and the Association of Caribbean States defining the modalities of the participation of the French Republic to the Association of Caribbean States as an associate member in respect of Guadeloupe, French Guiana and Martinique, signed at Port of Spain, Republic of Trinidad and Tobago, April 16, 2014
17-04-16	№ 21 Decree of 15 April 2016 amending the Decree of 21 March 2016 concerning the conditions of neutrality and standardization of packaging and paper cigarettes and rolling tobacco
Germany	
08-04-16	Law implementing the Directive on tobacco products and related products (04-04-16) from no. 15 of 04.08.2016, page 569
	Regulation replacing the Regulation on the provision of simple pressure vessels on the market and amending pressure equipment Regulation (06-04-16) from no. 15 of 04.08.2016, page 597
22-04-16	First Ordinance amending Chemicals Sanctions Regulation (18-04-16) from no. 19 of 22.04.2016, page 951
Ireland (Eire)	
15-04-16	S.I. No. 162 of 2016 - Pet Passport (No. 2) Regulations 2014 Amendment Regulations 2016.
	S.I. No. 164 of 2016 - European Communities (Official Controls on the Import of Food of NonAnimal Origin) (Amendment) (No. 2) Regulations 2016

Date*	Measure
Liechtenstein	
14-04-16	LGBI 2016.122, 123, 124 and 125 involve announcements of the EFTA Council amending the EFTA Convention (LR № 0.632.31)
22-04-16	LGBI 2016.128, 129, 130, 131, 132, 133 involve announcements of the Decisions of the EEA Joint Committee (LR № 0.110.038.50 through 55)
28-04-16	LGBI № 2016.171 Act of 3 March 2016 amending the Nuclear Energy Goods Control Act (LR № 514.52)
	LGBI № 2016.172 Act of 3 March 2016 amending the War Material Act (LR № 514.51)
	LGBI № 2016.173 Act of March 3, 2016, the amendment of the law on customs (LR № 631.010)
	LGBI № 2016.175 Act of March 3, 2016 concerning amendment of the Act on the marketability of goods (LR № 947.1)
Luxembourg	
08-04-16	Mem. A. № 57 - Law of 29 March 2016 approving the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, on the one hand and Lebanon on the other hand, to take account of the accession to the European Union of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic signed in Brussels, 1 April 2015.
Norway	
01-04-16	FOR-2016-03-23-323 Health and Care Services Regulation amending the Regulation on maximum levels for drug residues in food from animals
	FOR-2016-03-29-324 Health and Care Services Regulation amending the Regulation on official controls of compliance with legislation on feed, food and health and welfare of animals (control regulations)
	FOR-2016-03-29-327 Agriculture and Food Regulation amending the Regulation on plants and measures against pests
	FOR-2016-03-29-328 Agriculture and Food Amendments in animaliehygieneforskriften
	FOR-2016-03-29-329 Agriculture and Food Regulation amending the Regulation on the import and transit of poultry and certain poultry products from third countries
	FOR-2016-03-30-331 Health and Care Services Regulation amending the Regulation on feed additives
	FOR-2016-03-31-334 MPE Regulations repealing the regulation on energy labeling of ovens
08-04-16	FOR-2016-04-01-348 Agriculture and Food Regulations amending the various regulations on administrative tariff reductions for agricultural products
12-04-16	FOR-2016-04-08-358 Ministry of Health, Industry and Fisheries Ministry of Agriculture and Food Regulation amending the Regulation on additives for use in animal nutrition
15-04-16	FOR-2016-04-13-371 Agriculture and Food Regulation amending the Regulation on pesticide
29-04-16	FOR-2016-04-25-428 Agriculture and Food, and Industry and Fisheries Ministry Regulation amending the Regulation on feed
	FOR-2016-04-26-430 Agriculture and Food Regulation amending the Regulation on administrative tariff reductions for agricultural products
	FOR-2016-04-26-432 Climate and Environment Ministry Regulations amending the REACH Regulation (approval for use of dibutyl phthalate)
Poland	
04-04-16	№ 444 Regulation of the Minister of Agriculture and Rural Development dated 21 March 2016. On the requirements to be met from the South African fruit plants of Citrus L., Fortunella Swingle, Poncirus Raf. and hybrids of these types of plants, except fruits of Citrus aurantium L. and Citrus latifolia Tanaka, in order to prevent the spread of the organism Phyllosticta citricarpa (McAlpine) Van der Aa
	№ 445 Statement of the Minister of Finance dated 18 March 2016. On the uni-

Date*	Measure
	form text of the Regulation of the Minister of Finance on customs offices in which it can be carried out export, import and transit of goods of strategic importance
07-04-16	№ 468 Statement of the Minister of Finance dated 23 March 2016. On the uniform text of the Regulation of the Minister of Finance on the jurisdiction of the bodies of the Customs Service in the area in which this property does not result from the rules governing the tasks of customs and tax authorities
11-04-16	№ 481 Statement of the Minister of Finance dated 25 March 2016. On the uniform text of the Regulation of the Minister of Finance on the jurisdiction of customs offices and customs chambers in the field of excise duties
13-04-16	№ 499 Council of Ministers of 5 April 2016. Amending the Regulation on the establishment of the Government Plenipotentiary for negotiations under the World Trade Organisation (WTO)
14-04-16	№ 500 Regulation of the Minister of Finance dated 1 April 2016. On minimum total purchase value at which the traveler can claim a tax refund on goods and services
14-04-16	№ 504 Regulation of the Minister of Maritime and Inland Navigation of 23 March 2016. On the designation of ports to conduct landings or transshipment operations of fishery products and port services for vessels from third countries
15-04-16	№ 521 Regulation of the Minister of Finance dated 11 April 2016. On changes in the area warehouse in the International Airport "Katowice" in Pyrzowice
19-04-16	№ 542 The Act of 13 April 2016. On the system of conformity assessment and market surveillance
21-04-16	№ 559 The Act of 11 March 2016. Ratification of the Agreement Establishing the Asian Infrastructure Investment Bank, signed in Beijing on June 29, 2015.
25-04-16	№ 568 Statement of the Minister of Finance dated 11 April 2016. On the uniform text of the Regulation of the Minister of Finance on the terms for receiving supplements to the basic salary of customs officers and the amount of these additives
25-04-16	№ 571 Council of Ministers of 11 April 2016. Amending the Ordinance on the Krakow Special Economic Zone
28-04-16	№ 595 Statement of the Minister of Finance dated 18 April 2016. On the uniform text of the Regulation of the Minister of Finance on customs offices in which the activities are carried out under the customs rules, depending on the type of goods or customs procedures which may be acquired goods
29-04-16	№ 611 Regulation of the Minister of Finance dated 27 April 2016. Amending the Regulation on models authorizations to exercise control by the Customs Service
29-04-16	№ 612 Regulation of the Minister of Finance dated 27 April 2016. Amending Regulation on the exercise of control of customs legislation and other legislation related to the import and export of goods
Spain	
04-04-16	Hacienda: Order HAP / 449/2016 of 30 March, approving the establishment of the Free Trade Zone Santander is authorized and the granting of the Deposit Franco Santander is revoked. (BOE-A-2016-3185)
07-04-16	Agriculture, Food and Environment: Resolution of 28 March 2016, the General Secretariat of Fisheries, on the list of trade names of fish species and aquaculture admitted in Spain is published. (BOE-A-2016-3357)
08-04-16	Economy and Competitiveness: Order ECC / 488/2016, of April 4, in which various aspects related to the provision of official support for export credit through agreements of mutual adjustment of interests are regulated. (BOE-A-2016-3369) Hacienda: Procurement - Resolution of 6 April 2016, the Directorate General of State Property amending the recommendation of the Administrative Contracting Advisory Board on the use of the Single European Contract Document under the new public procurement Directive is published. (BOE-A-2016-3392)
19-04-16	Development: Resolution of 11 April 2016, the Directorate General of Civil Aviation, laying the latest updates of Annex 18 published the Chicago Convention on International Civil Aviation (Chicago 1944) on the "Transport of Dangerous Goods by Air" and the Technical Instructions for the Safe Transport of Dangerous Goods by Air (ICAO Document 9284 / AN / 905), 2015-2016 edition. (BOE-A-2016-3742)
22-04-16	External Affairs: Additional Protocol to the Agreement on Trade, Development

Date*	Measure
	and Cooperation between the European Community and its Member States on the one hand, and the Republic of South Africa, on the other, to take account of the accession of the Republic of Croatia to the European Union, made in Cape Town on March 12 and in Riga on March 27, 2015. (BOE-A-2016-3872)
26-04-16	Ministry of the Presidency: Royal Decree 162/2016, of 25 April, amending Royal Decree 1118/1998, of 5 June, establishing the procedure for cooperation with the European Commission in the field of scientific examination of issues related repealing with foodstuffs. (BOE-A-2016-3975)
Switzerland	
31-03-16	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
01-04-16	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
05-04-16	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
05-04-16	Treaty of 11 April 2000 between the Swiss Confederation and the Principality of Liechtenstein on the levy on heavy vehicle-related services in the Principality of Liechtenstein (RS 0.641.851.41)
06-04-16	Order of OSAv measures to prevent the spread of African swine fever present in certain Member States of the European Union (RS 916.443.107)
12-04-16	Ordinance of the FDF on goods enjoying customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012)
	Ordinance on waste movement (OMW) (RS 814.610)
	DETEC Ordinance on the lists for the movement of waste (RS 814.610.1)
12-04-16	Ordinance of the FOAG on fixing periods and deadlines as well as the authorization of parts quota of fresh vegetables, fresh fruit and fresh cut flowers (Ordinance authorizing imports on the OIELFP) (RS 916.121.100)
	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
19-04-16	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
21-04-16	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
22-04-16	DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)
26-04-16	Ordinance of the FDF on goods enjoying customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012)
	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
United Kingdom	
08-04-16	2016 asp 14 - Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016
22-04-16	SI 2016/507 - The Tobacco and Related Products Regulations 2016
25-04-16	SI 2016/521 - The Electronic Cigarettes etc. (Fees) Regulations 2016

Restrictive measures established, amended, corrected

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

Date*	Restrictive Measure
Liechtenstein	
01-04-16	LGBI № 2016.111 Decree of 29 March 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)
07-04-16	LGBI № 2016.119 Decree of 5 April 2016 concerning amendment of the ordinance on measures against Libya (LR № 946.221.4)
14-04-16	LGBI № 2016.121 Ordinance of 12 April 2016 concerning amendment of the

Date*	Restrictive Measure
	ordinance on measures against Libya (LR № 946.221.4)
22-04-16	LGBI № 2016.141 Ordinance of 19 April 2016 concerning amendment of the ordinance on measures against the Islamic Republic of Iran (LR № 946.223.3)
	LGBI № 2016.145 Ordinance of 21 April 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)
28-04-16	LGBI № 2016.179 Ordinance of 26 April 2016 concerning amendment of the ordinance on measures against the Islamic Republic of Iran (LR № 946.223.3)
Luxembourg	
22-04-16	Mem. A № 68 Ministerial Regulation of 21 April 2016 amending Annex IC of the Grand Ducal Regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the fight against terrorist financing.
Switzerland	
04-04-16	Modifications to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82)
21-04-16	Modifications to the Order of 2 October 2000 instituting measures against persons and entities associated with Usama bin Laden, the group "Al Qaeda" or the Taliban (RS 946.203)
29-04-16	Modification to the Ordinance of 19 January 2005 instituting measures against Côte d'Ivoire (RS 946.231.13)
United Kingdom	
15-04-16	SI 2016/504 - The Belarus (Asset-Freezing) (Amendment) Regulations 2016
18-04-16	SI 2016/503 - The Export Control (Iran Sanctions) Order 2016

Non EU-EFTA European Countries

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the [Eurasian Economic Commission documentation page](#).

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission	
06-04-16	Decision № 29 (05-04-16) On the establishment of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of semi-bleached wood pulp and bleached hardwood
14-04-16	Decision № 30 (12-04-16) On approval of the list of products in respect of which the customs declaration is accompanied by the presentation of a document on the assessment of compliance with the technical regulations of the Customs Union "On the safety of agricultural and forestry tractors and their trailers" (TR CU 031/2012)
	Decision № 31 (12-04-16) On recognition of the fact of violation of the Russian Federation of its obligations under Section XXII of the Treaty on the Eurasian Economic Union of 29 May 2014, and the need to eliminate the revealed violations
15-04-16	Decision № 32 (12-04-16) On approval of the application of the procedure of deferred determination of the customs value of goods
	Decision № 33 (12-04-16) On the technological documents regulating information interaction in the implementation of the means of the integrated

Publication Date	Title
	information system of foreign and mutual trade of the general process of “Ensuring the exchange of information in respect of vehicles temporarily imported into the customs territory of the Eurasian Economic Union by individuals for personal use, between the customs authorities of the States - members of the Eurasian Economic Union “
21-04-16	Decision № 35 (19-04-16) Concerning the Annulment of Certain Acts of the Board of the Eurasian Economic Commission
22-04-16	Decision № 36 (19-04-16) On the application of import duties on goods originating in the Socialist Republic of Vietnam and imported into the customs territory of the Eurasian Economic Union
Board Распоряжение	
06-04-16	№ 41(05-04-16) Draft decision of the Council of the Eurasian Economic Commission “On Amendments to the technical regulations of the Customs Union” On Safety of Grain “(TR CU 015/2011)”
	№ 42 (05-04-16) Draft Protocol on Amendments to the Protocol on access to services of natural monopolies in the electricity sector, including the basics of pricing and tariff policy (application number 21 to the Treaty on the Eurasian Economic Union of 29 May 2014)
07-04-16	№ 43 (05-04-16) About the order of the Council of the Eurasian Economic Commission “On the Draft Agreement on the management of copyright and related rights on a collective basis”
	№ 44 (05-04-16) About the order of the Council of the Eurasian Economic Commission “On schedule pairing information systems of customs administrations and other bodies of state power of the states - members of the Eurasian Economic Union on the basis of the integrated information system of the Eurasian Economic Union in order to ensure the traceability of the movement of goods from the date of importation into the customs territory of the Eurasian economic Union until their transfer to the consumer “
	№ 45 (05-04-16) Draft decision of the Council of the Eurasian Economic Commission “On the draft decision of the Supreme Eurasian Economic Council” On the basic orientations of macroeconomic policy states - members of the Eurasian Economic Union in the 2016 - 2017 years “
15-04-16	№ 46 (12-04-16) On the projects of international agreements on the application of customs duties and taxes for the carriage of goods under the customs procedure of customs transit
18-04-16	№ 47 (12-04-16) Draft decision of the Council of the Eurasian Economic Commission “About the 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 2015“.
21-04-16	№ 48 (19-04-16) 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 the black printing ink”
	№ 49 (19-04-16) On Amendments to the Advisory Committee on social security, respect for the pension rights, health care and professional workers states - members of the Eurasian Economic Union
	№ 51 (19-04-16) On the composition of the working group on improvement of customs legislation
22-04-16	№ 52 (19-04-16) Draft decision of the Council of the Eurasian Economic Commission “On Technical Regulation of the Eurasian Economic Union” On the requirements for mineral fertilizers”
	№ 53 (19-04-16) Draft decision of the Council of the Eurasian Economic Commission “On Technical Regulation of the Eurasian Economic Union” On the safety of fish and fish products”
Board Recommendations	
14-04-16	Recommendation № 5 (12-04-16) On electronic interaction in the presentation of preliminary information about goods imported into the customs territory of the Eurasian Economic Union by air

Publication Date	Title
29-04-16	Recommendation № 6 (02/02/16) On Amendments to the Explanatory Notes to Volume VI Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union

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

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 19 April 2016. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

Belarus

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through March 2016. It may be searched by tariff code or description (in Russian).

Russian Federation

Preliminary decisions on tariff classification

The Federal Customs Service (FCS) has a [searchable on-line database of preliminary decisions on tariff classification](#). The database has been updated through 15 April 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*:

R.G. Date of Publication	Subject
01-04-16	Federal Law of the Russian Federation on March 30, 2016 N 72-FZ "On Amendments to Part Two of the Tax Code of the Russian Federation with regard to termination of the free customs zone procedure in the territory of the Special Economic Zone in the Kaliningrad region"
06-04-16	Federal List of Extremist Materials Organizations and individuals included in the list of organizations and individuals, in respect of which there is evidence of their involvement in extremist activities or terrorism, pursuant to subparagraphs 6, 7, paragraph 2.1 of Article 6 of the Federal Law of 07.08.2001 N 115-FZ "On Counteracting the legalization (laundering) of proceeds from crime and terrorist financing"
08-04-16	Federal Law of the Russian Federation dated April 5, 2016 N 100-FZ "On

R.G. Date of Publication	Subject
	Amendments to Article 3¹ of the RF Law" On Customs Tariff " Federal Law of the Russian Federation dated April 5, 2016 N 91-FZ "On Amendments to Article 22 of the Federal Law" On the development of the Crimean Federal District and the free economic zone on the territory of the Republic of Crimea and the federal city of Sevastopol " Federal Law of April 5, 2016 N 89-FZ "On Amendments to Article 4.5 of the Code of Administrative Offences of the increase in the statute of limitations for bringing to administrative responsibility for violation of currency legislation of the Russian Federation and acts of currency regulation bodies"
13-04-16	Presidential Decree of April 1, 2016 N 147 "On the National Anti-Corruption Plan for 2016 - 2017." Presidential Decree of 11 April 2016 N 173 "On Amendments to the list of border areas in which foreign citizens, stateless persons and foreign legal entities may not hold titles to land, approved by Presidential Decree of January 9, . 2011 N 26 "
18-04-16	Russian Federation Government Resolution dated April 9, 2016 N 284 Moscow "On establishing the ecological collection rates for each group of products to be recycled after the loss of their consumer properties paid by manufacturers, importers of goods that do not provide an independent waste disposal from the use of the goods"
27-04-16	Material for inclusion in the list of public and religious associations, whose activities are suspended in connection with the exercise of extremist activity Federal Law of April 26, 2016 N 105-FZ "On ratification 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 articles of fur " Federal Law of April 26, 2016 N 107-FZ "On ratification of the Agreement on the procedure of formation and use of joint groups of experts (experts) of border agencies for rapid response to border security threats at the external borders of the states - participants of Commonwealth of Independent States" Federal Law of April 26, 2016 N 106-FZ "On the Ratification of the Treaty between the Russian Federation and the Republic of South Ossetia on the state border"

Africa

South Africa

South Africa launches safeguard investigation on certain flat-rolled products

On 4 April 2016, South Africa [notified](#) the WTO's Committee on safeguards that it initiated on 24 March 2016 a safeguard investigation on certain flat-rolled products of iron, non-alloy steel or other alloy steel (not including stainless steel).

In the notification, South Africa indicated as follows:

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

Any information which the interested parties may wish to submit in writing and any request for a hearing before the Commission that they may wish to put forward should be submitted within 20 days following the initiation of this investigation to the Directorate: Trade Remedies II at the following address:

The DTI Campus, 77 Meintjies Street, Sunnyside Pretoria, Block Uuzaji,
Ground Floor,

tel: +27 12 394 3600,
fax +27 12 394 0518.”

Further information is available in [G/SG/N/6/ZAF/4](#).

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

Publication Date	Publication Details	Subject	Implementation Date
08-04-16	GG.39911 Notice R.414	Part 1 of Schedule No. 2 – Termination of anti-dumping duties on acrylic blankets originating in or imported from China or Turkey by the deletion of items 211.14; 211.14/6301.40/08.06; 211.14/6301.40/06.06 and 211.14/6301.90/08.06 – ITAC Report 510. <ul style="list-style-type: none"> • Notice R.414 	03-02-16
	GG.39911 Notice R.415	Part 1 of Schedule No. 3 – Withdrawal of rebate provision on plates, sheets, film, foil and strips of polymers of propylene, biaxially oriented, for the manufacture of self-adhesive tape by the deletion of rebate item 307.01/3920.20/01.06. <ul style="list-style-type: none"> • Notice R.415 	08-04-16
	GG.39911 Notice R.416	Part 1 of Schedule No. 3 – By the insertion of rebate item 307.02/3920.51/01.06 to provide for a rebate on acrylic sheet used in the manufacture of sanitary ware of plastic – ITAC Report 515. <ul style="list-style-type: none"> • Notice R.416 	
11-04-16	GG.39915 Notice R.418	Part 1 of Schedule No. 1 - Substitution of tariff subheadings 1001.91, 1001.99, 1101.00.10 and 1101.00.90 to increase the rates of customs duty on wheat and wheaten products from 91.12c/kg and 136.68c/kg to 122.43c/kg and 183.65c/kg respectively – ITAC Minute M09/2015 <ul style="list-style-type: none"> • Notice R.418 	11-04-16
	GG.39915 Notice R.419	Part 1 of Schedule No. 1 – Substitution of tariff subheadings 1701.12, 1701.13, 1701.14, 1701.91 and 1701.99 to reduce the rates of customs duty on sugar from 245,4c/kg to 239,5c/kg – ITAC Minute M11/2015 <ul style="list-style-type: none"> • Notice R.419 	

Other African Countries

Date	Subject
Algeria	
03-16	The collection of Tariff Classification Decisions 2016
Kenya	
04-16	Tariff Rulings for April 2016
Morocco	
07-01-16	Cir. 5579/211 VAT on imports of raw materials and products used in the manufacture of pharmaceuticals. Re: Correspondence № 100044 (21-02-16); Cir.№

Date	Subject
	4985/211 (27-01-06).
07-03-16	Cir. 5580/232 Tariff classification of the article referred to as "air-conditioning control panel of a motor vehicle." Ré: Cir. № 4740/232 (20-12-01)
08-03-16	Cir. 5581/211 Subject; Suspension of collection of import duty applicable lentils and chickpeas. Re: Decree No. 2.16.165 of March 4, 2016 (BO No. 6444 bis (05-03-16))
07-04-16	Cir. № 5582/311 Subject: Exchange control results with the Ministry of Industry, Trade, Investment and the Digital Economy (MICIEN) and the National Health Security Office of Food Products (ONSSA). Re: Cir. № 5577/312 (22-02-16)
08-04-16	Cir. № 5583/222 Subject: Morocco / Switzerland: Agreement on technical cooperation, financial and humanitarian aid. Re: Letter of the Treasury and External Finance No. D1119 / 16 / DTFE (16-03-16).
28-04-16	Cir. № 5584/412 Automatic assignment of detailed declarations at district level responsible for imports to the Regional Directorate of Casa Port.
Seychelles	
11-04-16	SI 18 of 2016 - Customs Management (Tariff and Classification of Goods) (Amendment) Regulations, 2016
Tanzania	
	Implementation of EAC Authorized Economic Operators Program

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 U.S. 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; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; USCG= US Coast Guard; USPIS=Postal Inspection Service; USDA= US Department of Agriculture; ; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs.]

Date of Release	Subject
04-01-16	Rhode Island man sentenced for trafficking in counterfeit Viagra (DOJ, ICE, USPIS)
04-04-16	Singapore man extradited to the US for plot involving the illegal export of bomb components later found in Iraq (DOJ, ICE, FBI, BIS, DoD, CBP, DDTC, OFAC, Singapore and Indonesia)
04-05-16	ICE returns dinosaur skeletons, eggs to Mongolia (DOJ, ICE, CBP)
04-06-16	Progreso Port of Entry CBP Agriculture Specialists Intercept Rare First in Nation Pest in Cut Flowers (CBP, USDA)
04-07-16	Massachusetts man pleads guilty to illegally exporting assault rifle, pistol parts (DOJ, ICE, DoD, BIS, ATF, USPIS)
04-13-16	Florida man sentenced to federal prison for selling counterfeit drugs (DOJ, ICE,

Date of Release	Subject
	FDA, CBP) ICE HSI seizes an ancient artifact linked to an Italian art smuggler (ICE)
04-14-16	Former Owner of Defense Contracting Businesses Sentenced to 57 Months in Prison for Illegally Exporting Military Blueprints to India Without a License (DOJ, DoD, ICE) Chinese National Arrested for Illegally Attempting to Export High-Grade Carbon Fiber to China (DOJ, ICE, BIS, DoD)
04-15-16	Tijuana man charged with importing counterfeit pain pills containing potentially deadly chemical (DOJ, ICE, CBP, DEA, locals)
04-18-16	In the Matter of: Paweena Pechner, a/k/a Paweena Montasood – Denial of export privileges (BIS) In the Matter of: Alexandre Astakhov – Denial of export privileges (BIS)
04-21-16	Florida Woman Charged in 18-Count Indictment for Conspiracy to Illegally Export Systems, Components and Documents to China (DOJ, ICE, IRS, DoD) Florida-based websites seized for selling trademark-infringing auto parts (ICE, DOJ)
04-27-16	California-Based Z Gallerie LLC Agrees to Pay \$15 Million to Settle False Claims Act Suit Alleging Evaded Customs Duties (DOJ, CBP, ICE) CBP Seizes 1,700 Fake Shirts At Alexandria Bay Port Of Entry (CBP) CBP Officers in Tampa Seize More Than Half a Million Dollars in Counterfeit Memory Cards (CBP)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [March 2016 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
- Roger van de Berg, Senior Associate, roger.vandenberg@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 2016 {Newsletter Archives}
India Focus Group Client Alert: India Permits 100% Foreign Investment in E-Commerce Marketplaces
Tokyo Trade and Commerce Client Alert: Indonesia: Ministry of Trade Restores the Capability of Manufacturing Companies to Import Manufactured Products (Eng.); インドネシア商業省、製造業者に製品輸入を認める制度を復活させる (Jap.)
Vietnam Tax Client Alert: Law on Export and Import Duties 2016
Other Practices
EMEA Healthcare Industry Group Newsletter
Kyiv Employment & Migration Client Alert: Immigration quota set for 2016 (Eng.); Встановлено квоту імміграції на 2016 рік (Ukr.); Установлена квота імміграції на

Subject
2016 год (Russ.)
Kyiv Employment & Migration Client Alert: Steps towards decentralization: new rules approved for registering place of residence (Eng.); Крок на шляху до децентралізації: Уряд затвердив нові правила реєстрації місця проживання (Ukr.); Шаг на пути к децентрализации: Правительство утвердило новые правила регистрации места жительства (Russ.)
Kyiv Employment & Migration Client Alert: Attention Employers: Certain military personnel subject to demobilization (Eng.); До уваги роботодавців: деякі категорії військовослужбовців будуть демобілізовані (Ukr.); К сведению работодателей: некоторые категории военнослужащих будут демобилизованы (Rus.)
Kyiv Energy and Natural Resources Client Alert: Certain rules in respect of mineral rights changed (Eng.); Змінено певні правила щодо користування надрами (Ukr.)
Kuala Lumpur Data Protection Client Alert: Personal Data Protection (Compounding of Offences) Regulations 2016

Webinars, Meetings, Seminars, Etc.

2016 International Trade Compliance Webinar Series

Our 13th annual, International Trade Compliance Webinar Series entitled, “**TPP and New Developments in Global Trade**” is under way. Our 2016 webinar series will have several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA. Terrie Gleason, a partner in our Washington, DC office and Co-Chair of the Firm’s Global Customs and FTA Practice will moderate these webinars.

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

If you miss a webinar, wish to see it again or want to download a presentation, you will be able to do so about two weeks after the live webinar [at this link](#) or by clicking the blue title below which indicates the material has been posted.

Webinar Dates and Topics:

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).
May 24	Cuba Sanctions Developments and Updates Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt).
FCPA Considerations Arising in Import/Export Operations	

The *International Trade Compliance Update* is a publication of the Global Trade and Commerce 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:

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A note on spelling, grammar and dates--

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Credits:

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

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

June 21 Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).

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).

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2015 International Trade Compliance Webinar Series

If you missed any webinars in our 2015 International Trade Compliance Webinar Series, or would like to see them again, you may view them or download only the Presentation used, by clicking [on this link](#) or on the specific linked title below. Our 2015 series was entitled, “*New Developments in Global Trade for 2015.*”
















Original Date	Topic
Jan. 27, 2015	US Export Control Reform Speakers: Sylwia Lis (Washington, DC) and Paul Amberg (Chicago)
Feb. 17, 2015	Intercompany Pricing and Customs Valuation (Canada, EU and US) Speakers: Paul Burns (Toronto), William Outman (San Francisco), Holly Files (Washington, DC), and Nicole Looks (Frankfurt)
Mar. 17, 2015	Developments in Importing into EU Speakers: Jenny Revis (London) and Vanessa Dersch (Frankfurt)
Apr. 21, 2015	Developments in Importing into LATAM Speakers: Adriana Ibarra (Mexico City) and Esteban Roppolo (Buenos Aires)
May 19, 2015	FCPA and Antibribery Developments US, Asia and LATAM Speakers: John McKenzie (San Francisco), Mini vandePol (Hong Kong) and Esther Flesch (Sao Paulo)
June 23, 2015	Export Control Developments in Asia Speakers: Eugene Lim (Singapore), Daisuke Tatsuno (Tokyo), Meng Yew (Malaysia), and Anne Petterd (Australia)

In addition, two special webinars on Iran were also presented. If you missed either one, you may view them or download only the Presentation used, by clicking [on this link](#) or on the specific linked title or Presentation below.


Original Date	Topic
June 24, 2015	Overview of Current US and EU Sanctions Targeting Iran and Potential Developments Speakers: Ross Denton (London) and Alex Lamy (Washington, DC)
Aug. 4, 2015	The Future of Sanctions on Iran Speakers: Sunny Mann (London), Kerry Contini (Washington) and Jasper Helder (Amsterdam)






























WTO TBT Notifications























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



Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Albania	ALB/78	04/19/2016	06/18/2016	Propagating material of ornamental plants
 Argentina	ARG/165/Add.5	04/18/2016	Not given	Wine products
 Argentina	ARG/165/Add.5/Corr.1	04/20/2016	Not given	Wine products
 Argentina	ARG/297/Add.4	04/27/2016	Not given	Low-voltage electrical products
 Bolivia	BOL/4	04/05/2016	Not given	Processed and ultra-processed foods for human consumption and non-alcoholic beverages.
 Botswana	BWA/38	04/19/2016	06/18/2016	Equipment for fire protection and fire fighting
 Botswana	BWA/39	04/19/2016	06/18/2016	Cereal and pulses
 Botswana	BWA/40	04/19/2016	06/18/2016	Ultra High Temperature treated cow's milk
 Botswana	BWA/41	04/19/2016	06/18/2016	Single-stage regulators for liquefied petroleum gas (LPG)
 Botswana	BWA/42	04/19/2016	06/18/2016	Raw cow's milk
 Botswana	BWA/43	04/19/2016	06/18/2016	Cattle feed
 Brazil	BRA/327/Add.3	04/13/2016	Not given	Medicine
 Brazil	BRA/563/Add.3	04/06/2016	Not given	Fertilizers, liming, inoculants, agricultural bio-fertilizers or secondary materials (HS 31)
 Brazil	BRA/563/Add.4	04/08/2016	Not given	Fertilizers, liming, inoculants, agricultural bio-fertilizers or secondary materials (HS 31)
 Brazil	BRA/585/Add.1	04/08/2016	Not given	Carbon steel tubes for common uses in conducting fluids (HS 73)









Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/586/Add.1	04/12/2016	Not given	Carbon steel tubes for common uses in conducting fluids (HS 73) ARTICLES OF IRON OR STEEL (HS 73)
 Brazil	BRA/587/Add.1	04/12/2016	Not given	Carbon steel tubes for common uses in conducting fluids (HS 73), ARTICLES OF IRON OR STEEL (HS 73)
 Brazil	BRA/667	03/16/2016	Not given	Narcotic, Psychotropic, Precursor and Other Drugs Under Special Control
 Brazil	BRA/668	04/06/2016	05/30/2016	Health materials
 Brazil	BRA/669	04/12/2016	06/06/2016	Instantaneous gas water heaters (HS 841911)
 Brazil	BRA/670	04/15/2016	06/10/2016	Safety tempered glass of size and shape suitable for incorporation in motor vehicles (HS 700721). Of size and shape suitable for incorporation in vehicles, aircraft, spacecraft or vessels (HS 700721)
 Brazil	BRA/494/Add.5	04/18/2016	Not given	Wires, cables and electrical cords (Electrical apparatus for making connections to or in electrical circuits) (HS 8536)
 Brazil	BRA/666/Add.1	04/29/2016	Not given	Analytical methods validation
 Canada	CAN/458/Add.1	02/12/2016	Not given	Tobacco products
 Canada	CAN/405/Rev.1/Add.3	03/17/2016	Not given	Drugs and Medical Devices
 Canada	CAN/487	04/18/2016	05/12/2016	Motor vehicles and trailers
 Canada	CAN/470/Add.1	04/28/2016	Not given	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Chile	CHL/343/Add.1	04/06/2016	Not given	Organic agricultural products
 Chile	CHL/344/Add.1	04/06/2016	Not given	Organic agricultural products
 Chile	CHL/348	04/01/2016	05/31/2016	Steel Electrically welded mesh for use in reinforced concrete
 Chile	CHL/349	04/01/2016	05/31/2016	Concrete
 Chile	CHL/350	04/06/2016	06/05/2016	Electric and hydraulic lifts and freight lifts
 Chile	CHL/351	04/06/2016	06/05/2016	Electric and hydraulic lifts
 Chile	CHL/352	04/06/2016	06/05/2016	Vertical transportation equipment
 Chile	CHL/353	04/07/2016	06/06/2016	Buses for the provision of intercity public passenger transport services
Chile	CHL/354	04/07/2016	06/06/2016	Household electrical appliances: heating pads, mattress heaters and blankets
Chile	CHL/352/Corr.1	04/19/2016	Not given	Vertical transportation equipment
Chile	CHL/355	04/19/2016	06/18/2016	Flexible non-metallic conduits for electrical installations
Chile	CHL/356	04/19/2016	06/18/2016	Electronic audio/video, information technology and communication technology equipment
Chile	CHL/357	04/22/2016	06/21/2016	Sawn wood
China	CHN/1171	04/07/2016	06/02/2016	Smart mobile terminals (HS 8517)
China	CHN/1172	04/19/2016	06/18/2016	Products related to information security in the




















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				insurance industry
 Colombia	COL/199/Add.2	04/05/2016	Not given	Cookers, ovens, continuous-flow water heaters, storage water heaters and grills (HS 7321.11, 8419.11, 8419.19)
 Colombia	COL/206/Add.1	04/05/2016	Not given	Capybara (<i>Hydrochaeris hydrochaeris</i>) meat
 Colombia	COL/73/Add.3	04/19/2016	Not given	Liquefied petroleum gas (LPG) cylinders
 Colombia	COL/208/Add.1	04/19/2016	Not given	Liquefied petroleum gas, LPG
 Colombia	COL/211/Add.1	04/19/2016	Not given	LPG cylinders
 Colombia	COL/217	04/20/2016	07/15/2016	Non-automatic weighing instruments (weighing scales) (90.16.00.11, 84.23.81.00.00, 84.23.82.90.00, 84.23.82.10.00, 84.23.89.10.00 and 90.16.00.12.00)
 Colombia	COL/218	04/20/2016	07/15/2016	Liquid fuel pumps, dispensers and/or meters (84.13.11.00.00)
 Costa Rica	CRI/156	04/13/2016	05/13/2016	Pneumatic tyres
 Costa Rica	CRI/60/Add.1	04/13/2016	Not given	Meat and Offal
 Czech Republic	CZE/192/Add.1	04/27/2016	Not given	Packaging for the transport, storage, or disposal of radioactive or fissile material; a special-form radioactive material and a low-dispersible radioactive material subject to type approval; radioactive or fissile material subject to a transport licence Fissile materials and nuclear fuel technology (ICS 27.120.30), Other standards related to nuclear energy (ICS 27.120.99)
 Ecuador	ECU/258/Add.1	04/13/2016	Not given	Electrical appliances for heating liquids (HS 8516.71, 8516.72, 8516.79, 8516.71, 8516.72, 8516.79)
 Ecuador	ECU/145/Add.3	04/20/2016	Not given	Bare copper conductors for electrical use (HS 7408.00, 7408.11, 7408.19 and 7413.00)
 Ecuador	ECU/33/Add.5	04/28/2016	Not given	Insulated electrical conductors and wires
 Ecuador	ECU/284/Add.3	04/28/2016	Not given	Flexible retort packaging (HS 39232990)
 Ecuador	ECU/299/Add.1	04/28/2016	Not given	Protective gloves 39269090, 40151910, 40151990, 40159010, 40159090, 42032100, 42032900, 42034000, 61161000, 61169100, 61169200, 61169300, 61169900, 61178090, 62160010, 62160090 and 68129100
 Egypt	EGY/116	02/12/2016	04/11/2016	Road vehicles
 Egypt	EGY/111/Corr.1	03/18/2016	Not given	Ceramic tiles
 Egypt	EGY/126/Corr.1	04/20/2016	Not given	Road vehicles
 European Union	EU/371	04/01/2016	06/30/2016	Fertilisers (HS 31)
 European Union	EU/372	04/21/2016	06/20/2016	Thermal paper containing bisphenol A in a concentration equal to or greater than 0.02% by weight
 European Union	EU/373	04/25/2016	06/24/2016	Biocidal products
 European Union	EU/374	04/28/2016	06/27/2016	Food

























Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Georgia	GEO/94	04/25/2016	Not given	Buildings
 Georgia	GEO/95	04/25/2016	Not given	Wastes
 Georgia	GEO/96	04/25/2016	Not given	Wastes
 Honduras	HND/87	04/06/2016	06/05/2016	Sugar fortification with vitamin A
 India	IND/55	04/27/2016	06/26/2016	Energy efficient induction motors, three phase squirrel cage
 Indonesia	IDN/105	04/20/2016	06/19/2016	Sweet biscuits (HS 190531), waffles (HS 190532, 190590)
 Indonesia	IDN/106	4/21/2016	6/20/2016	Forestry products
 Indonesia	IDN/107	4/21/2016	6/20/2016	Air conditioning devices
 Israel	ISR/891	03/30/2016	05/29/2016	Slabs for stairs surfacing (HS 68022, 68029, 681019)
 Israel	ISR/892	03/30/2016	05/29/2016	Slabs for stairs surfacing (HS 68022, 68029, 681019)
 Israel	ISR/893	03/30/2016	05/29/2016	Chemicals for purification of water - Sodium hypochlorite (HS 282911)
 Israel	ISR/894	03/30/2016	05/29/2016	Chemicals for purification of water - Fluorosilicic acid (Hexafluorosilicic acid) (HS 2826)
 Israel	ISR/895	03/30/2016	05/29/2016	Chemicals for purification of water - Chlorine (HS 280110)
 Israel	ISR/896	03/31/2016	05/30/2016	Chemicals for purification of water - Virgin granular activated carbon (HS 380210)
 Israel	ISR/897	03/31/2016	05/30/2016	Sharps containers
 Israel	ISR/898	03/31/2016	05/30/2016	Fire detection systems (HS 853110)
 Israel	ISR/899	03/31/2016	05/30/2016	Hand propelled wheelchairs (HS 8713)
 Israel	ISR/900	03/31/2016	05/30/2016	Halwa (HS 120740, 170490)
 Israel	ISR/901	03/31/2016	05/30/2016	Gas burning water heaters (HS 732181, 8403, 841911)
 Israel	ISR/902	03/31/2016	05/30/2016	Gas burning water heaters (HS 732181, 8403, 841911)
 Israel	ISR/903	04/01/2016	05/31/2016	Wheat flour (HS 1101)
 Israel	ISR/904	04/01/2016	05/31/2016	Pasta (HS 1902)
 Israel	ISR/905	04/01/2016	05/31/2016	Condoms (HS 401410)
 Israel	ISR/906	04/15/2016	06/14/2016	Refrigerating appliances, ice-cream appliances and ice makers (HS 8418)
 Israel	ISR/907	04/15/2016	06/14/2016	Pepper (Piper nigrum L.) (HS 0904)
 Israel	ISR/908	04/15/2016	06/14/2016	Sterile surgical rubber gloves (HS 401511; ICS 11.140, 83.140.99)
 Israel	ISR/909	04/15/2016	06/14/2016	Pepper (Piper nigrum L.) (HS 0904)
 Israel	ISR/910	04/15/2016	06/14/2016	Flat glass panels for buildings (HS 7006)
 Israel	ISR/909/Corr.1	04/20/2016	Not given	Pepper (Piper nigrum L.) (HS 0904)



















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Israel	ISR/911	04/18/2016	06/17/2016	Cutlery and feeding utensils for children (HS 392410, 4419, 8215)
 Israel	ISR/912	04/19/2016	06/18/2016	Solar water heating systems (HS 841911, 841919)
 Israel	ISR/913	04/19/2016	06/18/2016	Sugars (HS 17)
 Israel	ISR/914	04/19/2016	06/18/2016	Paprika and chili (HS 090420)
 Israel	ISR/915	04/19/2016	06/18/2016	Medical electrical equipment (HS 9018, 901910, 9405, 940591)
 Israel	ISR/916	04/19/2016	06/18/2016	Terrazzo floor tiles (HS 680210, 6810)
 Israel	ISR/917	04/19/2016	06/18/2016	Concrete blocks (HS 681011, 681019)
 Japan	JPN/520	03/18/2016	03/21/2016	Pharmaceutical products (HS 30)
 Japan	JPN/521	03/18/2016	03/21/2016	Pharmaceutical products (HS 30)
 Japan	JPN/522	04/01/2016	05/31/2016	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 8702), including station wagons and racing cars (HS 8703), Motor vehicles for the transport of goods (HS 8704)
 Japan	JPN/523	04/05/2016	06/04/2016	Poisonous and deleterious substances
 Japan	JPN/524	04/19/2016	Not given	Substances with probable effects on the central nervous system
 Japan	JPN/525	04/19/2016	06/18/2016	Human and animal detection report system for specified low-power radio station (150MHz band); Telemeter, telecontrol and data transmission system for specified low-power radio station (400MHz and 1,200MHz band); Voice communication radio system for specified low-power radio station (400MHz band)
 Japan	JPN/526	04/22/2016	06/21/2016	Class-1 pressure vessels (item (2) of article 12 of Order for Enforcement of Industrial Safety and Health Act (Cabinet Order No. 318 of 1972) and Class-2 pressure vessels (paragraph 1 of article 13 of Order for Act (Cabinet Order No. 318 of 1972). Containers for compressed or liquefied gas, of iron or steel (HS 731100)
 Kenya	KEN/467	04/01/2016	04/28/2016	Disinfectants (HS 380840)
 Kenya	KEN/468	04/01/2016	04/28/2016	Products of the chemical industry
 Kenya	KEN/469	04/01/2016	04/28/2016	Chlorine (HS 280110)
 Korea, Republic of	KOR/634	03/30/2016	05/29/2016	Mobile telecommunications radio equipment
 Korea, Republic of	KOR/635	04/01/2016	05/31/2016	Quasi-drugs
 Korea, Republic of	KOR/636	04/06/2016	06/05/2016	Health functional food products
 Korea, Republic of	KOR/637	04/07/2016	06/06/2016	Medical devices
 Korea, Republic of	KOR/638	04/12/2016	06/11/2016	Motor vehicles

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Korea, Republic of	KOR/639	04/13/2016	06/12/2016	Telecommunications equipments and electrical appliances
 Korea, Republic of	KOR/640	04/15/2016	06/14/2016	Appliances
 Korea, Republic of	KOR/641	04/25/2016	06/24/2016	Food labelling
 Korea, Republic of	KOR/642	04/25/2016	06/24/2016	Livestock products
 Korea, Republic of	KOR/643	04/25/2016	06/24/2016	Cosmetics
 Malaysia	MYS/59/Add.1	04/05/2016	Not given	Alcoholic beverages
 Mexico	MEX/292/Add.2	04/05/2016	Not given	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles (Chapter 85)
 Mexico	MEX/301	04/05/2016	05/04/2016	Alcoholic beverages, mezcal (HS 2208.90.05)
 Mexico	MEX/254/Add.3	04/13/2016	Not given	Alcoholic beverages (HS 2203, 2206, 2207, 2204, 2205, 2208.20.01, 2208.20.02, 2208.20.99, 2208.30.01, 2208.30.03, 2208.30.04, 2208.30.99, 2208.40, 2208.50, 2208.60, 2208.70 and 2208.90).
 Mexico	MEX/303	04/12/2016	06/11/2016	Terminal equipment connected or interconnected via wireline access to a public telecommunications network (HS Chapter 85)
 Mexico	MEX/283/Add.1	04/27/2016	Not given	New light-duty vehicles, of a gross vehicle weight not exceeding 3,857 kg, which could come under headings 8703 and 8704, depending on their characteristics. In general, the products covered are motor vehicles under Chapter 87 of a total weight of less than 3,857 kg.
 Mexico	MEX/304	04/20/2016	06/12/2016	Hydraulic bottle jacks (subheading 8425.42)
 Mexico	MEX/305	04/21/2016	06/20/2016	Glass products - Safety glass used in construction (subheading 7006.00.00.00)
 Mexico	MEX/306	04/21/2016	06/20/2016	Wood particle board and wood fibreboard manufactured using urea-formaldehyde resins as an adhesive (subheading 44.10.11)
 New Zealand	NZL/74	04/20/2016	06/01/2016	Engine fuels 2710.12.15; 2710.12.23; 2710.12.19; 2710.12.29; 2710.12.17; 2710.12.25; 2710.12.19; 2710.12.29; 2710.19.32; 2710.19.36; 2207.20.23; 2207.20.35; 3824.90.87; 3824.90.93; 3826.00.10; 3826.00.30
 Oman	OMN/252	02/24/2016	04/24/2016	Peanut butter
 Paraguay	PRY/87	02/15/2016	04/15/2016	Sugar for human consumption
 Russian Federation	RUS/49	04/12/2016	Not given	Portland cement, aluminous cement, slag cement, super-sulphate cement and similar hydraulic cements, whether or not coloured or in the form of clinkers (HS 2523)
 Saudi Arabia	SAU/922	04/14/2016	06/13/2016	Detergents (HS codes 28289010, 34021100, 34022021, 34022022, 34022029, 37079050, 38112900)
 Saudi Arabia	SAU/923	04/14/2016	06/13/2016	Lubricating oils (HS codes 27100053, 27100054, 27100059, 27100070, 27100094,

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				27101911, 27101912, 27101913, 27101914, 27101915, 27101919, 27101994, 27101995, 27101998, 27101999, 27139000, 38190000)
 Saudi Arabia	SAU/924	04/14/2016	06/13/2016	Paints and varnish (HS codes 32030019, 32041600, 32041700, 32041900, 32062000, 32064900, 32071000, 32073000, 32081090, 32082090, 32089090, 32091090, 32099090, 32100010, 32100020, 32100090, 32129010, 35069900)
 Saudi Arabia	SAU/925	04/14/2016	06/13/2016	Electrical self-balancing plates (scooter) (HS 8479.89.99)
 Seychelles	SYC/2	04/21/2016	06/20/2016	Unmanufactured tobacco; tobacco refuse (HS 2401, 2402, 2403)
 Slovenia	SVN/94	04/12/2016	05/02/2016	Carcasses of slaughtered animals
 Slovenia	SVN/95	04/12/2016	05/26/2016	Non-prepacked foods
 Slovenia	SVN/96	04/12/2016	06/15/2016	Food of animal origin
 Slovenia	SVN/97	04/12/2016	06/17/2016	Tobacco and related products
 South Africa	ZAF/204	04/01/2016	05/30/2016	Preparations of meat, of fish or of crustaceans, molluscs or other aquatic invertebrates (HS:16), Sugars and sugar confectionery (HS:17), Cocoa and cocoa preparations (HS:18), Malt extract; food preparations of flour, groats, meal, starch or malt extract, not containing cocoa or containing less than 40 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included; food preparations of goods of headings 04.01 to 04.04, not containing cocoa or containing less than 5 % by weight of cocoa calculated on a totally defatted basis, not elsewhere specified or included. (HS:1901), Pasta, whether or not cooked or stuffed (with meat or other substances) or otherwise prepared, such as spaghetti, macaroni, noodles, lasagne, gnocchi, ravioli, cannelloni; couscous, whether or not prepared. (HS:1902), Tapioca and substitutes there for prepared from starch, in the form of flakes, grains, pearls, siftings or in similar forms. (HS:1903), Prepared foods obtained by the swelling or roasting of cereals or cereal products (for example, corn flakes); cereals (other than maize (corn)) in grain form or in the form of flakes or other worked grains (except flour, groats and meal), pre-cooked, or otherwise prepared, not elsewhere specified or included. (HS:1904), Bread, pastry, cakes, biscuits and other bakers' wares, whether or not containing cocoa; communion wafers, empty cachets of a kind suitable for pharmaceutical use, sealing wafers, rice paper and similar products. (HS:1905), Vegetables, fruit, nuts and other edible parts of plants, prepared or preserved by vinegar or acetic acid. (HS:2001), Tomatoes prepared or preserved otherwise than by vinegar or acetic acid. (HS:2002), Mushrooms and truffles, prepared

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				or preserved otherwise than by vinegar or acetic acid. (HS:2003), Other vegetables prepared or preserved otherwise than by vinegar or acetic acid, frozen, other than products of heading 20.06. (HS:2004), Other vegetables prepared or preserved otherwise
 Switzerland	CHE/211	04/05/2016	05/23/2016	Telecommunication equipment, radio equipment and telecommunication terminal equipment
 Taiwan Economy	TPKM/222/Add.1	03/31/2016	Not given	Food additives
 Taiwan Economy	TPKM/231	04/01/2016	05/31/2016	Prepackaged food grade salt products
 Taiwan Economy	TPKM/232	04/12/2016	06/11/2016	Plywood
 Taiwan Economy	TPKM/233	04/12/2016	06/11/2016	Laminated veneer lumber
 Taiwan Economy	TPKM/234	04/13/2016	06/12/2016	Wooden floors
 Taiwan Economy	TPKM/235	04/13/2016	06/12/2016	Glulam
 Taiwan Economy	TPKM/219/Add.1	04/27/2016	Not given	Food utensils, food containers or packaging containing plastic material
 Taiwan Economy	TPKM/220/Add.1	04/27/2016	Not given	Food utensils, food containers or packaging containing plastic material
 Taiwan Economy	TPKM/236	04/29/2016	06/28/2016	1) Non-genetically modified colza, colza seeds, sweet corn and sugar beet under CCC code 0704.90.90.12-7, 0709.99.10.20-0, 0710.40.00.20-9, 0710.80.90.42-5, 0712.90.29.20-3, 1205.10.00.20-5, 1205.90.00.20-8 and 1212.91.00.20-8. 2) Genetically modified colza, colza seeds, sweet corn and sugar beet under CCC code 0704.90.90.11-8, 0709.99.10.10-2, 0710.40.00.10-1, 0710.80.90.41-6, 0712.90.29.10-5, 1205.10.00.10-7, 1205.90.00.10-0 and 1212.91.00.10-0. · Other (HS: 070490), – Other (HS: 070990), – Sweet corn (HS: 071040), – Other vegetables (HS: 071080), – Other vegetables; mixtures of vegetables (HS: 071290), – Low erucic acid rape or colza seeds (HS: 120510), – Other (HS: 120590), -- Sugar beet (HS: 121291) .
 Tajikistan	TJK/1	04/05/2016	06/04/2016	Packaging
 Tajikistan	TJK/2	04/05/2016	06/04/2016	Toys
 Tajikistan	TJK/3	04/05/2016	06/04/2016	Manufactured tobacco
 Thailand	THA/428/Add.1	04/21/2016	Not given	Protective Helmets (HS 6506.10.10)
 Thailand	THA/433/Add.1	04/21/2016	Not given	Paints and varnishes (HS 3209)
 Thailand	THA/476/Add.1	04/28/2016	Not given	Tungsten filament lamps (HS 853931, 854370, 854089)
 Uganda	UGA/534	04/12/2016	06/11/2016	Steel nails. Pins, nails
 Uganda	UGA/535	04/12/2016	06/11/2016	Domestic biogas stoves (HS 7321)
 Uganda	UGA/536	04/12/2016	06/11/2016	Domestic biogas lamps (HS 851310)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Uganda	UGA/537	4/13/2016	6/12/2016	Petroleum jelly (HS 271210)
 Uganda	UGA/538	04/16/2016	06/15/2016	Reinforcing and Pre-stressing Steel for Concrete; Structural Steel Products; Roof Covering Steel Products; Cement, Building Lime and Other Hydraulic Binders; Pneumatic Tyres and Tubes for Automotive Vehicles and Trailers; Protective Safety Equipment; Gas cylinders, Valves and Regulators; Power cables and Luminaries (Lighting Equipment); Electronic, Sound and Communication Equipment; High Risk Foods and Food Products; High Risk Chemical Products, Personal Hygiene and Consumer Goods; Neutral spirit for manufacture of gins and alcoholic beverages; Toys; Electrical and Electronics; Automotive Products and Inputs; Chemical Products; Mechanical Materials and Gas Appliances; Textile, Leather, Plastics and Rubber; Furniture (wood and metal articles); Paper and Stationery; Protective Safety Equipment; Food and Food Products and Used Products, including used Motor Vehicles.
 United Arab Emirates	ARE/306	04/15/2016	06/14/2016	Electrical motor vehicles
 United States	USA/1008/Add.1	03/31/2016	Not given	Portable hook-on chairs
 United States	USA/1017/Add.1	04/07/2016	Not given	Chemicals
 United States	USA/1023/Add.1	04/13/2016	Not given	Trichloroethylene (TCE)
 United States	USA/1029/Add.1	04/13/2016	Not given	Residential garage door operators
 United States	USA/1071/Corr.1	02/22/2016	Not given	Grain standards
 United States	USA/1095	03/31/2016	04/22/2016	Tuna products
 United States	USA/1096	04/01/2016	04/29/2016	Inhalant delivery systems
 United States	USA/1097	04/01/2016	07/01/2016	Fire prevention code
 United States	USA/1098	04/07/2016	05/09/2016	Carbon monoxide alarms and detectors
 United States	USA/1099	04/11/2016	Not given	Flight simulation training devices
 United States	USA/1100	04/13/2016	06/06/2016	Home insulation
 United States	USA/1101	04/13/2016	05/13/2016	Airplanes
 United States	USA/569/Add.2	04/13/2016	Not given	Occupant crash protection; motorcoach definitions (HS 8708.21)
 United States	USA/886/Add.1/Corr.1	04/13/2016	Not given	Commercial clothes washers (HS 8450)
 United States	USA/966/Add.1	04/13/2016	Not given	Steam generating units (HS 8402)
 United States	USA/975/Add.1	04/01/2016	Not given	Eye and face protection (HS 9004)
 United States	USA/1027/Add.1	04/19/2016	Not given	Poultry
 United States	USA/1060/Add.1	04/22/2016	Not given	Drugs
 United States	USA/1101/Add.1	04/19/2016	Not given	Airplanes
 United States	USA/1102	04/19/2016	04/19/2016	Motor fuel sites
 United States	USA/1103	04/19/2016	05/16/2016	Miscellaneous consumer goods in contact with human skin

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1104	04/19/2016	05/13/2016	Chemical substances
 United States	USA/1105	04/22/2016	06/02/2016	Closed cell foam products
 United States	USA/826/Add.5/Corr.1	04/28/2016	Not given	Refrigerated beverage vending machines (HS 8476)
 United States	USA/967/Add.3	04/27/2016	Not given	Tier 3 motor vehicle emissions. Air quality (ICS: 13.040), Internal combustion engines for road vehicles (ICS: 43.060)
 United States	USA/1034/Add.1	04/28/2016	Not given	Table grapes
 United States	USA/1106	04/27/2016	Not given	Ultra-filtered milk products
 United States	USA/1107	04/27/2016	5/18/2016	Building codes
 United States	USA/1108	04/27/2016	Not given	E-liquids
 United States	USA/1109	04/27/2016	05/18/2016	Fire prevention code
 United States	USA/1110	04/27/2016	05/18/2016	Industrial building safety
 United States	USA/1111	04/27/2016	05/18/2016	Amusement devices
 United States	USA/1112	04/27/2016	05/18/2016	Radiation protection
 United States	USA/1113	04/28/2016	05/25/2016	Electrical stimulation devices
 United States	USA/1114	04/28/2016	07/01/2016	Imitation numismatic items
 United States	USA/1115	04/28/2016	05/05/2016	Transmitters used in licensed radio services
 United States	USA/1116	04/28/2016	04/13/2016	Canned and bottled foods and beverages
 Viet Nam	VNM/79	03/31/2016	05/30/2016	Chemicals, insecticides and disinfectants
 Zimbabwe	ZWE/1	04/04/2016	Not given	The following categories of products are inspected under the CBCA Programme. Food and agriculture. Building and civil Engineering. Packaging material. Electrical / electronic appliances. Body care. Automotive and transportation. Clothing and textile. Toys

CBSA Advance Rulings

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

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

Date*	TRS Number	Merchandise	Tariff Classification and Basis
08-24-15	271015	Margaritaville Jar Cover, product number 119411-009-000	3923.50.90.90 [GIR 1; D10-0-1]
08-24-15	271075	Cards Playing Waterproof C006, product #2000009491	9504.40.00.10 [GIR 1 and 6]
08-24-15	271268	Replacement Valve Assembly, product number 286A6571	8481.80.00.59 [GIR 1 and 6]

Date*	TRS Number	Merchandise	Tariff Classification and Basis
08-24-15	271120	Coleman Replacement Filler Cap, product number 2000-5411	8309.90.00.30 [GIR 1 and 6]
08-24-15	270733	Dress with self-fabric belt style number 9062114	6204.43.00.11 [GIR 1, 3(b) and 6; LN 14 to Sec. XI]]
08-24-15	270380	Glass Lid for Crock Pot, product number, 129961-000-000	7010.20.00.00 [GIR 1 and 6]
08-24-15	271078	Mr. Coffee® Mug Warmer, product number MWBLKPDQ-NP	8516.79.90.00 [GIR 1, 6; EN(E)85.16]
08-24-15	271240	Dekol SN NEW	3906.90.00.90 [GIR 1 and 6; LN 4 & 6 to Chap 39]
08-24-15	271033	Easter Grass, Part #A01265	5404.90.00.00 [GIR 1 and 6; LN 1(g) to Sec. XI; EN 54.05; CITT AP-2009-066]
09-04-15	271223	WildSide Jar, a replacement jar for a Blendtec blender	8509.90.20.90 [GIR 1 and 6; LN 2(b) to Sec. XVI]
09-04-15	271109	Hydro Massage Shower Room, #9008	9019.10.00.20 [GIR 1 and 6; EN 90.19]
09-04-15	271528	Valve Domed Travel, product #5255	8481.80.00.69 [GIR 1 and 6]
09-20-15	272210	Humidifier Bacteriostat, product number S1708CS	3808.94.10.20 [GIR 1 and 6]
09-21-15	271557	Oster Stim-U-Lax Massager (SKU 76103-120)	9019.10.00.10 [GIR 1 and 6]
09-21-15	270906	LED Laser Projector Item #X99980	9008.50.30.00 [GIR 1 and 6]
09-21-15	271165	Coleman® NXT™ Grill Grate, product number 2000012523	7321.90.10.29 [GIR 1 and 6]
09-21-15	270307	Octo Softeez Product # BG-96PK	9503.00.90.51 [GIR 1 and 6; LN Chap 95; EN 95.03]
10-07-15	271096	Thermo wine carrier, product number NBSKWA2400	3923.90.90.90 [GIR 1 and 6; EN 42.02]
10-07-15	271132	Wine, ACC, SKB, Quick Chill, Model #NBSKWA1000-001	7323.93.00.90 [GIR 1, 3(b) and 6; EN (A) 73.23]
10-07-15	270855	Nikkalite Reflective Sheeting products - brand M8500 Series Premium Digital Reflective sheeting, 94000 Series High-Intensity Microprismatic (HIM) sheeting and 15000 Series Medium High Intensity (SEG) sheeting.	3919.90.00.90 [GIR 1 and 6; EN 39.19]
10-07-15	270856	Nikkalite Reflective Sheeting - N500 Series Ultralite Grade (ULG) sheeting and 48000 Flexible Engineering Grade (ELG) sheeting.	3919.90.00.90 [GIR 1 and 6; EN 39.19]
10-07-15	271881	Hayden Super Hose III 8058 Series	8508.70.10.00 [GIR 1 and 6; LN 2(b) to Section XVI]
10-07-15	271700	Nikkalite Conspicuity Tape	3919.10.99.19 [GIR 1 and 6]
10-20-15	272150	Igniter Electrode Assembly, product number 9944-5851	9613.80.90.00 [GIR 1 and 6]
10-20-15	272074	Hand Wraps, product number 1004-010471	9506.99.90.89 [GIR 1 and 6]
10-20-15	271174	Stoneware for a Crock-Pot® insert, product number 129993-000-000	8516.90.90.70 [GIR 1 and 6; EN(E)(2) to 85.16]
10-20-15	271155	Bible Memory Buddies	7117.19.90.00 [GIR 1 and 6; LN 9 & 11 of Chapter 71]
10-20-15	271309	Novra S300E IP data receiver/router	8525.60.00.99 [GIR 1 and 6; Note 5(D)(ii) to Chapter 84; 85.17(f)]
11-17-15	272483	Coleman® Bunkmaster™ II Cot, product number 2000005027	9403.20.00.10 [GIR 1 and 6; EN 1 and LN 2(a) to Chap. 94]
12-01-15	272694	12 V Auto Recharger Cord, 272694product number 2300-4071	8504.40.90.91 [GIR 1 and 6]
12-01-15	272248	Replacement dough hook (right) for use with Sunbeam® Mixmaster stand mixers, product #118780-0003-000	7326.90.90.99 [GIR 1 and 6]
12-01-15	272527	Product number DRP-SUNY-BLT6, The Original Sunny Seat™ Window Mounted Cat Bed	9403.70.10.00 [GIR 1 and 2(a)]
12-01-15	270950	Key Chain with Gecko Figurine	9503.00.90.51 [GIR 3b)]
12-01-15	271460	"Wine Glow Cover", product number NBSKWA2300	9405.40.90.00 [GIR 1, 3(c) and 6]
12-01-15	270436	"Grate Stove Fold N Go Grill, P/N 2000004428, C004"	7321.90.10.29 [GIR 1 and 6; GEN (c) to Sec. XV; EN 73.21]
01-07-16	272221	Homestyle Broccoli & Cheese Soup	2104.10.00.90 [GIR 1 and EN (A)(2) to 21.04]
01-20-16	271628	Product number 2000015742, men's nylon jacket, medium grey, C002	6210.40.90.90 [GIR 1]
01-27-16	272857	Ring-Seal Jar VS product number #164178-000-000	3926.90.91.30 [GIR 1]
01-27-16	272922	Oster® SuperSteels™ Pink Titanium 10" Curved Shears,	8213.00.10.20 [GIR 1, 6 and 3(b); EN

Date*	TRS Number	Merchandise	Tariff Classification and Basis
		model number 78799-710	(X) to GIR 3(b); LN 1(a) to Chap. 82]
01-27-16	273260	Temperature Gauge for the Paul JR. Designs Coleman@ Roadtrip Grill, product number 5010000739	9025.19.00.90 [GIR 1 and 6]

*) Dates shown are from CBSA table and may not necessarily agree with date on ruling

CBP Rulings: Downloads and Searches

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

CBP Rulings: Revocations or Modifications

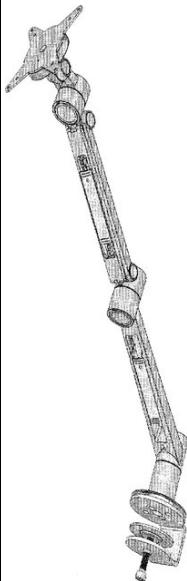
The following table summarizes proposals made or actions taken that were published in the weekly [Customs Bulletin and Decisions](#) during the past month by US Customs and Border Protection pursuant to 19 U.S.C. §1625(c) to revoke or modify binding rulings or treatment previously accorded to substantially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


Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
(A) 04-20-16	Tariff classification of a metal backroom restocking cart (Item #30232)	NY N019321 (R)	8716.80.5090	HQ H269233	9403.20.0026 [GRI 1]	(E) 06-20-16
	Tariff classification of hydraulic braking system parts	NY A85455 (R) HQ 952719 (R)	8708.39.50 8708.39.10	HQ H222415	8412.21.00 [GRIs 1, (Note 2(a) to Section XVI) and 6,] 8412.90.90 [GRIs 1, (Note 2(b) to Section XVI) and 6,] 8413.50.00 [GRIs 1, (Note 2(a) to Section XVI) and 6,] 8413.91.90 [GRIs 1, (Note 2(b) to Section XVI)]	
	Tariff classification of clutch master cylinders and clutch slave cylinders	NY A86849 (R) NY A85456 (R)	8708.93.75	HQ H195876	8412.21.00 GRIs 1, (Note 2(a) to Section XVI) and 6] 8413.50.00 [GRIs 1, (Note 2(a) to Section XVI) and 6]	
	Tariff classification of certain nozzles for the dispersing or spraying of high-pressure liquids	NY N162918 (R) NY C87376 (R)	7326.90.85 8424.89	HQ H185723,	8424.90.90 [GRIs 1 (Note 2(b) to Section XVI) and 6]	
	Tariff classification of parts of front-differential	NY N009213 (R) NY N009215 (R)	8708.99.68	HQ H191698	8708.50.89 [GRIs 1 and 6]	

Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
	and rear-differential assemblies for motor vehicles.	NY N186430 (R) NY N186432 (R)	*8708.50.89 (*) improper procedure used			


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) 2016/613 of 19-04-16	<p>An article (so-called 'monitor arm') made of aluminium, consisting of two arms, movable joints, and an attaching part at each end of the article.</p> <p>It is designed to be fixed onto a wall, a desk or a rail at one end and to a monitor at the other.</p> <p>The article allows height/width/depth adjustment of the monitor fixed to it. The monitor can be moved in all directions as required by the user. Simultaneously the cables can be neatly concealed in the article.</p> <p>The article can also be adapted for use with tablets, telephones, etc.</p> <p>See image</p>	<p>7616 99 90</p> 	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 7616 , 7616 99 and 7616 99 90 .</p> <p>Classification under heading 8428 as lifting, handling, loading or unloading machinery is excluded as the main purpose of the article is to ensure that the equipment fixed to the arm is used advantageously from an ergonomic perspective. The apparatus fixed to the arm is not handled within the meaning of heading 8428 (see also the Harmonised System Explanatory Notes (HSEN) to heading 8428).</p> <p>Since various types of apparatus can be fixed to the article, classification under heading 8473 , as parts and accessories suitable for use solely or principally with machines of headings 8469 to 8472 , is also excluded.</p> <p>Because the article does not perform any function distinctly from and independently of any other machine or appliance attached to it, classification under heading 8479 , as other mechanical appliances having individual functions, is also excluded (see also the HSEN to heading 8479 , third paragraph, (A)).</p> <p>The article is therefore to be classified under CN code 7616 99 90 , as other articles of aluminium.</p>
(EU) 2016/614 of 19-04-16	<p>An article (so-called 'hobby greenhouse'), measuring approximately 140 x 140 x 200 cm, comprising a frame made of steel. The frame also contains racks consisting of eight shelves, four on both sides, made of metal wire, measuring approximately 58 x 28 cm. The frame is covered on all sides by a flexible plastic sheeting with a rolling opening in the front measuring approximately 86 x 145 cm. The opening can be closed by a 'Velcro' fastening. The structure</p>	7326 90 98	<p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 7326 , 7326 90 and 7326 90 98 .</p> <p>Classification under heading 9403 as 'other furniture' is excluded because the article is not to be used for equipping private dwellings, hotels, offices, schools, churches, shops, laboratories and the like, but it is used for storing plants (see also the Harmonised System Explanatory Notes to</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>can be entered by a person. Its purpose is long or short term (for example, on markets) storage of plants.</p> <p>See image</p>		<p>Chapter 94, General, second paragraph, (A), and to heading 9403 , second paragraph).</p> <p>Classification under heading 9406 as a 'prefabricated building' is also excluded, as the construction is relatively unstable, with flexible walls. Consequently, it is not suitable for long term outdoor use as it is not considered to be weather-proof.</p> <p>The article is therefore classified according to its constituent material. The essential character of the article is given by the constructive element (metal frame and shelves).</p> <p>It is therefore to be classified under CN code 7326 90 98 as other articles of iron and steel.</p>
<p>(EU) 2016/615 of 19-04-16</p>	<p>An apparatus (so-called 'smartphone docking station') consisting of the following components:</p> <ul style="list-style-type: none"> – a 29,5 cm colour LCD screen, – a hinged casing with two USB ports, – a keyboard with a touchpad, – a dock for a smartphone, – a power supply socket using a voltage not exceeding 1 000 V – built-in loudspeakers. <p>When the smartphone is docked, its battery is charged and, simultaneously, the apparatus serves as an input/output unit to perform all the functions of the docked smartphone.</p> <p>As the apparatus is not equipped with a signal converter, all the signals are received unaltered from the docked smartphone.</p> <p>The apparatus is not suitable for connection to an automatic data- processing machine.</p>	<p>8537 10 99</p>	<p>Classification is determined by general rules 1, 3(c) and 6 for the interpretation of the Combined Nomenclature, and by the wording of CN codes 8537 , 8537 10 and 8537 10 99 .</p> <p>The apparatus is a composite machine capable of performing the functions of headings 8504 , 8518 , 8528 and 8537 . All the individual functions performed by its different components are included in the abovementioned headings of Chapter 85. Therefore, classification under heading 8543 as electrical machines and apparatus, having individual functions, not specified or included elsewhere in Chapter 85, is excluded.</p> <p>Given its characteristics, none of the functions is considered to be the principal function of the apparatus within the meaning of note 3 to Section XVI.</p> <p>Consequently, it is to be classified under the heading that occurs last in numerical order.</p> <p>The apparatus is therefore to be classified under CN code 8537 10 99 as other boards, panels, consoles, desks, cabinets and other bases for electric control for a voltage not exceeding 1 000 V.</p>
<p>(EU) 2016/663 of 26-04-16</p>	<p>An electronic machine functioning as an audio interface or a sound mixer (so-called 'mixer-converter analogue/digital pre-amplifier device'), with dimensions of approximately 48 x 18 x 9 cm. It consists of sound and effects processors, an analogue-to-digital and digital-to-analogue converter and a microphone amplifier, in a housing with operating and display elements and various analogue, optical and digital inputs and outputs as well as FireWire ports.</p> <p>It has the following main technical features:</p> <ul style="list-style-type: none"> — hybrid FireWire/USB2 connectivity (capability to be connected to an au- 	<p>8543 70 90</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 5(E) to Chapter 84 and by the wording of CN codes 8543 , 8543 70 and 8543 70 90 .</p> <p>As the machine performs a specific function other than data processing (sound pre-amplification and mixing) it is to be classified in the heading appropriate to its respective function or, failing that, in a residual heading.</p> <p>The function of the machine is not covered more specifically by any heading of Chapter 85. The machine is to be considered a mixing unit covered by heading 8543 (see also the Harmonised</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>automatic data-processing (ADP) machine),</p> <ul style="list-style-type: none"> — 28-input mixer with digital signal processing effects; — special mixing software, — separate front-panel headphone jacks, each with independent volume control, and — front panel LED status clock. <p>The machine is designed for use in digital music productions in sound studios or live on stage. It can operate in two modes: in conjunction with an ADP machine or in a stand-alone mode.</p> <p>When the machine is used in conjunction with an ADP machine, it serves for converting and processing audio signals supplied from external audio sources and for the pre-amplification of microphone signals. In stand-alone mode, the machine can be used as a mixer with integrated effects.</p>		<p>System Explanatory Notes to heading 8543 , fourth paragraph, (4)).</p> <p>The machine is therefore to be classified under CN code 8543 70 90 as other machines and apparatus, having individual functions, not specified or included elsewhere in Chapter 85.</p>
<p>(EU) 2016/664 of 26-04-16</p>	<p>A portable battery-operated apparatus for capturing and recording video images, with dimensions of approximately 10 × 5 × 2 cm, of a weight of approximately 120 g, comprising:</p> <ul style="list-style-type: none"> — camera lens, — an LCD display with a diagonal measurement of the screen of approximately 5 cm (2 inches), — a microphone, — a loudspeaker, — a processor, — an internal Li-ion battery, — an internal memory with a capacity of up to 8 GB, — a built-in ('flip out') USB connector, — an HDMI output, — a built-in CMOS image sensor. <p>The apparatus offers a 2-step digital zoom function. It is capable of recording video images at a resolution of 1 280 × 720 pixels at a rate of 30 frames per second for a maximum of 2 hours. It is not capable of capturing still images.</p>	<p>8525 80 99</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8525 , 8525 80 and 8525 80 99 .</p> <p>As the apparatus is only capable of recording video images, classification as a digital camera under CN code 8525 80 30 is excluded. The fact that the apparatus has no optical zoom function does not prevent its classification as video camera recorder. (see Case C-178/14, <i>Vario Tek</i>, ECLI:EU:C:2015:152, para. 17-29). Given its objective characteristics, the apparatus is a video camera recorder.</p> <p>Video files can be transferred and stored to the apparatus from an ADP machine and the apparatus is capable of performing this function autonomously without any modifications. Therefore, the apparatus is considered to be able to record video files from sources other than the incorporated television camera. (See Case C-178/14, <i>Vario Tek</i>, ECLI:EU:C:2015:152, para. 30-39).</p> <p>Classification under CN code 8525 80 91 as video camera recorders only able to record sound and images taken by the television camera is consequently excluded.</p> <p>It is therefore to be classified under CN code 8525 80 99 as other video camera recorders.</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>Video images recorded by the apparatus can be either transferred to an automatic data-processing (ADP) machine via the in-built USB interface or to a television set via a micro HDMI cable.</p> <p>Upon presentation, video files can also be transferred to the apparatus from an ADP machine via the in-built USB interface. The apparatus can also be used as a removable storage device.</p>		
<p>(EU) 2016/665 of 26-04-16</p>	<p>A hand-held electric apparatus (so-called 'glue gun') designed to apply hot melted glue to wood and other materials. The body of the apparatus is made of plastics and has an interchangeable nozzle made of base metal. The nozzle is adjustable so the flow of the glue can be regulated.</p> <p>When the apparatus is turned on, a delivery tube controlled by a thermostat is heated which in turn heats a replaceable glue stick (with a maximum temperature of 207 °C). The glue becomes soft and can be applied to the materials to be glued.</p> <p>It is designed to be used mainly by professionals, for example, in the packaging industry, the furniture industry, or a stand assembly</p> <p>See image</p> 	<p>8419 89 98</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 3 to Section XVI, and by the wording of CN codes 8419 , 8419 89 and 8419 89 98 .</p> <p>Classification under heading 8205 as a hand tool of base metal, not elsewhere specified or included, is excluded as the function of the apparatus is specified in Chapter 84.</p> <p>Classification under heading 8424 as a mechanical appliance for projecting, dispersing, or spraying liquids or powders or as a spray gun is also excluded as the glue is not projected, dispersed nor sprayed.</p> <p>Classification under heading 8516 as an electrothermic appliance of a kind used for domestic purposes is also excluded as the apparatus is designed for use by professionals and is not of a kind normally used in the household (see also the Harmonised System Explanatory Notes (HSEN) to heading 8516 , (E)).</p> <p>Classification under heading 8465 as a machine tool for working wood is also excluded, as the apparatus does not work the wood. In addition, it is held by hand and not mounted elsewhere (see also the HSEN to heading 8465).</p> <p>The apparatus is designed for the treatment of materials by a process involving a change of temperature by heating (a function falling under heading 8419), which is considered its principal function, and for regulation of the flow of the glue and its application (an individual function, not specified or included elsewhere).</p> <p>It is therefore to be classified under CN code 8419 89 98 as other machinery, electrically heated, for the treatment of materials.</p>
<p>(EU) 2016/666 of 26-04-16</p>	<p>A static converter in a plastic housing (a so-called 'AC/DC adapter') designed to convert alternating current (AC) (100-240 V) into direct current (DC) (12 V, 1,5 A).</p> <p>The housing is equipped with a plug to connect to the AC and with an electrical cable of 1,5 m fitted with a DC-connector which</p>	<p>8504 40 82</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8504 , 8504 40 and 8504 40 82 .</p> <p>Classification under CN code 8504 40 30 as static converters of a kind used with telecommunication apparatus, automatic data- processing ma-</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>enables the AC/DC adapter to be connected to different apparatus.</p> <p>The AC/DC adapter is presented to supply power to a set-top box (STB). It can also be used for supplying power to a variety of other apparatus, for example, telecommunication apparatus, automatic data-processing machines, audio/video recording or reproducing apparatus, household appliances and radio navigational aid apparatus.</p> <p>See image</p>		<p>chines and units thereof is excluded as the AC/DC adapter is designed to provide current to a variety of electrical apparatus.</p> <p>The AC/DC adapter is therefore to be classified under CN code 8504 40 82 as a rectifier.</p>

Amendments to the CN Explanatory Notes

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

Official Journal	CN code, page	Description of Articles
2016/C 121/03 06-04-16	3403 p. 167	New text is inserted after the existing text of the explanatory note to CN subheading '3403 19 90 Other'
2016/C 121/04 06-04-16	0802 p. 53	The explanatory note to CN subheading '0802 90 50 Pine nuts' is replaced by new text; The explanatory note to CN subheading '0802 90 85 Other' is deleted
2016/C 121/05 06-04-16	2403 p. 109	After the last paragraph of subheading '2403 99 90 – Other' new text is inserted as Annex A 'Smoking Test for Tobacco and Tobacco Products' and Annex B 'Method of Determining the Particle Size by Sieving the Sample'
2016/C 134/04 15-04-16	3912 p. 186	3912 20 11 Corrigendum to the explanatory notes to the Combined Nomenclature of the European Union (OJ C 76, 4.3.2015) [2016/C 134/4]

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.

Ref. №	Commodity	Action
337-TA-939	Certain three-dimensional cinema systems and components thereof; commission determination to extend the target date	Schedule for filing written submissions on certain issues
337-TA-944	Certain network devices, related software and components thereof (I)	Commission's determination to review in-part a final initial determination finding a violation of section 337; request for written submissions
337-TA-985	Certain surgical stapler devices and compo-	Commission decision not to review an initial determination termi-

Ref. №	Commodity	Action
	nents thereof	nating the investigation in its entirety based on a consent order stipulation and proposed consent order; issuance of consent order; termination of investigation
337-TA-986	Certain diaper disposal systems and components thereof, including diaper refill cassettes	Notice of Commission determination not to review an initial determination granting complainants' motion to amend the complaint and the notice of investigation
337-TA-992	Certain Height-Adjustable Desk Platforms and Components Thereof	Institution of investigation based on a complaint filed on behalf of Varidesk LLC 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 3130	Certain portable electronic devices and components thereof	Creative Technology Ltd. and Creative Labs, Inc.
DN 3134	Certain overflow and drain assemblies for bathtubs and components thereof	WCM Industries, Inc.
DN 3135	Certain digital video receivers and hardware and software components thereof	Rovi Corporation and Rovi Guides, Inc.
DN 3137	Certain electrical conductor composite cores and components thereof	CTC Global Corporation
DN 3138	Certain passenger vehicle automotive wheels	Daimler AG
DN 3139	Certain quartz slabs and portions thereof	Cambria Company LLC
DN 3140	Certain sleep-disordered breathing treatment systems and components thereof	ResMed Corp; ResMed Inc. and ResMed Ltd.
DN 3141	Certain hybrid electric vehicles and components thereof	Paice LLC and Abell Foundation, Inc.
DN 3143	Certain air mattress bed systems and components thereof	Select Comfort Corporation and Select Comfort SC 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 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-570-044	1, 1, 1, 2-Tetrafluoroethane from China	Initiation of LTFV investigation
A-570-909	Certain steel nails from China	Final results of ADD administrative review; 2013-2014 [Correction]
A-570-979	Crystalline silicon photovoltaic cells, whether or not assembled into modules, from China	Rescission of ADD new shipper review; 2014-2015
A-580-885	Phosphor copper from S. Korea	Initiation of LTFV investigation



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

Case No	Merchandise/Country	Action
A-583-849	Steel wire garment hangers from Taiwan	Rescission of ADD administrative review
C-570-037	Certain biaxial integral geogrid products from China	Notice of postponement of preliminary determination in the CVD investigation
A-351-843	Certain cold-rolled steel flat products from Brazil	Amended preliminary determination of sales at LTFV
A-533-840 A-549-822	Certain frozen warmwater shrimp from India and Thailand	Notice of initiation of ADD administrative reviews
C-535-904	Circular welded carbon-quality steel pipe from Pakistan	Preliminary affirmative CVD determination and alignment of final CVD determination with final ADD determination
A-570-900	Diamond sawblades and parts thereof from China	Final results of ADD changed circumstances review
A-428-602	Brass sheet and strip from Germany	Preliminary results of ADD administrative review and preliminary determination of no shipments; 2014-2015
C-570-031	Certain iron mechanical transfer drive components from China	Preliminary CVD affirmative determination and alignment of final determination with final ADD determination
A-520-803	Polyethylene terephthalate film, sheet, and strip from the United Arab Emirates	Final results of ADD administrative review; 2013-2014
A-570-890	Wooden bedroom furniture from China	Final results and final determination of no shipments, in part: 2014 administrative review
C-570-938	Citric acid and certain citrate salts from China	Notice of court decision not in harmony with final results of CVD administrative review and notice of amended final results pursuant to court decision; 2011
A-549-821	Polyethylene retail carrier bags from Thailand	Preliminary results of ADD administrative review; 2014-2015
A-570-947	Certain steel grating from China	Preliminary results of AD administrative review and preliminary determination of no shipments; 2014-2015
A-570-848	Freshwater crawfish tail meat from China	Final results of ADD administrative review and new shipper reviews; 2013-2014
A-475-059	Pressure sensitive plastic tape from Italy	Continuation of the ADD finding
A-570-863	Honey from China	Rescission of ADD administrative review; 2014-2015
A-823-805	Silicomanganese from Ukraine	Notice of rescission of ADD administrative review
A-570-836	Glycine from China	Preliminary results of ADD administrative review; 2014-2015
C-570-009	Calcium hypochlorite from China	Rescission of CVD administrative review; 2014-2015
A-583-844	Narrow woven ribbons with woven selvedge from Taiwan	Final results of ADD administrative review; 2013-2014
A-570-912	Certain new pneumatic off-the-road tires from China	Results of ADD administrative review; 2013-2014
A-520-803	Polyethylene terephthalate film, sheet and strip From the United Arab Emirates	Rescission of ADD administrative review; 2014-2015
A-570-848	Freshwater crawfish tail meat from China	Notice of correction to final results of ADD administrative and new shipper reviews; 2013-2014
C-570-043	Stainless steel sheet and strip from China	Postponement of preliminary determination in the CVD investigation
A-570-916	Laminated woven sacks from China	Notice of court decision not in harmony with final determination under section 129 of the Uruguay Round Agreements Act
C-489-819	Steel concrete reinforcing bar from Turkey	Notice of partial rescission of CVD administrative review, 2014
A-570-900	Diamond sawblades and parts thereof from China	Rescission of ADD administrative review in part; 2014-2015
A-580-886	Ferrovandium from S. Korea	Initiation of LTFV investigation
C-570-046	1-Hydroxyethylidene-1, 1-diphosphonic acid from China	Initiation of CVD investigation
A-570-896	Magnesium metal from China	Final results of ADD administrative review; 2014-2015



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

Case №	Merchandise/Country	Action
A-552-812	Steel wire garment hangers from Vietnam	Rescission of ADD administrative review; 2015-2016
A-570-045	1-Hydroxyethylidene-1, 1-diphosphonic acid from China	Initiation of LTFV investigation



United States International Trade Commission (USITC)

Case №	Merchandise/Country	Action
731-TA-287	Raw in-shell pistachios from Iran	(Second Review) Institution of a five-year review
701-TA-475 731-TA-1177	Certain aluminum extrusions from China	(Review) Institution of five-year reviews
731-TA-1315	Ferrovandium from Korea	(Preliminary) Institution of ADD investigation and scheduling of preliminary phase investigation
701-TA-557 731-TA-1312	Stainless steel sheet and strip from China	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of products that are alleged to be sold in the United States at less LTFV and are allegedly subsidized by the government of China.
701-TA-533	Polyethylene terephthalate resin from Oman	(Final) Termination of investigation
701-TA-558 731-TA-1316	1-Hydroxyethylidene-1, 1- diphosphonic acid from China	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
AA1921-167	Pressure sensitive plastic tape from Italy	(Fourth Review) Determination that revocation of the ADD finding would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time
731-TA-770-773 and 775	Stainless steel wire rod from Italy, Japan, Korea, Spain, and Taiwan;	(Third Review) Revised schedule for the subject reviews
731-TA-1269	Silicomanganese from Australia	(Final) Determination that an industry in the United States is not materially injured or threatened with material injury, and the establishment of an industry in the United States is not materially retarded by reason of imports that have been found by Commerce to be sold in the United States at LTFV
701-TA-559-561 731-TA-1317-1328	Certain carbon and alloy steel cut-to-length plate from Austria, Belgium, Brazil, China, France, Germany, Italy, Japan, Korea, South Africa, Taiwan, and Turkey	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
701-TA-545-547 731-TA-1291-1297	Hot-rolled steel flat products from Australia, Brazil, Japan, Korea, Netherlands, Turkey, and the UK	(Final) Scheduling of the final phase of CVD and ADD investigations
731-TA-1082-1083	Chlorinated isocyanurates from China and Spain	(Second Review) Scheduling of full five-year reviews
701-TA-462 731-TA-1156-1158	Polyethylene retail carrier bags from China, Indonesia, Malaysia, Taiwan, Thailand, and Vietnam	(First Review [462, 1156-1158], Second review [1043-1045]) Determinations that revocation of the CVD order (Vietnam) and the ADD orders China, Indonesia, Malaysia, Taiwan, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.
731-TA-1313	1,1,1,2-tetrafluoroethane (R-134a) from China	(Preliminary) Determination 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
731-TA-1314	Phosphor copper from Korea	(Preliminary) Determination that there is a reasonable indication



United States International Trade Commission (USITC)

Case №	Merchandise/Country	Action
		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



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
NQ-2015-002	Certain carbon and alloy steel line pipe originating in or exported from China	Finding issued
RR-2015-003	Certain copper pipe fittings originating in or exported from the USA, S. Korea and China, and the subsidizing of such goods originating in or exported from China	Notice of expiry review of orders
RR-2015-001	Carbon steel bar grating and alloy steel bar grating originating in or exported from China (Dumping and subsidy)	Order issued continuing its finding



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
RR-2015-002	<i>Dumping</i> : Flat hot-rolled carbon and alloy steel sheet and strip originating in or exported from Brazil, China, Chinese Taipei, India and Ukraine; <i>Subsidizing</i> of such products originating in or exported from India.	Expiry review decision – statement of reasons
AD/1408 4214-47 CV/143 4218-44	<i>Dumping</i> : Large diameter carbon and alloy steel line pipe originating in or exported from China and Japan; <i>Subsidizing</i> : China	Initiation of investigations- statement of reasons



Mexico - Ministry of Economy

Ref. №	Merchandise/Country	Action
18/14	Carbon steel pipe with longitudinal seam straight helical, originating in the USA, Spain and India, irrespective of the country of export	Final resolution of the AD investigation



European Union

Ref. Number	Merchandise/Country	Action
2016/C 117/5	Trichloroisocyanuric acid originating in or exported from China	Notice of the impending expiry of certain anti-dumping measures on 31.12.2016
2016/C 117/6	Certain seamless pipes and tubes of stainless steel originating in or exported from China	Notice of the impending expiry of certain anti-dumping measures on 21.12.2016
(EU) 2016/415 Corrigendum	Ammonium nitrate originating in Russia	Commission Implementing Regulation withdrawing the acceptance of the undertaking for two exporting producers and repealing Decision 2008/577/EC accepting an undertaking offered
2016/C 131/6	Certain stainless steel fasteners and parts thereof from China, Philippines and	Notice of the impending expiry of certain anti-dumping measures on 8.1.2017



European Union

Ref. Number	Merchandise/Country	Action
	Taiwan	
2016/C 148/5	Certain stainless steel bars and rods originating in India	Notice of initiation of an expiry review of the countervailing measures
2016/C 148/6	Oxalic acid originating in India and China	Notice concerning the judgment by the General Court of the European Union in case T-310/12 in relation to Council Implementing Regulation (EU) No 325/2012 imposing a definitive ADD and collecting definitively the provisional duty
(EU) 2015/676	Biodiesel originating in the United States of America	Commission Implementing Regulation imposing a definitive ADD on imports following an expiry review
(EU) 2015/675	Biodiesel originating in the United States of America	Commission Implementing Regulation imposing definitive CVD on imports following an expiry review



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2016/31	Aluminium extrusions from China	Initiation of an accelerated review
2016/33	A4 copy paper from China, Brazil, Indonesia and Thailand	Initiation of an investigation into alleged dumping and subsidisation
2016/35	Steel reinforcing bar from China	Extension of time to publish the Statement of Essential Facts
2016/36	Aluminium road wheels from China	Initiation of an accelerated review
2016/37	Hollow structural sections from India and UAE	Extension of time to publish the Statement of Essential Facts
2016/39	Steel reinforcing bar from China	Findings in relation to a dumping investigation
2016/40	Quicklime from Malaysia, Thailand and Vietnam	Initiation of an investigation into alleged dumping
2016/41	Tomatoes from Italy	Initiation of a review of AD measures
2016/42	Various	Status report as at 31 March 2016
2016/43	Hot rolled structural steel sections from Thailand	Initiation of a review of ADD measures
2016/44	Biodiesel from the USA	Expiry of AD measures
2016/45	Grinding balls from China	Preliminary affirmative determination
2016/46	Tomatoes from Italy	Initiation of an accelerated review
2016/47	Rod in coil from China	Findings in relation to a dumping investigation
2016/48		Change of fees for applications to the ADRP



China Ministry of Commerce (MOFCOM) and General Administration of Customs (GAC)

Ref. №	Merchandise/Country	Action
MOFCOM 8, 2016	Unbleached kraft sack papers originating in US, EU and Japan	Final determination of the AD investigation
MOFCOM 10, 2016	Grain-oriented electrical steel originating in Japan, S. Korea and EU	Preliminary AD ruling announcement
GAC 24, 2016 MOFCOM 9, 2016	Acrylic originating in Japan S.Korea and Turkey	Provisional anti-dumping measures



Government of India Ministry of Finance (Department of Revenue)

Reference	Merchandise/Country	Action
13/2016-Cus (ADD)	Normal butanol or N-butyl alcohol, originating in, or exported from the European Union, Malaysia, Singapore, South Africa and USA	Levies definitive ADD for a period of five years
01/2016 Cus.(SG)	Hot-rolled flat products of non-alloy and other alloy steel in coils of a width of 600 mm or more	Levies safeguard duty for a period of two years and six months.
14/2016-Cus (ADD)	Barium carbonate originating in or exported from China PR	Imposes definitive ADD for a period of five years
15/2016-Cus (ADD)	i Synchronous digital hierarchy transmission equipment originating in, or exported from China PR and Israel	Levies definitive ADD for a period of five years
16/2016-Cus (ADD)	Measuring tapes originating in, or exported from Chinese Taipei, Malaysia, Thailand and Vietnam	Levies definitive ADD for a period of five years.



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
SECEX Cir № 20	Viscose knits originating in China	Starts ADD review
SECEX Cir № 21	PET resin with intrinsic viscosity between 0.70 and 0,88 dl/g originating in China, Chinese Taipei, India and Indonesia	Extends the deadline for completion of the dumping investigation
SECEX Cir № 22	Frozen potatoes from Germany, Belgium, France and Holland.	Concluded by a preliminary affirmative determination of dumping without a recommendation of provisional duty
SECEX Cir № 23	New rubber tires for use in vehicles, implements, harvesters, agricultural and forestry machinery from China	Concluded by a preliminary affirmative determination of dumping without a recommendation of provisional duty
CAMEX Res. № 36	PET film originating in India	Apply definitive CVD duty for a period of five (5) years
CAMEX Res. № 37	Monobutyl ether of ethylene glycol (EBMEG) from Germany	Apply definitive ADD for a period of five (5) years

Opportunity to Request Administrative Review

In an April 1, 2016 *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		
Russia: Solid Fertilizer-Grade Ammonium Nitrate	A-821-811	4/1/15-3/31/16
The PR of China: Activated Carbon	A-570-904	4/1/15-3/31/16
Drawn Stainless Steel Sinks	A-570-983	4/1/15-3/31/16
Magnesium Metal	A-570-896	4/1/15-3/31/16
Non-Malleable Cast Iron Pipe Fittings	A-570-875	4/1/15-3/31/16
Steel Threaded Rod	A-570-932	4/1/15-3/31/16
Countervailing Duty Proceedings		
The PR of China: Drawn Stainless Steel Sinks	C-570-984	1/1/15-12/31/15
Suspension Agreements		
None.		

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Initiation of Sunset Reviews

In an April 1, 2016, *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-507-502	731-TA-287	Iran	Certain in-Shell Raw Pistachios (2 nd Review).
A-570-967	731-TA-1177	PRC	Aluminum Extrusions (1 st Review)
C-570-968	701-TA-475	PRC	Aluminum Extrusions (1 st Review)

Advance Notification of Sunset Reviews

In an April 1, 2016, *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.
Antidumping Duty Proceedings	
Certain Hot-Rolled Carbon Steel Flat Products from Russia	A-821-809 (3 rd Review)
Countervailing Duty Proceedings	
No Sunset Review of countervailing duty orders is scheduled for initiation in May 2016	
Suspended Investigations	
No Sunset Review of suspended investigations is scheduled for initiation in May 2016	

Requested Reviews

In an April 7, 2016 *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 February anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Proceedings		
Brazil: Certain Frozen Warmwater Shrimp	A-351-838	2/1/15-1/31/16
Stainless Steel Bar	A-351-825	2/1/15-1/31/16
India: Certain Preserved Mushrooms	A-533-813	2/1/15-1/31/16
Stainless Steel Bars	A-533-810	2/1/15-1/31/16
Italy: Stainless Steel Butt-Weld Pipe Fittings	A-475-828	2/1/15-1/31/16
Mexico: Large Residential Washers	A-201-842	2/1/15-1/31-16
S. Korea: Large Residential Washers	A-580-868	2/1/15-1/31-16
Certain Cut-to-Length Carbon Quality Steel Plate	A-580-836	2/1/15-1/31/16
SR of Vietnam: Certain Frozen Warmwater Shrimp	A-552-802	2/1/15-1/31/16
Steel Wire Garment Hangers	A-552-812	2/1/15-1/31/16
Utility Scale Wind Towers	A-552-814	2/1/15-1/31/16
Taiwan: Certain Crystalline Silicon Photovoltaic Products	A-583-853	7/31/14-1/31/16
The PR of China: Certain Frozen Warmwater Shrimp	A-570-893	2/1/15-1/31/16
Certain Crystalline Silicon Photovoltaic Products	A-570-010	7/31/14-1/31/16
Certain Preserved Mushrooms	A-570-851	2/1/15-1/31/16
Small Diameter Graphite Electrodes	A-570-929	2/1/15-1/31/16
Uncoverd Innerspring Units	A-570-928	2/1/15-1/31/16
Utility Scale Wind Towers	A-570-981	2/1/15-1/31/16
Countervailing Duty Proceedings		
S. Korea: Certain Cut-to-Length Carbon Quality Steel Plate	C-580-837	1/1/15-12/31/15

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
SR of Vietnam: Steel Wire Garment Hangers	C-552-813	1/1/15-12/31/15
The PR of China: Utility Scale Wind Towers	C-570-982	1/1/15-12/31/15
Certain Crystalline Silicon Photovoltaic Products	C-570-011	6/10/14-12/31/15
Suspension Agreements		
None		

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