

International Trade Compliance Update

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

Newsletter | February 2017



In This Issue:

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

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United Nations

UNSC retains Central African Republic measures

On 27 January 2017, the UN Security Council adopted [Resolution 2339 \(2017\)](#) with respect to the situation in the Central African Republic. The Security Council decided, until 31 January 2018:

- To keep the arms embargo, with certain exceptions, and upon discovery of prohibited and authorize and require all Member States upon discovery of prohibited items, seize, register and dispose (such as through destruction, rendering inoperable, storage or transferring to a State other than the originating or destination States for disposal) prohibited items ;
- To continue the travel ban of designated persons; and
- To continue the asset freeze.

World Trade Organization (WTO)

TRIPS amendment to allow developing countries to license generic medicines enters into force

On 23 January 2017, the WTO [announced](#) that an amendment to the agreement on intellectual property entered into force securing for developing countries a legal pathway to access affordable medicines under WTO rules. The amendment to the *WTO Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement* marks the first time since the organization opened its doors in 1995 that WTO accords have been amended. The announcement said:

The WTO Secretariat has received in recent days notifications from five members that they have ratified the protocol amending the WTO TRIPS Agreement. These notifications — from Burkina Faso, Nigeria, Liechtenstein, the United Arab Emirates and Viet Nam — brought to two-thirds the number of WTO members which have now ratified the amendment. The two-thirds threshold was needed to formally bring the amendment into the TRIPS Agreement.

Members took the decision to amend the TRIPS Agreement specifically to adapt the rules of the global trading system to the public health needs of people in poor countries. This action follows repeated calls from the multilateral system for acceptance of the amendment, most recently by the United Nations General Assembly High-Level Meeting on Ending AIDS in June 2016.

Unanimously adopted by WTO members in 2005, the protocol amending the TRIPS Agreement makes permanent a mechanism to ease poorer WTO members' access to affordable generic medicines produced in other countries. The amendment empowers importing developing and least-developed countries facing public health problems and lacking the capacity to produce drugs generically to seek such medicines from third country producers under "compulsory licensing" arrangements. Normally, most medicines produced under compulsory licences can only be provided to the domestic market in the country where they are produced. This amendment allows exporting countries to grant compulsory licences to generic suppliers exclusively for the purpose of manufacturing and exporting needed medicines to countries lacking production capacity.

The amendment provides a secure and sustained legal basis for both potential exporters and importers to adopt legislation and establish the means needed to allow countries with limited or no production capacity to import affordable generics from countries where pharmaceuticals are patented. More and more WTO members are taking practical steps to implement the system in their laws. The bulk of global medicine exports is covered by laws enabling exports under this system, opening up new options for potential beneficiar-

ies to access a wider range of potential suppliers and enabling new, innovative procurement strategies.

Latest TFA ratifications or accessions

The WTO announced that the following countries have submitted their instruments of acceptance to the *WTO Trade Facilitation Agreement (TFA)*:

- 104. [Ghana](#) (4 January 2017)
- 105. [Mozambique](#) (6 January 2017)
- 106. [St. Vincent and the Grenadines](#) (9 January 2017)
- 107. [Nigeria](#) (20 January 2017)
- 108. [Nepal](#) (24 January 2017)

Only two more ratifications from members are needed to bring the TFA into force. The TFA will enter into force once two-thirds of the WTO membership has formally accepted the Agreement.

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
DS519	China – Subsidies to Producers of Primary Aluminium (Complainant: US) Request for consultations by the US	12-01-17
DS520	Canada - Measures Governing the Sale of Wine in Grocery Stores (Complainant: US) Request for consultation by the US	18-01-17
DS521	EU - Anti-dumping duties imposed on imports of certain cold-rolled flat steel products originating from Russia (Complainant: Russia) Request for consultations by Russia	27-01-17

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
DS479	Russian Federation — Anti-Dumping Duties on Light Commercial Vehicles from Germany and Italy	Panel report issued	27-01-17

TBT Notifications

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

World Customs Organization (WCO)

WCO issues updated annex to WCO Guide for Technical Update of Preferential Rules of Origin

On 16 January 2017, the World Customs Organization [announced](#) that Annex III (2012-2017) to the 'WCO Guide for Technical Update of Preferential Rules of Origin' has been added to reflect the recent changes in the Correlation Tables HS 2012 - 2017. Annex I correlates HS 200-HS 2007. Annex II correlates HS 2007 and HS 2012.

Although the Guide and its Annexes are intended to assist Customs Administrations in updating the Product Specific Rules of Origin (PSRs) in preferential programs and free trade agreements (FTAs) where the PSR's are based on the Harmonized System (HS), it should also prove useful to businesses who use the preferential programs and FTAs.

The updated Guide with all three annexes is available in [English](#) and [Spanish](#) versions.

Classification decisions taken at 58th HSC released

The WCO Harmonized System Committee (HSC) held its 58th Session at the WCO headquarters in Brussels from 28 September to 7 October 2016. On 10 January 2017, the WCO announced that the following decisions taken by the HSC during this Session have now been published and may be downloaded by clicking the following links:

- [Classification Rulings – HS Committee 58th Session](#)
- [Amendments to the Compendium of Classification Opinions – HS Committee 58th Session](#)
- [Amendments to the Explanatory Notes – HS Committee 58th Session](#)

These include, in particular, 14 new Classification Opinions, 10 sets of amendments to the HS Explanatory Notes, as well as 27 Classification Rulings, dealing with, among other things, seeds of fruits of the genus Capsicum, for sowing; a ready-to-eat stew preparation containing dark chocolate and cocoa; chewable cough and throat tablets; sugar-coated milk chocolate sweets put up for retail sale with sweets dispensers; ceramic ink; a "Hall element device"; tube bundle containers, consisting of a number of cylinders (four or six) used for the transportation of compressed natural gas; a two-wheeled transportation device (also known as "hoverboard"); floating structures; products presented for use in the field of trauma surgery for setting fractures and a virtual reality set for a video game console.

2017 Harmonized System enters into force

The WCO announced that the new version of the Harmonized System (HS) Nomenclature entered into force on 1 January 2017. Developed by the World Customs Organization (WCO) and adopted in 1983, this is the Sixth Edition of this global standard, used by over 200 countries and Economic or Customs Unions (including the 154 Contracting Parties to the HS Convention) for classifying goods in international trade.

The 2017 edition of the HS Nomenclature includes 5,386 six-digit subheadings (compared to 5,205 in the 2012 edition). The HS is used by countries as a basis for their national Customs tariffs and for the collection of international trade statistics. The World Trade Organization and individual countries use the HS as the common language of trade for the purposes of trade negotiations, and as a basis for determination of the origin of goods. However, amendments made to the HS reflect more than just a need for statis-

tical data or the setting of tariff rates; they allow the trade in goods, especially those having a social and environmental impact, to be monitored and controlled. The amendments made to the HS over the past decades reflect this concern, with environmental and social issues of global interest being major features of the HS 2017 amendments, as was already the case in the preceding, 2012 edition.

The majority of the changes in this latest edition of the HS were prompted by the Food and Agriculture Organization of the United Nations (FAO). These include amendments for fish and fishery products, the objective being to further enhance the coverage of species and product forms which need to be monitored for food security purposes and for better management of resources.

HS 2017 also features certain classification provisions introduced in order to monitor trade in products such as substances controlled under the Chemical Weapons Convention, hazardous chemicals controlled under the Rotterdam Convention, and persistent organic pollutants controlled under the Stockholm Convention.

It also focuses on forestry products, the aim being to enhance the coverage of wood species in order to obtain a better picture of trade patterns, including trade in endangered species. Other amendments resulted from changes in international trade patterns, manufacturing processes and technological progress, as well as efforts to simplify the HS.

In total, the 2017 edition is comprised of 233 sets of amendments: 85 relating to the agricultural sector; 45 to the chemical sector; 13 to the wood sector; 15 to the textile sector; 25 to the machinery sector; 18 to the transport sector; and an additional 32 that apply to a variety of other sectors.

Nine sets of complementary amendments in respect of heading 44.01 and certain sub-headings of Chapter 44 (Wood and articles of wood; wood charcoal) were accepted at a later stage.

Announcements and news releases [dd-mm-yy]

Date	Title
03-01-17	New global HS standard enters into force
04-01-17	Nepal Customs validates its fifth Customs Reform and Modernization Strategic and Action Plan
	The Members of the WCO MENA region are ending preparations to implement the 2017 edition of the HS
	Mali Customs strengthens its Human Resource Management System by adopting a competency-based approach
	Gabon Customs Continues Efforts to Modernize its Human Resource Management System
06-01-17	WCO supports Zambia Customs efforts to combat illegal trade in endangered species through improved intelligence capacity
	WCO supports Saudi Customs in implementing post clearance audit
	Benin accedes to the Revised Kyoto Convention and becomes the 106th Contracting Party
	WCO and UNODA to collaborate to eradicate the illicit trade in Small Arms and Light Weapons
09-01-17	WCO to reinforce cooperation with EUROPOL
10-01-17	Classification decisions taken at the 58th Session of the Harmonized System Committee have been released
11-01-17	WCO addresses the Customs Union Group under the EU Maltese Presidency
12-01-17	The WCO supports Pakistan Notification to the WTO TFA
	New diagnostic WCO tool successfully piloted during a mission to assess Jordan Customs' risk management organization
16-01-17	WCO and OPCW expand cooperation to prevent misuse of toxic chemicals
	Update of ANNEX III to the 'WCO Guide for Technical Update of Preferential Rules of Origin'
17-01-17	First Regional workshop on WCO Organizational Development Package held in Moldova for Eastern Partnership Customs Administrations
18-01-17	The WCO supports Libyan Customs in the reform of its HRM system

Date	Title
20-01-17	Burundi becomes the 155th Contracting Party to the Harmonized System Convention
	New record seizures of illicit medicines in Africa
	WCO supports Customs administrations in the Middle East – North Africa (MENA) region in implementing the 2017 version of the Harmonized System
23-01-17	From 9th to 11th January 2017 a Regional Security Workshop for the MENA Region was held in Amman, Jordan.
	WCO urges for partnership to combat illicit trafficking of cultural heritage in Davos
	Operation Pandora: 3,561 artefacts seized and 75 people arrested
24-01-17	Opening of the WCO's 71st Fellowship Programme
	WCO successfully re-engages Afghanistan Customs Department
	Sudan Customs is modernizing its Human and Resource Management by adopting a competency based approach
25-01-17	Chemists from Member Customs Laboratories meet at the WCO Headquarters
26-01-17	WCO's Multi-Stakeholders Initiative on E-Commerce Gains Momentum
	Successful Leadership and Management workshop for Lebanese Customs
	Message of the WCO Secretary General on International Customs Day 2017
27-01-17	Egyptian Customs Authority (ECA) adopts new vision, mission and strategic plan to support its reform and modernisation initiatives
	WCO celebrates International Customs Day 2017 and invites members to share best practices
30-01-17	WCO participates in a conference on economic security in Azerbaijan
	Prime Minister of Turkey celebrates International Customs Day
31-01-17	Thai and Korean Customs Administrations sign an AEO Mutual Recognition Arrangement
	Oman's AEO Programme launched during International Customs Day celebrations

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
10-01-17	2017/001 - Celebration of World Wildlife Day 2017 under the theme "Listen to the young voices"
	2017/002 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
	2017/003 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
13-01-17	2017/004 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
	2017/005 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
16-01-17	2017/006 - Guidelines for the preparation and submission of annual reports Annex: Guidelines for the preparation and submission of CITES annual reports (January 2017)
20-01-17	2017/007 - SAO TOME AND PRINCIPE – Withdrawal of a recommendation to suspend trade
23-01-17	2017/008 - Elephant ivory stocks: marking, inventories and security
	2017/009 - Declaration of stocks of rhinoceros horn
26-01-17	2017/010 - Reservations on Appendices I and II
31-01-17	2017/011 - Discontinuation of the caviar trade database of the United Nations Environment Programme's World Conservation Monitoring Centre (UNEP-

Date	Title
	WCMC)

The Americas - Central America

Costa Rica

Documents published in *La Gaceta*

Date	Series and №	Subject
08-12-16	Notice	Foreign Commerce: Costa Rica-China FTA tariff quotas, Decree № 38956-MAG-MEIC-COMEX, and the EU – Central America Association Agreement 2017
14-12-16	RES-DGA-DGT-007-2016	Customs: General Scope Resolution – authorizing special measures for international transit of fruit until Dec. 2016
	RES-DGA-DGT-008-2016	Customs - Authorizing special transit measures for fresh oranges for processing from 12-2016 until 05-2017

El Salvador

Central American Tariff goes to 10 digits and incorporates HS 2017

On 6 January 2017, the Ministry of Finance [announced](#) that in order to comply with Resolution No. 372-2015 of the Council of Ministers of Economic Integration (COMIECO), the General Directorate of Customs reports that as of January 1, the 6th Amendment to the Harmonized System (HS 2017) entered into force and the Central American Tariff (Sistema Arancelario Centroamericano or SAC) was extended to 10 digits.

The Amendment is the periodic updating of the Harmonized System which includes changes based on trade statistics to exclude goods that have become obsolete and add goods based on state-of-the-art technology. The SAC is based on the Single Version in Spanish (Versión Única en Español) prepared by the Ibero-American Committee on Nomenclature.

During August 2016, the Customs Department carried out training of personnel related to the foreign trade activities of the private sector and Auxiliaries of the Public Customs Function, among others. The guidelines for carrying out the Declarations of Goods in the Customs Information System were set forth in [Information Bulletin DGA 021-2016](#).

View documents:

- [6th Amendment to the SAC, Document published in the Official Gazette](#)
- Correlation tables [2012-2017](#) and [2017-2012](#) .

Documents

Date	Series and №	Subject
19-12-16	DGA 021-2016	Guidelines for developing the Declarations of goods in the customs computer system (ASYCUDA ++) for the entry into force of the 6th amendment and expansion to 10 digits SAC

Nicaragua

Nicaragua publishes 2017 Central American Tariff

The Dirección General de Servicios Aduaneros (the General Directorate of Customs Services or DGA) has posted the 2017 Centro-American Tariff (as applied in Nicaragua) ([Sistema Arancelario Centroamericano \(SAC\) 2017](#)).

Documents

Date	Series, № and Subject
06-12-16	CT/134-2016 – Suspension of procedural terms
13-12-16	CT/135-2016 – Suspension of procedural terms
23-12-16	CT/140-2016 - IEC Cigarette Consumption Special Tax rate applicable during 2017
	CT/141-2016 - Extension of the term of the Ministerial Agreement MIFIC №. 021-2016 as Ministerial Agreement MIFIC NO. 053-2016
	CT/142-2016 - Modification to the Central American Tariff System SAC applicable version in Nicaragua
28-12-16	CT/ 143-2016 - Addition to the Circular 141-2016 Extension of the term of effect of the Ministerial Agreement MIFIC № 021-2016, In accordance with the Ministerial Agreement MIFIC № 053-2016
03-01-17	CT/ 001-2017 - Administrative Provisions for Customs Declarations of the Year 2016 not Submitted to the Risk Management Module.
09-01-17	CT/002-2017 - General Rules Applicable to the Free Areas Regime

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](#).

Panama

Official Gazette

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

Publication Date	Title
02-12-16	National Customs Authority (NCA): Adm. Res. № 505 (23-11-16) Reorganization of the Commission of Customs Appeals
13-12-16	NCA: Resolution No. 530 (12-12-16) Regulating the use of economic resources and the Customs financial security fund of the national customs authority and repealing a legal provision.
	NCA: Resolution No. 531 (12-12-16) Regulating the use of economic resources and Customs financial security fund of the national customs authority and repealing a legal provision.
	Public Safety: Resolution No. 176/DIASP/16 (07-12-16) Extending from which, the suspension of imports of firearms permitted use in the homeland business duly authorized to apply for import licenses of such goods in this Ministry. Excepted The Security Sectors State, Security Services State Institutions.
15-12-16	Economy and Finance: Resolution No. JD-14-016 (06-12-16) To regulating the registration process and authorization for businesses compliance in accordance with the provisions of Law 23 of 27 April 2015, "To Adopt Measures to Prevent Money Laundering, Terrorist Financing And Financing Of Proliferation of Weapons of Mass Destruction, and other provisions.

Publication Date	Title
21-12-16	NCA: Resolution № 904-04-637-OAL (29-11-16) Declaring closure of the public auction carried out by the National Authority of Customs is declared, in accordance with Resolution No. 904-04-443-OAL of August 10, 2016.
23-12-16	Health: Res. № 849 (24-11-16) New safety provisions are established for the marketing of products containing the active substance Dabigatran, Dronedarone and Amiodarone. NCA: Resolution № 532 (12-12-16) in which the new design and content of the traveler's sworn statement form is adopted.
29-12-16	Environment: Resolution No. DM-0657-2016 (16-12-16) Establishing the process for the preparation and periodic revision of the list of Panama Species of Wild Fauna and Flora, and other provisions are provided.
03-01-17	NCA: Resolution № 528 (07-12-16) authorizing a Salvatore Ferragamo Boutique to be operated by La Sociedad Empresas Augusta, S.A., as a duty free enterprise at the Tocumen International Airport NCA: Resolution № 529 (07-12-16) authorizing a Boutique De Marca Deportiva to be operated by La Sociedad Empresas Augusta, S.A., as a duty free enterprise at the Tocumen International Airport
04-01-17	Economy and Finance: Executive Decree № 425 (28-12-16) incorporates the Customs Court and creates the Unit of Tariff Policy in the organizational structure of the Ministry of Economy and Finance.
05-01-17	Agricultural Devel.: Resolution № OAL-614-ADM-2016 (23-12-16) Designating the National Directorate of Plant Health as the competent authority for control and certification of organic plant products, etc.
12-01-17	NCA: Res. № 515 (25-11-16) Establishes the risk management committee of the National Customs Authority and its technical subcommittee

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
13-12-16	076-2016 15-11-16	Repealing resolution AUPSA-DINAN-No. 002-2016 of 5 January 2016 (food manufactured and / or processed), and establishing the "health requirements and / or plant health food for introduction processed and packaged" for direct human consumption.
	077-2016 17-11-16	Plant protection requirements and sanitary arrangements for importing red sorghum (sorghum bicolor) dried grains for animal consumption and / or transformation, originating in the United States.
21-12-16	075-2016 15-11-16	Repealing AUPSA-DINAN-001 of 5 January 2016, which establishes the sanitary requirements for the import of raw materials and food additives used for the national manufacture of foods for human consumption.
31-01-17	001-2017 06-01-17	Phytosanitary and sanitary requirements for importation of duraznos, peaches (<i>prunus persica</i> L.) fresh, for human consumption and / or transformation, originating in Mexico
	002-2017 06-01-17	Phytosanitary and sanitary requirements for the importation of piper nigrum black pepper on dried grains, for human consumption and / or transformation, origin of Costa Rica.
	003-2017 06-01-17	Modifies AUPSA-DINAN 052-2208 phytosanitary and sanitary requirements for the import of fresh or refriger-

Publication Date	AUPSA-DINAN № and Date	Food and Origin
		ated onion bulbs (<i>allium cepa</i>), for human consumption and / or transformation, originating from Chile.

The Americas - North America

Canada

Government proposes new food safety rules

On January 21, 2017, the Canadian Food Inspection Agency [announced](#) that the Government of Canada had launched a public consultation on new rules to strengthen food safety. The proposed *Safe Food for Canadians Regulations* would better protect Canadian families by putting a greater emphasis on preventing food safety risks for all foods imported into Canada or sold across provinces. The regulations would also apply to foods prepared for export.

The proposed regulations would require food businesses to have preventive controls in place to identify and manage food safety risks before products are sold to consumers. This would also reduce the time it takes to remove unsafe foods from the marketplace. This public comment period is an opportunity for all Canadians to comment on the proposed regulations.

The announcement said that these proposed regulations represent a major milestone in bringing the [Safe Food for Canadians Act](#) into force, which was passed in Parliament in 2012 with support from all political parties.

- The 90-day consultation closes on April 21, 2017.
- The proposal consolidates 14 sets of existing regulations into one.
- The CFIA has consulted stakeholders on this initiative since 2013, including a targeted consultation with small businesses in 2015.
- Information and guidance is available to explain key elements of the proposal and what would be expected of food businesses, including videos, interactive tools, fact sheets, templates and a handbook.
- Pre-publication of the [proposed regulations](#) in the *Canada Gazette*, Part I
- [Background: Proposed Safe Food for Canadians Regulations](#)
- [Safe Food for Canadians Act](#)
- Video: [What Food Businesses Need to Know](#)
- Video: [Importing Food](#)
- [Learn more and have your say](#)

CBSA publishes Trade Compliance Target Areas

The Canada Border Services Agency (CBSA) has [released](#) its verification priorities. The CBSA manages trade compliance with the Tariff Classification, Valuation, and Origin programs using the following two post-release verification processes:

1. Random verifications
2. Verification priorities

Random verifications

Random verifications are designed to measure compliance rates and revenue loss and the results may be used for many purposes, including:

- Risk assessment;
- Revenue assessment; and
- Promoting voluntary compliance.

Verification priorities

Targeted verification priorities are determined through a risk-based, evergreen process, meaning that new targets are added throughout the year. Verification priorities may also be carried over from previous years. The current verification priorities for tariff classification, valuation and origin may be found at: <http://www.cbsa-asfc.gc.ca/import/verification/menu-eng.html>.

Miscellaneous regulations and proposals

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

Publication Date	Title
01-11-17	Environment/Health: Order Amending Schedule 3 to the Canadian Environmental Protection Act, 1999 (SOR/2016-327, December 21, 2016) (O) [Products containing mercury made subject to export controls]
	Canadian Egg Marketing Agency: Regulations Amending the Canadian Egg Marketing Agency Quota Regulations, 1986 (SOR/2016-323, December 20, 2016) pursuant to the Farm Products Agencies Act (R) [Export quotas]
01-14-17	Environment: Notice of intent concerning Significant New Activity Notice No. 13712a (variation to Significant New Activity Notice No. 13712) (N)
	Environment: Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 (N)
	Environment: Notice with respect to substances included as part of the 2017 Inventory Update pursuant to the Canadian Environmental Protection Act, 1999 (N)
	Global Affairs Canada: Consultations on the fifth review of the Record of Discussion on Trade in Pharmaceutical Products (Erratum)
	Environment: Notice of intent to modify the Wild Animal and Plant Trade Regulations pursuant to the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (N)
01-21-17	Environment: Notice of intent to amend the Domestic Substances List under subsection 112(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 106(3) of that Act applies to the living organisms set out in this Notice (N)
	Environment/Health: Publication after screening assessment of a living organism — Bacillus circulans (B. circulans) strain ATCC 101 9500 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication after screening assessment of a living organism — Bacillus megaterium (B. megaterium) strain ATCC 11 14581 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication after screening assessment of a living organism — Chaetomium globosum (C. globosum) strain ATCC 11 6205 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication after screening assessment of a living organ-

Publication Date	Title
	<i>ism — Micrococcus luteus (M. luteus) strain ATCC1 1 4698 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)</i>
	Environment/Health: <i>Publication of final decision after screening assessment of a living organism — Aspergillus oryzae (A. oryzae) strain ATCC1 1 11866 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)</i>
	Environment/Health: <i>Publication of final decision after screening assessment of a living organism — Saccharomyces cerevisiae strain F53 (S. cerevisiae strain F53) — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)</i>
	Environment/Health: <i>Publication of final decision after screening assessment of living organisms — Pseudomonas putida (P. putida) strains ATCC1 1 12633, ATCC 31483, ATCC 31800 and ATCC 700369 — specified on the Domestic Substances List (subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)</i>
	Canadian Food Inspection Agency: <i>Proposed Safe Food for Canadians Regulations pursuant to the Safe Food for Canadians Act (PR)</i>
	Innovation, Science and Economic Development Canada: <i>Notice of opportunity for the Asia Pacific Economic Cooperation Cross Border Privacy Rules System — Application for recognition as Accountability Agent</i>
01-28-17	Environment: <i>Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 (Erratum) (N)</i>
	Environment/Health: <i>Publication after screening assessment of a substance — acetic acid, anhydride, CAS RN 108-24-7 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)</i>
	Environment/Health: <i>Publication after screening assessment of five short-chain alkane substances specified on the Domestic Substances List (paragraphs 68(b) and (c) and subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)</i>

CBSA advance rulings

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

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

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Title
01-09-17	CN 17-01	Required Timeframe for Ferry Operators and Highway Carriers to Submit Advance Commercial Information (ACI) When Transporting Commercial Goods Onboard a Ferry
	CN 17-02	Clarification: Canada Border Services Agency (CBSA) policy on the issuance of Risk Assessment Notices up to the Estimated Date and Time of Load (EDTL) in the marine mode
01-11-17	CN 17-03	Highway Sufferance Warehouse Closure (Ottawa, Ontario)
01-13-17	CN 17-04	Amendments to the Departmental Consolidation of the <i>Customs Tariff</i>

Date	Reference	Title
01-17-17	CN 17-05	Highway Sufferance Warehouse Closure (Prescott, Ontario)
	D17-2-4	Preparation and Presentation of Blanket B2 Adjustment Requests
01-19-17	D14-1-7	Assessment and Payment of Duties Under the <i>Special Import Measures Act</i>

Antidumping and countervailing duty cases

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

Mexico

Diario Oficial

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

Publication Date	Title
01-16-17	Communications and Transport: Declaration by which declares public utility construction of the new customs office, as part of the works and necessary for the expansion of the Port of Veracruz facilities in the building with surface total of 14,941.94 square meters, located in the city of Veracruz, State of Veracruz, located in the area Tarimoya Vergara, Veracruz.
01-17-17	Energy: Standard NOM-030-ENER-2016, luminous efficiency lamps light emitting diodes (LED) integrated for general lighting. Limits and testing methods
01-19-17	Economy: Guidelines for the preparation of the Audit Report to assess compliance with the provisions of a general nature on the prevention of operations with illegal proceeds and financing of terrorism
01-20-17	Economy: Decree approving the tariff rate quota on imports of goods mentioned is established.
01-26-17	Economy: Acuerdo setting forth import and export quotas of non - originating textile goods and clothing apparel eligible for preferential tariff treatment, according to NAFTA

Antidumping and countervailing duty cases

No antidumping notices were published in January 2017.

United States

[NOTE ON *FEDERAL REGISTER* TABLES IN THE **UNITED STATES** SECTION BELOW: N=NOTICE, FR=FINAL RULE, PR=NOTICE OF PROPOSED RULEMAKING, AN=ADVANCE NOTICE OF PR, IR=INTERIM RULE, TR=TEMPORARY RULE OR ORDER, RFI/FRC= REQUEST FOR INFORMATION/COMMENTS; H=HEARING OR MEETING; E=EXTENSION OF TIME; C=CORRECTION; RO=REOPENING OF COMMENT PERIOD; W=WITHDRAWAL. PLEASE NOTE: MEETINGS WHICH HAVE ALREADY TAKEN PLACE ARE GENERALLY NOT LISTED.]

Presidential documents

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

Date	Subject
01-03-17	Executive Order 13757 of December 28, 2016 - Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious Cyber-Enabled Activities [Note: this was discussed in detail in our January 2017 Up-

Date	Subject
	<i>date. Please see January Update here</i>
01-18-17	Notice of January 13, 2017 Continuation of National Emergency with Respect to Terrorists Who Threaten to Disrupt the Middle East Peace Process Executive Order 13761 -- Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions
01-19-17	Notice of January 13, 2017 - Continuation of the National Emergency With Respect to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels Notice of January 13, 2017 - Continuation of the National Emergency With Respect to Iran Notice of January 13, 2017 -- Continuation of the National Emergency with Respect to Libya Notice of February 13, 2017 -- Continuation of National Emergency with Respect to Ukraine Notice of January 13, 2017 - Continuation of the National Emergency With Respect to Venezuela Notice of January 13, 2017 -- Continuation of National Emergency with Respect to Zimbabwe
01-23-17	Presidential Memorandum Regarding Withdrawal of the United States from the Trans-Pacific Partnership Negotiations and Agreement
01-24-17	Presidential Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing Presidential Memorandum Regarding Construction of American Pipelines Presidential Memorandum Regarding Construction of the Keystone XL Pipeline Presidential Memorandum Regarding Construction of the Dakota Access Pipeline Presidential Memorandum Streamlining Permitting and Reducing Regulatory Burdens for Domestic Manufacturing
01-25-17	Executive Order: Border Security and Immigration Enforcement Improvements Executive Order: Enhancing Public Safety in the Interior of the United States
01-27-17	Executive Order: Protecting the Nation From Foreign Terrorist Entry Into the United States
01-28-17	Presidential Memorandum Plan to Defeat the Islamic State of Iraq and Syria Presidential Memorandum Organization of the National Security Council and the Homeland Security Council
01-30-17	Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs

President signs an Executive Order requiring a reduction in regs.

On January 30, 2017, President Trump signed [Presidential Executive Order on Reducing Regulation and Controlling Regulatory Costs](#). The E.O. provides that, unless prohibited by law, whenever an executive department or agency (agency) publicly proposes for notice and comment or otherwise promulgates a new regulation, it shall identify at least two existing regulations to be repealed. The E.O. directs the heads of all agencies that the total incremental cost of all new regulations, including repealed regulations, to be finalized this year shall be no greater than zero, unless otherwise required by law or consistent with advice provided in writing by the Director of the Office of Management and Budget (Director), and requires that any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least two prior regulations. Exceptions are provided for military, national security, foreign affairs, agency internal organization, management or person and any other category exempted by the Director.

In addition, each regulation approved by the Director during the Presidential budget process shall be included in the *Unified Regulatory Agenda* required under Execu-

tive Order 12866, as amended, or any successor order. Exceptions require the Director's approval, who is also required to issue guidance that shall address, among other things, processes for standardizing the measurement and estimation of regulatory costs; standards for determining what qualifies as new and offsetting regulations; standards for determining the costs of existing regulations that are considered for elimination; processes for accounting for costs in different fiscal years; methods to oversee the issuance of rules with costs offset by savings at different times or different agencies; and emergencies and other circumstances that might justify individual waivers of the requirements of this section.

At present, it is unclear how the new E.O. will affect trade agencies, including CBP's mandate to issue regulations under the *Trade Facilitation and Trade Enforcement Act of 2015*.

President's Executive Order can impact travel for certain lawfully present non-immigrants and immigrants to the US

As you know, on Friday, January 27, 2017, President Trump issued an [Executive Order](#) (EO) suspending entry into the United States of aliens from Iraq, Syria, Iran, Libya, Somalia, Sudan and Yemen. The suspension will be in place for 90 days and applies to both immigrants and nonimmigrants. Specifically excluded from the EO are foreign nationals traveling on diplomatic visas, North Atlantic Treaty Organization visas, C-2 visas for travel to the United Nations, and G-1, G-2, G-3 and G-4 visas. The EO also grants authority to the Secretaries of State and Homeland Security to continue issuing visas and other immigration benefits to nationals of otherwise blocked countries, if doing so is deemed to be in the national interest. Such determinations will be made on a case-by-case basis.

The situation is very fluid and rife with confusion. There have been widespread reports of nonimmigrant visa holders and lawful permanent residents or "green card" holders being detained upon arrival to the United States over the weekend.

Late Sunday, January 29, 2017, Secretary John Kelly issued a statement deeming the entry of lawful permanent residents to be in the national interest. According to the statement, "absent the receipt of significant derogatory information indicating a serious threat to public safety and welfare, lawful permanent resident status will be dispositive factor in [the government's] case-by-case determinations".

While Secretary Kelly's comments suggest that lawful permanent residents may be granted entry to the United States during the 90-day suspension period, green card holders from the listed countries should expect a high degree of scrutiny when arriving in the United States.

In the short-term, we recommend that our clients communicate with their employee populations immediately to identify individuals who are from these countries and who may be traveling to and from the United States. Developing an escalation protocol to support impacted employees, and communicating that protocol to your larger employee population may help to allay fears during this period of uncertainty. From both a tactical and public relations perspective this will communicate the appropriate sensitivity, awareness and support.

Please contact [Betsy Stelle Morgan](#), [Shannon Donnelly](#), [Ginger Partee](#) or [David Serwer](#) of our Global Immigration & Mobility Practice if you have any questions or need further information.

New Administration imposes regulatory freeze pending review

On January 20, 2017, the President's Chief of Staff, on behalf of the President issued a [Memorandum for the Heads of Executive Departments and Agencies; regulatory Freeze Pending Review](#). The memorandum (with certain exceptions for emergency situations or other urgent circumstances relating to health, safety, financial, or national security matters, or as otherwise authorized by Director or Acting Director of the Office of Management and Budget) asks heads of executive departments and agencies (or their designees) to:

- Not send any regulation to the Office of the Federal Register (OFR) until a department or agency head appointed or designated by the President after noon on January 20, 2017, reviews and approves the regulation.
- Withdraw any regulations that have been sent to OFR but not yet published until reviewed as above.
- With respect to regulations that have been published in the OFR but have not taken effect, as permitted by applicable law, temporarily postpone their effective date for 60 days from the date of the memorandum for the purpose of reviewing questions of fact, law, and policy they raise. Where appropriate and as permitted by applicable law, consider proposing for notice and comment a rule to delay the effective date for regulations beyond that 60-day period. In cases where the effective date has been delayed in order to review questions of fact, law, or policy, consider potentially proposing further notice-and-comment rulemaking.
- Exclude from the actions requested above any regulations subject to statutory or judicial deadlines and identify such exclusions to the OMB Director as soon as possible.
- Notify the OMB Director promptly of any regulations that, should be excluded from the directives because those regulations affect critical health, safety, financial, or national security matters, or for some other reason. The OMB Director will review any such notifications and determine whether such exclusion is appropriate under the circumstances.
- 6. Continue in all circumstances to comply with any applicable Executive Orders concerning regulatory management.

The requirements of the memorandum apply to “any substantive action by an agency (normally published in the *Federal Register*) that promulgates or is expected to lead to the promulgation of a final rule or regulation, including notices of inquiry, advance notices of proposed rulemaking, and notices of proposed rulemaking,” and also covers any agency statement of general applicability and future effect “that sets forth a policy on a statutory, regulatory, or technical issue or an interpretation of a statutory or regulatory issue.”

President directs USTR to withdraw from TPP negotiations and agreement and start bilateral negotiations

On January 23, 2017, the President signed [Presidential Memorandum Regarding Withdrawal of the United States from the Trans-Pacific Partnership Negotiations and Agreement](#) (published in the *Federal Register* on January 25, 2017). The memorandum, which is addressed to the US Trade Representative, sets forth the new Administration's policy “to represent the American people and their financial well-being in all negot[i]ations [sic], particularly the American worker, and to create fair and economically beneficial trade deals that serve their interests.” The memorandum continues that in order to ensure these outcomes, it is the intention of the new Administration to “deal directly with individual countries on a one-on-one (or bilateral) basis in negotiating future trade deals. Trade with other nations is, and always will be, of paramount importance.”

The memorandum directs the USTR to “withdraw the United States as a signatory to the Trans-Pacific Partnership (TPP), to permanently withdraw the United States from TPP negotiations, and to begin pursuing, wherever possible, bilateral trade negotiations to promote American industry, protect American workers, and raise American wages.” The memorandum further directs USTR to provide written notification to the Parties and the Depository (New Zealand).

President continues national emergency with respect to Iran

On January 19, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 - Continuation of the National Emergency With Respect to Iran](#), which continues the national emergency first declared in Executive Order (E.O.) 12957 of March 15, 1995 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions and policies of the Government of Iran. On May 6, 1995, the President issued E.O. 12959, imposing more comprehensive sanctions on Iran to further respond to this threat. On August 19, 1997, the President issued E.O. 13059, consolidating and clarifying the previous orders. The President took additional steps pursuant to this national emergency in E.O. 13553 of September 28, 2010, E.O. 13574 of May 23, 2011, E.O. 13590 of November 20, 2011, E.O. 13599 of February 5, 2012, E.O. 13606 of April 22, 2012, E.O. 13608 of May 1, 2012, E.O. 13622 of July 30, 2012, E.O. 13628 of October 9, 2012, and E.O. 13645 of June 3, 2013. The Notice states:

On July 14, 2015, the P5+1 (China, France, Germany, Russia, the United Kingdom, and the United States), the European Union, and Iran reached a Joint Comprehensive Plan of Action (JCPOA) to ensure that Iran's nuclear program is and will remain exclusively peaceful. January 16, 2016, marked Implementation Day under the JCPOA, when the International Atomic Energy Agency (IAEA) issued a report verifying that Iran had completed key nuclear-related steps as specified in the JCPOA, and the Secretary of State confirmed the report's findings. As a result, the United States lifted nuclear-related sanctions on Iran consistent with its commitments under the JCPOA, including the termination of a number of Executive Orders that were issued pursuant to this national emergency. While nuclear-related sanctions were lifted pursuant to our JCPOA commitments, a number of non-nuclear sanctions remain in place.

Since Implementation Day, the IAEA has repeatedly verified, and the Secretary of State has confirmed, that Iran continues to meet its nuclear commitments pursuant to the JCPOA. However, irrespective of the JCPOA, which continues to ensure that Iran's nuclear program is and remains exclusively peaceful, certain actions and policies of the Government of Iran continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For this reason, the national emergency declared on March 15, 1995, must continue in effect beyond March 15, 2017.

The President is continuing for 1 year the national emergency with respect to Iran declared in E.O. 12957. The emergency declared by E.O. 12957 constitutes an emergency separate from that declared on November 14, 1979, by E.O. 12170. This renewal, therefore, is distinct from the emergency renewal of November 2016.

President continues national emergency with respect to Venezuela

On January 19, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 - Continuation of the National Emergency with Respect to Venezuela](#), which extends the for an additional year the national emergency originally declared by Executive Order 13692, because of the situation in Venezuela, including the Government of Venezuela's erosion of human rights guarantees, persecution of political opponents, curtailment of press freedoms, use of violence and human rights violations and abuses in response to antigovernment protests, and arbitrary arrest and detention of antigovernment protestors, as well as the exacerbating presence of significant government corruption.

President continues national emergency with respect to Libya

On January 19, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 - Continuation of the National Emergency with Respect to Libya](#), which extends for an additional year the national emergency originally declared by Executive Order (E.O.) 13566 of February 25, 2011 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of Colonel Muammar Qadhafi, his government, and close associates, who took extreme measures against the people of Libya. The national emergency is being extended because the situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and we need to protect against the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials.

President continues national emergency with respect to Cuba and regulation of vessel anchorage and movements

On January 19, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 - Continuation of the National Emergency With Respect to Cuba and of the Emergency Authority Relating to the Regulation of the Anchorage and Movement of Vessels](#), which continues the national emergency with respect to Cuba, as modified by Proclamation 9398 of February 25, 2016, to reflect to re-establishment of diplomatic relations between the US and Cuba. The unauthorized entry of any US-registered vessel into Cuban territorial waters continues to be detrimental to the foreign policy of the United States. Therefore, in accordance with section 202(d) of the *National Emergencies Act* (50 U.S.C. 1622(d)), the President is continuing the national emergency with respect to Cuba and the emergency authority relating to the regulation of the anchorage and movement of vessels set out in Proclamation 6867 as amended by Proclamation 7757 and as further modified by Proclamation 9398.

President continues national emergency with respect to Zimbabwe

On January 19, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 -- Continuation of National Emergency with Respect to Zimbabwe](#) which continues for an additional year the national emergency first declared in Executive Order (E.O.) 13288 of March 6, 2003 to deal with the unusual and extraordinary threat to the foreign policy of the United States constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions. These actions and policies had contributed to the deliberate breakdown in the rule of law in Zimbabwe, to politically motivated violence and intimidation in that country, and to political and economic instability in the southern African region. Additional measures were taken in E.O. 13391 (November 22, 2005) and E.O. 13469 (July 25, 2008). The national emergency is being continued because the actions and policies of these persons continue to pose an unusual and extraordinary threat to the foreign policy of the United States.

President continues national emergency with respect to Ukraine

On January 19, 2017, the *Federal Register* published Presidential [Notice of February 13, 2017 -- Continuation of National Emergency with Respect to Ukraine](#) which extends for an additional year the national emergency first declared on March 6, 2014 in Executive Order (E.O.) 13660, and expanded by E.O. 13661 (March 16, 2014), E.O. 13662 (March 20, 2017) and E.O. 13685 (December 19, 2014) to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of persons that undermine democratic processes and institutions in Ukraine; threaten its peace, security,

stability, sovereignty, and territorial integrity; and contribute to the misappropriation of its assets, as well as addressing the Russian annexation of Crimea and occupation of Eastern Ukraine. The national emergency is being continued because the actions and policies addressed in these Executive Orders continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

President revokes certain Sudan-related sanctions

On January 18, 2017, the Federal Register published [Executive Order \(E.O.\) 13761 \(of January 13, 2017\) -- Recognizing Positive Actions by the Government of Sudan and Providing for the Revocation of Certain Sudan-Related Sanctions](#) which:

1. revokes, effective July 12, 2017, provided the criteria in section 12(b) are met, sections 1 and 2 of E.O. 13067 of November 3, 1997 and E.O. 13412 of October 13, 2006;
2. waives, the application of section 908(a)(1) of the *Trade Sanctions Reform and Export Enhancement Act of 2000* (TSRA) with respect to Sudan;
3. determines and certifies that it is in the national interest of the United States to waive, and thereby waives, the application of sections 6(a) and (b) of the *Comprehensive Peace in Sudan Act of 2004*, as amended (CPSA);
4. assigns certain functions under the CPSA, the TSRA and the *Darfur Peace and Accountability Act of 2006* (DPAA) to specific cabinet secretaries;
5. requires an annual report to the President a report on whether the Government of Sudan has sustained the positive actions that gave rise to this order, including carrying out its pledge to maintain a cessation of hostilities in conflict areas in Sudan; continued improvement of humanitarian access throughout Sudan; and maintaining its cooperation with the United States on addressing regional conflicts and the threat of terrorism; and
6. Requires the Secretary of State, in consultation with the Secretary of the Treasury, the Director of National Intelligence, and the Administrator of the US Agency for International Development, to publish a notice in the *Federal Register* on or before July 12, 2017, stating that the Government of Sudan has sustained the positive actions that gave rise to this order and that the Secretary of State has provided to the President the report described above.

President continues national emergency with respect to terrorists who disrupt the Middle East peace process

On January 18, 2017, the *Federal Register* published Presidential [Notice of January 13, 2017 Continuation of National Emergency with Respect to Terrorists Who Threaten to Disrupt the Middle East Peace Process](#), which extends for an additional year the national emergency first declared on January 23, 1995, by Executive Order (E.O.) 12947 to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by grave acts of violence committed by foreign terrorists that disrupt the Middle East peace process. The Annex to the E.O. was modified on August 20, 1998, by E.O. 13099, and clarified on February 16, 2005, by E.O. 13372. The national emergency is being continued because terrorist activities continue to threaten the Middle East peace process and to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

USTR announces GSP petitions selected for further review

On January 23, 2017, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [notice](#) that announces petitions submitted in connection with the 2016/2017 GSP Annual Product Review that have been accepted for further review. The notice also sets forth the schedule for submitting comments and for a public hearing associated with the review of these petitions and products. The notice also announces the closure of the country practices review of worker rights in Fiji and Niger without change to those countries' GSP trade benefits.

US-Mongolia Transparency Agreement to enter into force

The Office of the United States Trade Representative (USTR) [announced](#) that at a ceremony in Washington on January 19, 2017, then USTR Michael Froman and Mongolia's Ambassador to the United States, Bulgaa Altangerel, signed and exchanged letters certifying that the United States and Mongolia have completed their respective applicable legal requirements and procedures for the [Agreement on Transparency in Matters Related to International Trade and Investment between the United States of America and Mongolia](#) to enter into force and agreed that the transparency agreement would enter into force in 60 days. The announcement continued:

The U.S.-Mongolia transparency agreement applies to matters relating to international trade and investment and includes joint commitments to provide opportunities for public comment on proposed laws and regulations and to publish final laws and regulations. This publication commitment includes the obligation to publish final laws and regulations in English, which should make it easier for U.S. and other foreign enterprises to do business in, and invest in, Mongolia. The transparency agreement also commits the two parties to ensure that administrative agencies apply fair, impartial and reasonable procedures and that persons affected by the decisions of administrative agencies have a right to appeal those decisions. Additional commitments address the application of disciplines on bribery and corruption.

"The U.S.-Mongolia transparency agreement will help to improve and deepen the U.S.-Mongolia trade relationship to the benefit of both of our economies and our workers and businesses," Ambassador Froman commented. "Transparency is critical to the proper and efficient functioning of international trade and investment, and the implementation of this agreement will help provide producers, suppliers, exporters and investors with the needed predictability that comes with a clear understanding of the policies and practices that are going to be applied."

During the signing ceremony, Ambassador Froman and Ambassador Altangerel reiterated the importance of U.S.-Mongolia trade and economic relations and their mutual desire to continue to promote trade cooperation through the *U.S.-Mongolia Trade and Investment Framework Agreement* (TIFA). Ambassador Froman also offered his appreciation to officials from the U.S. Department of State for their key support leading up to the signing and [exchange of letters](#).

US, Paraguay sign Trade and Investment Framework Agreement

On January 13, 2017, the Office of the US Trade Representative [announced](#) that then USTR Michael Froman and Paraguay's Ambassador to the United States Germán Rojas signed a bilateral Trade and Investment Framework Agreement (TIFA). The announcement said that the agreement was negotiated by officials of the Office of the USTR and Paraguay's Ministry of Foreign Affairs and --

... demonstrates the interest of both governments in advancing bilateral trade and investment ties and in working together in the spirit of friendship and cooperation. The TIFA creates a forum for the United States and Paraguay to engage on a broad range of bilateral economic issues, such as market access, intellectual property rights protection, and cooperation on shared objectives in the World Trade Organization and other multilateral fora.

Other USTR documents

F.R. Date	Subject
01-25-17	Treasury/USTR: Notice of Availability of Bilateral Agreement Between the European Union and the United States of America on Prudential Measures Regarding Insurance and Reinsurance (N)

ITC posts petitions for duty suspensions and reductions

On January 11, 2017, the US International Trade Commission (ITC) published in the *Federal Register* a [notice](#) announcing that, as required by the *American Manufacturing Competitiveness Act of 2016* (Public Law 114–159, May 20, 2016), it has published on [its Website](#) the petitions for duty suspensions and reductions that were timely filed and contain the required information, and the Commission is requesting members of the public to submit comments to the Commission on the petitions published no later than the close of business February 24, 2017. Comments must be submitted in electronic form via the ITC’s secure web portal. The ITC will not accept comments submitted in paper or in any other form or format.

ITC releases 2017 Harmonized Tariff Schedule of the United States

The US International Trade Commission (ITC) has posted the [Preliminary Edition of the 2017 Harmonized Tariff Schedule of the United States](#) (HTS or HTSUS; Publication 4659), which was effective on January 1, 2017. The HTS is available as a single [full document](#) download or chapter-by-chapter. The 2017 Edition includes a [Change Record](#) which shows all the legal and statistical changes which have become effective since January 1, 2016, other than previously proclaimed reductions in staged rates of duty which take effect on January 1, 2017, and non-substantive adjustments to the format of any page. See the [Preface](#) to the tariff schedule for additional information and citations for the Presidential Proclamations.

The “Compiler’s Note,” which appears after the “Additional U.S. Rules of Interpretation” explains why the FTA Rules of Origin headings and subheadings in the General Notes may differ from the current HTS heading or subheading.

ITC investigations

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

Investigation. No. and title	Requested by:
Inv. 332-560 - Generalized System of Preferences: Possible Modifications, 2016 Review (I/H/RFC)	USTR

Commerce establishes Advisory Council on Trade Enforcement and Compliance

On January 10, 2017, the International Trade Administration, Department of Commerce. Published in the *Federal Register* a [notice](#) advising the public that the Secretary of Commerce (Secretary), having determined that it is in the public interest in connection with the performance of duties imposed on the Department of Commerce by law, and with the concurrence of the General Services Administration, announces establishment of the US Department of Commerce Advisory Council on Trade En-

forcement and Compliance (ACTEC). The ACTEC shall advise the Secretary on laws and government policies that deal with trade enforcement; identify and recommend programs, policies, and actions to help the Department in its efforts to ensure that US trading partners comply with their trade agreement commitments; and recommend ways that the Department's trade enforcement and compliance policies and programs can better support a strong trade and manufacturing agenda and enhance the commercial competitiveness of the United States. The ACTEC shall act as a liaison with the stakeholders represented by the membership, and shall provide a forum for stakeholder input regarding current and emerging issues in trade enforcement and compliance matters. The Department of Commerce will publish a notice in January soliciting nominations for membership on the ACTEC.

Commerce extends Steel Import Monitoring and Analysis System

On January 5, 2017, the International Trade Administration, Department of Commerce, published in the *Federal Register* a [final rule](#) extending the Steel Import Monitoring and Analysis (SIMA) system until March 21, 2022. The purpose of the SIMA system is to provide to the public statistical data on steel imports entering the United States roughly five weeks earlier than it would otherwise be available. Aggregate data collected from the steel import licenses are made available to the public on a weekly basis following review by the Department.

The rule is effective March 21, 2017.

DEA delays effective date for certain ITDS changes

On January 30, 2017, the Drug Enforcement Administration (DEA) published in the *Federal Register* a [document delaying the effective date](#) of a final rule [Docket No. DEA-403] published on December 30, 2016, to implement requirements associated with the International Trade Data System (ITDS) that will help streamline the export/import of tableting and encapsulating machines, controlled substances, and listed chemicals. That rule is scheduled to become effective January 30, 2017. In accordance with the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled "Regulatory Freeze Pending Review," this action temporarily delays until March 21, 2017, the effective date of the final rule entitled "Revision of Import and Export Requirements for Controlled Substances, Listed Chemicals, and Tableting and Encapsulating Machines, Including Changes to Implement the International Trade Data System (ITDS); Revision of Reporting Requirements for Domestic Transactions in Listed Chemicals and Tableting and Encapsulating Machines; and Technical Amendments" published in the *Federal Register* on December 30, 2016, at 81 Fed. Reg. 96992. The temporary delay in the effective date will allow Department of Justice officials an opportunity to review any potential questions of fact, law and policy raised by this regulation, consistent with the Chief of Staff's memorandum of January 20, 2017.

This Final Rule is effective January 30, 2017. The effective date of the Final Rule amending 21 C.F.R. parts 1300, 1301, 1302, 1303, 1304, 1308, 1309, 1310, 1312, 1313, 1314, 1315, 1316, and 1321 published in the *Federal Register* December 30, 2016, at 81 Fed. Reg. 96992 is delayed to March 21, 2017. However, compliance with the revisions to DEA regulations made by this rule is not required until July 31, 2017.

CBP delays effective date for rule on importations of certain vehicles and engines subject to federal antipollution emission standards

On January 27, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [document](#) [USCBP–2016–0011; CBP Dec. 16–29] delaying the effective date of the final rule published in the *Federal Register* on December 27, 2016 announcing amendments to CBP regulations relating to the importation into the United States of certain vehicles and engines under the *Clean Air Act* (CAA) in order to harmonize the documentation requirements applicable to different classes of vehicles and engines that are subject to the CAA's emission standards. That document further amended the regulations to permit importers to file the required U.S. Environmental Protection Agency (EPA) Declaration Forms with CBP electronically, and amended non-substantive provisions to update regulatory citations and delete obsolete provisions. The changes announced in that final rule were to be effective January 26, 2017. This notice announces that the effective date of the final rule The effective date of the rule amending 19 C.F.R. part 12 published at 81 Fed. Reg. 94974, on December 27, 2016 is delayed until March 21, 2017, in accordance with the White House Chief of Staff's memorandum of January 20, 2017 (See above).

CBP extends comment period on CEE interim rule

On January 27, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [document](#) [Docket No. USCBP–2016–0075; CBP Dec. No. 16–26] providing an additional 60 days for interested parties to submit comments on the interim final rule that amended the CBP regulations establishing the Centers of Excellence and Expertise (“Centers”) as a permanent organizational component of the agency and transitioning certain additional trade functions to the Centers. The interim final rule was published in the *Federal Register* on December 20, 2016, with comments due on or before January 19, 2017. To have as much public participation as possible in the formulation of the final rule, CBP is extending the comment period to March 20, 2017.

CBP delays effective date for TSCA chemical import certification process revisions

On January 27, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [document](#) [USCBP–2016–0056; CBP Dec. 16–28] delaying the effective date of the final rule published in the *Federal Register* on December 27, 2016 announcing amendments to CBP regulations regarding the requirement to file a Toxic Substances Control Act (TSCA) certification when importing into the customs territory of the United States chemicals in bulk form or as part of mixtures and articles containing a chemical or mixture. That document amended the regulations to establish an electronic option for importers to file the required U.S. Environmental Protection Agency (EPA) TSCA certifications, to clarify and add certain definitions, and to eliminate the paper-based blanket certification process. The changes announced in that Final Rule were to be effective January 26, 2017. This notice announces that the effective date of the rule amending 19 C.F.R. parts 12 and 127 is delayed March 21, 2017, in accordance with the White House Chief of Staff's memorandum of January 20, 2017 (See above).

CBP proposes rules to accept donations of technology and support services to enforce IPR

On January 17, 2017, CBP published in the *Federal Register* a [notice of proposed rulemaking](#) [USCBP–2016–0076] that proposes amendments to the CBP regulations pertaining to the enforcement of intellectual property rights. Specifically, CBP is proposing amendments to implement a section of the *Trade Facilitation and Trade En-*

enforcement Act of 2015 which requires CBP to prescribe regulatory procedures for the donation of technologies, training, or other support services for the purpose of assisting CBP in intellectual property enforcement. The proposed regulations, which would create new *Subpart H to Part 133—Donations of Intellectual Property Rights Technology and Support Services*, would enhance CBP's intellectual property rights enforcement capabilities.

Comments must be received on or before March 3, 2017.

CBP delays sole use of ACE for drawback, duty deferral and entry summary

On January 17, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) delaying the effective date for making the Automated Commercial Environment (ACE) the sole electronic data interchange (EDI) system authorized by the CBP Commissioner for processing electronic drawback and duty deferral entry and entry summary filings, as announced on August 30, 2016, in the *Federal Register*. The changes announced in that notice were to have been effective on October 1, 2016. On October 3, 2016, CBP published a notice in the *Federal Register* announcing that the effective date for the transition to ACE as the sole CBP-authorized EDI system for electronic drawback and duty deferral entry and entry summary filings would be delayed until further notice. On December 12, 2016, CBP published a notice in the *Federal Register* announcing that the effective date for the transition would be January 14, 2017. This notice announces that the effective date for the transition has been delayed until further notice.

CBP will publish a subsequent notice announcing the effective date when ACE will be the sole CBP-authorized EDI system for processing electronic drawback and duty deferral entry and entry summary filings, and ACS will no longer be a CBP-authorized EDI system for purposes of processing these filings.

CBP delays effective date for NCAP tests re: Reconciliation, PSC and PMS

On January 17, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) announcing that the effective date for the modifications to the National Customs Automation Program (NCAP) tests regarding Reconciliation, Post-Summary Corrections (PSC), and Periodic Monthly Statements (PMS) is delayed until further notice. On December 12, 2016, CBP published a notice in the *Federal Register* announcing modifications to the National Customs Automation Program (NCAP) test regarding reconciliation, and the transition of the test from the Automated Commercial System (ACS) to the Automated Commercial Environment (ACE). The modifications made by this notice were to be effective on January 14, 2017. On December 12, 2016, CBP published in the *Federal Register* a document announcing CBP's plans to modify and clarify the NCAP test regarding PSC claims to entry summaries that are filed in the Automated Commercial Environment (ACE), as well as the PMS test. The notice liberalized and eliminated some requirements needed for the filing of PSCs; however, it also placed burdens on the importer in the form of a restriction and a prohibition. Subsequently, CBP published a notice in the *Federal Register* on January 9, 2017 (see below), to remove the restriction imposed on all PSC filings to make payments within three business days of submitting the PSC, with the exception of entry type 03 filings, and to remove the prohibition of filing additional PSCs until additional duties, fees and taxes and PMS tests were to have been effective January 14, 2017. This notice announces that the effective date for the modifications to these NCAP tests has been delayed until further notice.

CBP modifies, clarifies and corrects NCAP tests on PSC and PMS

On January 9, 2017, US Customs and Border Protection (CBP) published in the *Federal Register* a [general notice, republication with correction and further clarification](#) of a document published in the *Federal Register* on December 12, 2016 announcing CBP's plans to modify and clarify the National Customs Automation Program (NCAP) test regarding Post-Summary Correction (PSC) claims to entry summaries that are filed in the Automated Commercial Environment (ACE), as well as the Periodic Monthly Statement (PMS) test. The notice liberalized and eliminated some requirements needed for the filing of PSCs; however, it also placed burdens on the importer in the form of a restriction and a prohibition.

Subsequently, CBP decided to remove the restriction imposed on all PSC filings to make payments within three business days of submitting the PSC, with the exception of entry type 03 filings, and to remove the prohibition of filing additional PSCs until additional duties, fees and taxes are deposited. This document republishes and supersedes the document published on December 12 with these corrections and clarifications. Except to the extent expressly announced or modified by this document, all aspects, rules, terms and conditions announced in notices previous to this notice and the December 12 publication regarding the tests remain in effect.

The document also provides the correct CBP point of contact for making a deposit, and clarifies the method and location of payment of additional deposits of duties, fees and taxes. In addition, the notice clarifies how CBP will determine the time of payment of duties, fees and taxes.

The changes made by this notice are effective January 14, 2017.

“Lever-Rule” application(s) filed

CBP has received the following application(s) for “Lever-Rule” protection pursuant to 19 C.F.R. §133.2(f). In the event that CBP determines the goods under consideration are physically and materially different from the goods authorized for sale in the United States, CBP will publish a notice in the *Customs Bulletin* indicating that the referenced trademark is entitled to “Lever-rule” protection with respect to those physically and materially different goods. [Shown as “Approved” below]

Customs Bulletin Date	Applicant	Products Covered by the Application	Trademark
01-25-17	Duracell U.S. Operations, Inc. (Application)	OEM bulk packaged batteries and foreign retail packaged batteries, intended for sale in countries outside the United States that bear the TM	DURACELL TM Reg. 3,144,722 CBP Rec. TMK 16-01135
	Abbott Laboratories (et al) (Approved)	Certain blood glucose testing strips bearing the TM	FREESTYLE®, FREESTYLE LITE® and “DESIGN ONLY (BUTTERFLY DESIGN)”

CBP issues Drawback Simplification Newsletter

On January 31, 2017, CBP posted the first [Drawback Simplification Newsletter](#). The Newsletter summarizes the sweeping changes in drawback law that were made in section 906 of the [Trade Facilitation and Trade Enforcement Act of 2015](#) (Pub. L. 114-125). The changes promulgated by the Act will not take effect until Feb. 24, 2018. Until then, drawback claims must be filed under the drawback laws in effect

prior to the enactment of the Act. The Act also provides for a one-year transition period, from Feb. 24, 2018 to Feb. 23, 2019, during which claimants may elect to file new drawback claims under either the existing or new drawback provisions. At the end of the one-year transition period (February 24, 2019, all drawback claims must be filed according to the new provisions.

CBP guidance on requirements for claims under 9801.00.10

On January 31, 2017, CBP issued [CSMS #17-000046, Guidance for Subheading 9801.00.10 –U.S. and Foreign Goods Returned](#). Section 904(b) of the [Trade Facilitation and Trade Enforcement Act of 2015](#) (Pub. L. 114-125) amended subheading 9801.00.10, HTSUS, to read:

Products of the United States when returned after having been exported, or any other products when returned within 3 years after having been exported, without having been advanced in value or improved in condition by any process of manufacture or other means while abroad.

The CBP guidance provides a list of documents that may be requested by CBP officers when reviewing duty free claims under the subheading.

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

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

Date	CSMS#	Title
01-03-17	17-000001	FDA ACE Supplemental Guide v. 2.5 Corrections
	17-000002	Expansion of AMS ACE/ITDS Pilot
01-04-17	17-000003	ACE PRODUCTION PGA Deployment, Thurs Jan. 5, 2017 @0500ET, impact ACE CargoRel & EntrySumm
01-06-17	17-000004	Deactivation of several CBP Tampa Port Codes for Import Cargo
	17-000005	January 14, 2017 Deployment Details
01-10-17	17-000007	Updated FDA Supplemental Guide Release 2.5, December 28, 2016 and FDA PG Examples V2.5
01-11-17	17-000008	ACE Country Code Query fixes Deployed in CERTIFICATION, Wed. Jan. 11, 2017
	17-000009	Update on January 14, 2017 Deployment
	17-000010	Quota: Tuna Opening Moment Update
	17-000011	ACE PRODUCTION Deployment, Thurs Jan. 12, 2017 0500-0700 ET, impact ACE CargoRel & EntrySum
01-12-17	17-000013	TTB Final Rule Published
	17-000014	ACE PRODUCTION PGA Deployment item Postponed
	17-000015	Suspension of FWS ACE Pilot
01-13-17	17-000016	DDTC Final Rule published
	17-000017	FDA IG 2.5 Changes for Feb 9th Deployment Available in CERT
01-17-17	17-000019	Updated DEA Implementation Guide for ACE V2.5, January 5, 2017
	17-000020	Publication of FRNs Concerning Drawback, Duty Deferral, Reconciliation, PSC & PMS in ACE
	17-000021	Official Notices of Extension, Suspension, and Liquidation on CBP.gov
01-18-17	17-000022	Reporting APHIS Epermit Match Status on SO72 to Trade
	17-000023	Update: Suspension of FWS ACE Pilot

Date	CSMS#	Title
01-20-17	17-000024	January 2017 ACE Monthly Trade Update
	17-000025	
01-24-17	17-000026	Final Statements for 01-23-2017
	17-000027	Daily Final Statements for 01/23/17 Update
	17-000028	FDA ACE Supplemental Guide v. 2.5 IUC Clarification
	17-000029	FDA Webinar 1/31 to review Supplemental Guide 2.5
	17-000030	Publication of a Federal Register Notice Concerning FDA's Ban on Powdered Gloves
	17-000031	
01-25-17	17-000033	Delayed Effective Dates for 2 EPA Rules
	17-000034	Cutover Timeline Update to the Statements Information Notice
	17-000035	ACE PRODUCTION PGA Deploy, Thurs Jan 26, 2017 0500-0700ET, impact ACE CargoRel & EntrySummary
01-26-17	17-000036	Updated ACE CATAIR Documentation Posted on CBP.gov
	17-000037	For ACE Registered Pesticide Submissions
01-27-17	17-000038	ACE PGA Pilot Information
	17-000039	Deactivation of several CBP El Paso Port Codes for Import Cargo
01-30-17	17-000043	ACE PRODUCTION Cargo Rel Deploy, Tues Jan 31, 2017 @0500ET, impact ACE CargoRel & EntrySummary
01-31-17	17-000045	Weekly Trade FAQs (Week of 1/23)
	17-000046	Requirements for Subheading 9801.00.10 – U.S. and Foreign Goods Returned
	17-000047	Publication of the Drawback Simplification Newsletter on CBP.gov

Foreign Trade Zones

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

F.R. Date	Document
01-05-17	Foreign-Trade Zone (FTZ) 68 – El Paso, Texas - Notification of Proposed Production Activity - PGTEX USA, Inc. (Fiber Glass Fabrics) El Paso, Texas [B-88-2016]
	Foreign-Trade Zone (FTZ) 7 – Mayaguez, Puerto Rico - Authorization of Production Activity - MSD International GMBH (Puerto Rico Branch) LLC - Subzone 7G (Pharmaceuticals) Las Piedras, Puerto Rico [B-60-2016]
	Foreign-Trade Zone (FTZ) 87 – Lake Charles, Louisiana - Notification of Proposed Production Activity - Westlake Chemical Corporation - Subzone 87F (Polyethylene and Styrene) Sulphur, Louisiana [B-87-2016]
	Foreign-Trade Zone (FTZ) 46 – Cincinnati, Ohio - Authorization of Production Activity - Givaudan Flavors Corporation (Flavor Products) Cincinnati, Ohio [B-58-2016]
	Foreign-Trade Zone (FTZ) 92 – Harrison County, Mississippi - Authorization of Production Activity - TopShip, LLC (Shipbuilding) Gulfport, Mississippi [B-57-2016]
01-06-17	Foreign-Trade Zone (FTZ) 76 – Danbury, Connecticut - Notification of Proposed Production Activity; MannKind Corporation (Fumaryl Diketopiperazine (FDKP) Carrier/Receptor Powder) Danbury, Connecticut [B-085-2016]
01-09-17	Foreign-Trade Zone (FTZ) 20-Newport News, Virginia; Authorization of Production Activity; Canon Virginia, Inc.; Subzone 20D (Toner Cartridges); Newport News, Virginia [B-62-2016]
	Foreign-Trade Zone (FTZ) 221—Mesa, Arizona; Notification of Proposed Production Activity; Apple Inc. (Data Server Cabinets); Mesa, Arizona [B-1-2017]
	Foreign-Trade Zone (FTZ) 44—Morris County, New Jersey; Notification of Proposed Production Activity; AGFA Corporation (Aluminum Digital Printing Plates); Branchburg, New Jersey [B-02-2017]
01-10-17	Approval of Subzone Status, Jos. A. Bank Manufacturing Company, Hamp-

F.R. Date	Document
	stead and Eldersburg, Maryland [S-134-2016]
01-13-17	Foreign-Trade Zone (FTZ) 79 – Tampa, Florida - Authorization of Production Activity - Givaudan Flavors Corporation (Flavor Products) Lakeland, Florida [B-61-2016]
	Foreign-Trade Zone (FTZ) 122 – Corpus Christi, Texas - Notification of Proposed Production Activity - Superior Weighting Products LLC (Barite / Calcium Carbonate / Bentonite) Corpus Christi, Texas [B-003-2017]
	Foreign-Trade Zone (FTZ) 21 – Dorchester County, South Carolina - Authorization of Limited Production Activity - Volvo Car US Operations, Inc. (Motor Vehicles and Related Parts) Ridgeville, South Carolina [B-64-2016]
	Approval of Expansion of Subzone 100D - Thor Industries, Inc. Jackson Center, Ohio [S-153-2016]
01-17-17	Foreign-Trade Zone (FTZ) 277— Western Maricopa County, Arizona - Notification of Proposed Production Activity; IRIS USA, Inc. (Plastic Household Storage/Organizational Containers), Surprise, Arizona [B-04-2017]
	Foreign-Trade Zone 124—Gramercy, Louisiana, Application for Reorganization, (Expansion of Service Area) Under Alternative Site Framework [B-5-2017]
01-19-17	Foreign-Trade Zone 168; Application Requesting Expansion/Reorganization; Dallas/Fort Worth, Texas Area [Order No. 2025]
	Foreign-Trade Zone (FTZ) 20—Norfolk, Virginia; Notification of Proposed Production Activity; STIHL Incorporated (Outdoor Power Products Manufacturing); Virginia Beach, Virginia [B-06-2017]
	Foreign-Trade Zone (FTZ) 158—Vicksburg/Jackson, Mississippi; Authorization of Limited Production Activity; MTD Consumer Group, Inc. (Lawn and Garden Equipment); Verona, Mississippi [B-65-2016]
	Foreign-Trade Zone (FTZ) 177— Evansville, Indiana; Authorization of Production Activity; Best Chairs, Inc. d/b/a Best Home Furnishings (Upholstered Furniture); Ferdinand, Cannelton and Paoli, Indiana [B-63-2016]
01-25-17	Foreign-Trade Zone (FTZ) 44H-East Hanover, New Jersey; Authorization of Production Activity; Givaudan Flavors Corporation (Flavor Products); East Hanover, New Jersey [B-66-2016]
01-26-17	Foreign-Trade Zone (FTZ) 29 – Shelbyville, Kentucky - Notification of Proposed Production Activity - Amcor Flexibles L.L.C., (Flexible Packaging Production, Warehousing, and Distribution) Shelbyville, Kentucky [B-007-2017]
	Foreign-Trade Zone 157 – Casper, Wyoming - Application for Reorganization under Alternative Site Framework [B-08-2017]

BIS updates legal authority for EAR

On January 23, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170103002-7002-01] that updates the Code of Federal Regulations (C.F.R.) legal authority citations in the Export Administration Regulations (EAR) to cite the most recent Presidential notice continuing an emergency declared pursuant to the International Emergency Economic Powers Act. This is a non-substantive rule that only updates authority paragraphs of the EAR. It does not alter any right, obligation or prohibition that applies to any person under the EAR.

BIS removes several from Entity List

On January 25, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a final rule [Docket No. 170103009-7009-01] that amends the *Export Administration Regulations* (EAR) by removing seven persons under ten entries from the Entity List. This rule removes four persons listed under the destination of Germany, one person listed under the destination of Hong Kong, one person listed under the destination of India, one person listed under the destination of Singapore, one person listed under the destination of Switzerland, and two persons under the

destination of the United Arab Emirates from the Entity List. The three additional entries are being removed to account for two persons listed under more than one destination on the Entity List. All seven of the removals are the result of requests for removal received by BIS pursuant to the section of the EAR used for requesting removal or modification of an Entity List entity and a review of information provided in the removal requests in accordance with the procedure for requesting removal or modification of an Entity List entity.

Census publishes updated Schedule B and HTS

On January 19, 2017, the Census Bureau advised as follows:

Schedule B and Harmonized Tariff Schedule (HTS) Updated in the Automated Export System (AES)

Effective immediately, the Schedule B, Harmonized Tariff Schedule (HTS), and HTS Codes That Are Not Valid for AES tables have been updated to accept the changes to the 2017 codes.

AES will accept shipments with outdated 2016 codes during a grace period for 30 days beyond the expiration date of December 31st, 2016. Reporting an outdated 2016 code after the 30-day grace period will result in a fatal error.

The ACE AESDirect program has been updated with the 2017 codes and will accept shipments with outdated 2016 codes during the grace period as well.

Please note that revised tables will be posted by the end of the month in line with expected HTS corrections from USITC. An additional AES Broadcast message will be sent when the tables are revised.

The 2017 Schedule B and HTS tables are available for [downloading here](#). (Note: Although the header indicates 2016, these are the current 2017 Concordance files. The header will soon be updated to reflect 2017.)

The current list of HTS codes that are not valid for AES are [available here](#).

BIS implements additional phase of India-US export control cooperation

On January 19, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170104015–7015–01] that amends the *Export Administration Regulations* (EAR) to implement the India-US Joint Statement of June 7, 2016 (June Statement), which recognized the United States and India as Major Defense Partners. This rule amends the EAR by establishing a licensing policy of general approval for exports or reexports to or transfers within India of items subject to the EAR and controlled only for National Security or Regional Stability reasons. In addition, BIS amends the end use and end user provisions of the Validated End User (VEU) authorization to state that items obtained under authorization VEU in India may be used for either civil or military end uses other than those that are for use in nuclear, “missile,” or chemical or biological weapons activities.

BIS issues rule on required Hong Kong documentation

On January 19, 2017, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 161230999–7013–01] that requires persons intending to export or reexport to Hong Kong any item subject to the *Export Administration Regulations* (EAR) and controlled on the Commerce Control List (CCL) for national security (NS), missile technology (MT), nuclear nonproliferation (NP column 1), or chemical and biological weapons (CB) reasons to obtain, prior to such export or reexport, a copy of a Hong Kong import license or a written statement from the Hong Kong government that such a license is not required. This rule also requires persons intending to reexport from Hong Kong any item subject to the EAR

and controlled for NS, MT, NP column 1, or CB reasons to obtain a Hong Kong export license or a statement from the Hong Kong government that such a license is not required. The rule is effective April 19, 2017.

OFAC publishes updated Sudanese Sanctions Regulations (SSR)

On January 17, 2017, Office of Foreign Assets Control (OFAC) published in the *Federal Register* a [final rule](#) amending the *Sudanese Sanctions Regulations* (31 C.F.R. Part 538) to authorize all prohibited transactions, including transactions involving property in which the Government of Sudan has an interest. OFAC is issuing this general license in connection with ongoing US-Sudan bilateral engagement and in response to positive developments in the country over the past six months related to bilateral cooperation, the ending of internal hostilities, regional cooperation, and improvements to humanitarian access.

See below for changes in BIS licensing policy with respect to Sudan.

OFAC also published a [Fact Sheet](#) and a number of new and updated [Frequently Asked Questions](#) pertaining to this regulatory amendment.

BIS revises Sudan licensing policy

On January 17, 2017, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160901810–6810–01] that revises the policy of review for applications for licenses to export or reexport to Sudan certain items that are intended to ensure the safety of civil aviation or the safe operation of fixed-wing, commercial passenger aircraft. Such applications will now be reviewed under a general policy of approval rather than a general policy of denial.

The rule also revises the review policy from a general policy of denial to a general policy of approval for applications for licenses to export or reexport to Sudan certain items for use to inspect, design, construct, operate, improve, maintain, repair, overhaul or refurbish railroads in Sudan. This rule does not create any new license requirements or remove any existing license requirements for exports or reexports to Sudan. BIS is making these licensing policy changes in connection with ongoing US-Sudan bilateral engagement, and with the aim of enhancing the safety of Sudan's civil aviation and improving the country's railroads. This action takes into account the United States' goals to improve regional peace and security.

The rule also removes two instances of "contract sanctity dates" pertaining to the export and reexport of certain items to Sudan from the EAR that currently serve no practical purpose.

BIS is taking these actions in coordination with the Department of the Treasury's Office of Foreign Assets Control (OFAC), which is amending the Sudanese Sanctions Regulations [See above].

Syrian officials sanctioned in connection with OPCW-UN findings of regime's use of chemical weapons on civilians

On January 12, 2017, the Treasury Department [announced](#) that its Office of Foreign Assets Control (OFAC) is taking action in response to the Organization for the Prohibition of Chemical Weapons (OPCW) - United Nations (UN) Joint Investigative Mechanism (JIM) findings that the Syrian regime used industrial chlorine as a weapon against its own people. OFAC designated 18 senior regime officials connected to Syria's weapons of mass destruction program and identified five Syrian military

branches as part of the Government of Syria. In reports issued in August and October 2016, the JIM – established by the UN Security Council to investigate incidents of already-confirmed chemical weapon attacks – found that the Syrian government, specifically the Syrian Arab Air Force, was responsible for three chlorine gas attacks in Talmenes on April 21, 2014, and in Qmenas and Sarmin on March 16, 2015. In response to the reports' findings, OFAC is for the first time sanctioning Syrian military officials in connection with the Syrian regime's use of chemical weapons.

As a result of OFAC's action, any property or interest in property of the identified persons in the possession or control of US persons or within the United States must be blocked. Additionally, transactions by US persons involving these persons are generally prohibited.

- Pursuant to Executive Order (E.O.) 13582 targeting the Government of Syria, Treasury is identifying the Syrian Arab Air Force, Syrian Arab Air Defense Forces, Syrian Arab Army, Syrian Arab Navy, and Syrian Arab Republican Guard as blocked agencies or instrumentalities of the Government of Syria.
- E.O. 13572 Designations: OFAC is designating five individuals for being senior officials of Syrian Air Force Intelligence (SAFI), Syrian Military Intelligence (SMI), or the Syrian Political Security Directorate (PSD).
- E.O. 13573 Designations: OFAC is designating five individuals pursuant to E.O. 13573 for being senior officials of the Government of Syria.
- E.O. 13582 Designation: OFAC is designating Major General Rafiq Shihadah, a former head of SMI who remains in military service, for materially assisting, sponsoring, or providing financial, material, or technological support for, or goods or services in support of, the Government of Syria, pursuant to E.O. 13582, which targets the Government of Syria.
- OFAC is also designating several officials of the Scientific Studies and Research Center (SSRC) pursuant to E.O. 13382, which targets proliferators of weapons of mass destruction and their supporters. The SSRC is the Syrian government agency responsible for developing and producing non-conventional weapons and the means to deliver them and was named in the annex to E.O. 13382.
- The US Department of State is also designating the Organization for Technological Industries (OTI) pursuant to E.O. 13382. As part of today's action, OFAC is designating Bayan Bitar, the Managing Director of OTI, for acting or purporting to act for or on behalf of, directly or indirectly, OTI. OTI is a subsidiary of the Syrian Ministry of Defense that assists in the production of chemical weapons.

OFAC publishes guidance on provision of sanction-related services

On January 12, 2017, OFAC issued [Guidance on the Provision of Certain Services Relating to the Requirements of U.S. Sanctions Laws](#) (the "Compliance Services Guidance"). The Compliance Services Guidance does not reflect a change in OFAC's policy with respect to the provision of these types of legal and compliance services but responds to numerous inquiries received by OFAC, many from foreign companies at outreach events, relating to whether US persons, including US attorneys and compliance personnel, may provide certain services described in that guidance. OFAC is also publishing a number of new [Frequently Asked Questions](#) pertaining to the Compliance Services Guidance.

Kingpin Act/Panama related General Licenses and FAQ update

On January 5, 2016, OFAC published two Kingpin Act General Licenses: [General License 3B](#), "Authorizing Certain Transactions and Activities to Wind Down Operations Involving La Estrella and El Siglo Newspapers", and [General License 4E](#), "Authorizing Certain Transactions Involving the Panamanian Mall and Associated Complex, Soho Panama, S.A. (a.k.a. Soho Mall Panama)." These General Licenses au-

thorize certain transactions and activities that would otherwise be prohibited pursuant to the Kingpin Act. OFAC is also amending two [Frequently Asked Questions](#).

State seeks comments re: USML Category XII

On January 13, 2016, the Department of State published in the *Federal Register* a [notice of inquiry](#) [Public Notice: 9852] requesting comments from the public regarding recent revisions to Category XII of the United States Munitions List (USML). In light of the ongoing transition of the USML to a more “positive list” pursuant to the President’s Export Control Reform (ECR) initiative, the Department requests that the public comment on 1) alternatives to controls on certain items when “specially designed for a military end user,” 2) the scope of the control in paragraph (b)(1), and 3) certain technical parameters that the Department is evaluating to replace “specially designed” controls. The Department of State will accept comments on this Notice of Inquiry until March 14, 2017.

State/DDTC requires use of ITDS for USML exports

On January 3, 2016, the Department of State published in the *Federal Register* a [final rule](#) [Public Notice: 9811] that amends the *International Traffic in Arms Regulations* (ITAR) to allow businesses to electronically submit the data required to import or export cargo via US Customs and Border Protection (CBP) International Trade Data System (ITDS) as provided by Executive Order 13659 and the *Security and Accountability for Every Port Act of 2006* (SAFE Port Act).

The rule is being issued to conform Directorate of Defense Trade Controls (DDTC) regulations, which regulate the export and temporary import of defense-related goods and defense services under the *Arms Export Control Act* (AECA) and its implementing regulations (the ITAR), to ITDS. Traders will access the ITDS system via an integrated web portal hosted by CBP. In general, references to the Automated Export System (AES) in the ITAR are removed and, in their place, instructions to electronically file information with CBP are added. Users may visit the [CBP website](#) for more information on the single portal.

This final rule was effective on December 31, 2016.

BIS starts inquiry on increasing controls over infrared detection items

On January 13, 2017, BIS published in the *Federal Register* a [notice of inquiry](#) [Docket No. 170106032-7037-01] requesting comments from the public on the impact of further increasing certain controls implemented by a final rule published on October 12, 2016, entitled “Revisions to the *Export Administration Regulations* (EAR): Control of Fire Control, Laser, Imaging, and Guidance Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML).” Comments must be received by BIS no later than March 14, 2017.

BIS and State amend controls on spacecraft

On January 10, 2017, BIS published in the *Federal Register* a [final rule](#) [Docket No. 150325297-6180-02] that addresses issues raised in, and public comments on, the interim final rule that was published on May 13, 2014, as well as additional clarifications and corrections. The May 13 rule added controls to the *Export Administration Regulations* (EAR) for spacecraft and related items that the President has determined no longer warrant control under United States Munitions List (USML) Category XV—spacecraft and related items.

This is the third final rule BIS has published related to the May 13 rule and completes the regulatory action for the interim final rule. These changes were also in-

formed by comments received in response to the May 13 rule that included a request for comments, as well as interagency discussions on how best to address the comments. The changes made in this final rule are grouped into four types of changes: Changes to address the movement of additional spacecraft and related items from the USML to the Commerce Control List (CCL), as a result of changes in aperture size for spacecraft that warrant ITAR control, in response to public comments and further US Government review; changes to address the movement of the James Webb Space Telescope (JWST) from the USML to the CCL; other corrections and clarifications to the spacecraft interim final rule; and addition of .y items to Export Control Classification Number 9A515.

This final rule is being published in conjunction with the publication of a Department of State, Directorate of Defense Trade Controls (DDTC) [final rule](#) (see below), which makes changes, including corrections and clarifications, to the provisions adopted in the State Department's own May 13, 2014 rule. The State May 13 rule revised USML Category XV (22 CFR 121.1) to control those articles the President has determined warrant control on the USML. Both May 13 rules and the subsequent related rules are part of the President's Export Control Reform Initiative. This rule is also part of Commerce's retrospective regulatory review plan under Executive Order (EO) 13563.

Also on January 10, 2017, the Department of State (State) published a [final rule](#) [Public Notice: 9688] amending the *International Traffic in Arms Regulations* (ITAR). As part of the President's Export Control Reform (ECR) initiative, State published an interim final rule on May 13, 2014 that revised Category XV (Spacecraft and Related Articles) of the US Munitions List (USML). After reviewing comments to the interim final rule, State is amending the ITAR to further revise Category XV of the USML to describe more precisely the articles warranting control in that category.

Both final rules are effective on January 15, 2017.

BIS adds five, removes one from Entity List and makes other revisions

On January 10, 2017, BIS published in the *Federal Register* a [final rule](#) [Docket No. 161221999–6999–01] that amends the *Export Administration Regulations* (EAR) by adding five entities to the Entity List. The five persons who are added to the Entity List have been determined by the US Government to be acting contrary to the national security or foreign policy interests of the United States. These five persons will be listed on the Entity List under the destination of Turkey. This final rule also removes one entity from the Entity List under the destination of India as the result of a request for removal received by BIS and a review of information provided in the removal request in accordance with the procedure for requesting removal or modification of an Entity List entity. Finally, the rule is also revising five existing entries in the Entity List, under the destinations of Armenia, Greece, Pakistan, Russia and the United Kingdom (U.K.). Four of these entries are modified to reflect the removal from the Entity List of the entity located in India.

The license requirement for the entry under the destination of Russia is being revised to conform with a general license issued by the Department of the Treasury's Office of Foreign Assets Control on December 20, 2016.

BIS adds five to Entity List

On January 4, 2017, BIS published in the *Federal Register* a [final rule](#) [Docket No. 161228999–6999–01] that amends the *Export Administration Regulations* (EAR) by adding five entities to the Entity List. These five entities have been determined by

the US Government to be acting contrary to the national security or foreign policy interests of the United States. BIS is taking this action in conjunction with the designations made by the Office of Foreign Asset Controls, Department of the Treasury, under amended Executive Order 13694. This final rule lists these entities on the Entity List under the destination of Russia.

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
01-03-17	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [two individuals] State: In the Matter of the Amendment of the Designation of Lashkar-e-Tayyiba and Other Aliases as a Specially Designated Global Terrorist Entity Pursuant to Executive Order 13224 [Public Notice: 9833] (N)
01-04-17	BIS: Addition of Certain Entities to the Entity List [Docket No. 161228999-6999-01] (FR)
01-05-17	OFAC: Additional Identifying Information Associated With Persons Whose Property and Interests in Property Are Blocked Pursuant to Executive Order 13694 of April 1, 2015, as amended by Executive Order 13757 of December 29, 2016 (N) [four individuals and five entities] OFAC: Sanctions Actions Pursuant to Executive Order 13694 (N) [two individuals]
01-06-17	OFAC: Designation of 3 individuals and 2 entities Pursuant to Executive Order 13581, "Blocking Property of Transnational Criminal Organizations" (N)
01-10-17	BIS: Addition of Certain Persons and Revisions to Entries on the Entity List; and Removal of a Person From the Entity List [Docket No. 161221999-6999-01] (FR) State: In the Matter of the Designation of Hamza bin Laden as a Specially Designated Global Terrorist Pursuant to Section 1(b) of E.O. 13224, as Amended [Public Notice 9843] (N) State: In the Matter of the Designation of Ibrahim al-Banna aka Shaykh Ibrahim Muhammad Salih al- Banna aka Ibrahim Muhammad Salih al-Banna aka Ibrahim Muhammad Salih al- Banna aka Abu Ayman al- Masri as a Specially Designated Global Terrorist Pursuant to Section 1(b) of E.O. 13224, as Amended [Public Notice 9844] (N)
01-11-17	State: E.O. 13224 Designation of Ali Damush, aka Ali Daghmoush, aka Ali Dagmoush, aka Ali Daamoush, aka Ali Dagmush, aka Shiekh Ali Musa Da'amoush as a Specially Designated Global Terrorist [Public Notice 9849] (N)
01-12-17	State: E.O. 13224 Designation of Alexanda Amon Kotey, aka Alexanda Kotey, aka Allexanda Kotey, aka Alexander Kotey, aka Alexe Kotey, aka Alex Kotey, aka Abu Salih, aka Abu- Salih al-Baritani as a Specially Designated Global Terrorist [Public Notice 9851] (N) State: E.O. 13224 Designation of Mustafa Mughniyeh, aka Mustafa Mughniyah as a Specially Designated Global Terrorist [Public Notice 9850] (N)
01-13-17	OFAC: Sanctions Actions Pursuant to the Sergei Magnitsky Rule of Law Accountability Act of 2012 (N) [five individuals] OFAC: Sanctions Actions Pursuant To The Cuban Assets Control Regulations (N) [10 individuals and 14 entities whose names have been removed] State: In the Matter of the Designation of Jamaah Ansharut Daulah also known as Jamaah Anshorut Daulahalso known as Jamaah Ansharut Daulatalso known as JAD as a Specially Designated Global Terrorist pursuant to Section 1(b) of E.O. 13224, as amended [Public Notice 9848]
01-17-17	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [4 individuals]
01-18-17	OFAC: Sanctions Actions Pursuant to Executive Orders (E.O.s) 13722 and

F.R. Date	Applicable orders
	13687 (N) <i>[two entities and seven individuals]</i>
	OFAC: Unblocking of Specially Designated National and Blocked Person Pursuant to Executive Order 13469 (N) <i>[one entity]</i>
01-19-17	State: Additional Designation of Syrian Entity Pursuant to E.O. 13382 [Public Notice 9858]
	OFAC: Sanctions Actions Pursuant to Executive Orders 13382, 13572, 13573, and 13582 (N) <i>[seven, five, five, one person(s) and five entities]</i>
01-24-17	OFAC: Sanctions Actions Pursuant to Executive Orders 13382, 13572, 13573, and 13582 (N) <i>[two, three, seven, 11 persons]</i>
	OFAC: Sanctions Actions Pursuant to Executive Order 13304 <i>[1 person]</i>
01-25-17	OFAC: Sanctions Actions pursuant to E.O. 13304 (N) <i>[update on 1 individual]</i>

Orders denying export privileges

During the past month, the following orders were published:

F.R. Date	Subject
01-06-17	BIS: In the Matter of: Dane Francisco Delgado - Order Denying Export Privileges
	BIS: In the Matter of: Kamran Ashfaq Malik - Order Denying Export Privileges
	BIS: In the Matter of: Robert Luba - Order Denying Export Privileges
01-09-17	BIS: Mahan Airway, Mahan Tower, No. 21, Azadegan St., M.A. Jenah Exp. Way, Tehran, Iran et al. – Order Renewing Order Temporarily Denying Export Privileges
01-17-17	BIS: Order Relating to Settlement between BIS and Berty Tyloo – Denial of Export Privileges

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

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

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

F.R. Date	Subject
	NIST: Visiting Committee on Advanced Technology (N/H) <i>[February 8-9, 2017]</i> Correction published 01-18-17
01-03-17	NIST: Request for Nominations for Members To Serve on National Institute of Standards and Technology Federal Advisory Committees (N)
	State: International Traffic in Arms Regulations: International Trade Data System, Reporting [Public Notice: 9811] (FR) <i>[See article above]</i>
01-10-17	ITA: U.S. Department of Commerce Advisory Council on Trade Enforcement and Compliance - Notice of establishment
	ITA: Revisions to User Fees for Export and Investment Promotion Services/Events [Docket No.: 170103004–7004–01] (N/E)
01-11-17	State: 2017 Civil Monetary Penalties Inflationary Adjustment [Public Notice: 9828] (FR)
01-17-17	BIS: Submission for OMB Review; Comment Request; Voluntary Self-Disclosure of Antiboycott Violations
01-19-17	DHS: Homeland Security Science and Technology Advisory Committee [Docket No. DHS–2016–0096] (H/M) <i>[Feb. 16-17, 2017]</i>
	DHS: Civil Monetary Penalty Adjustments for Inflation [Docket No. DHS–2016–0034] (FR)
01-27-17	ITA: United States Investment Advisory Council: Meeting of the United States Investment Advisory Council (N/H) <i>[Feb. 17, 2017]</i>

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
01-03-17	CPSC: Procedures for Disclosure or Production of Information Under the Freedom of Information Act; Amendments (PR)
01-09-17	CPSC: Hazardous Substances and Articles: Administration and Enforcement Regulations CFR Correction [page 536, in § 1500.42, paragraph (a)(1), remove the second sentence].
01-24-17	FTC: Adjustments to Civil Penalty Amounts (FR)
01-30-17	CPSC: Safety Standard for Sling Carriers [Docket No. CPSC–2014–0018] (FR)

TTB cancels pilot program

On January 9, 2017, the Alcohol and Tobacco Tax and Trade Bureau published in the *Federal Register* a [notice](#) [Docket No. TTB–2015–0012; Notice No. 169] canceling a pilot program in which importers, US Customs and Border Protection (CBP), and TTB tested, as part of the International Trade Data System (ITDS) project, the electronic collection of import-related data required by TTB and the transfer of that data to TTB. TTB has amended its regulations to permanently provide importers with the option to file import-related data electronically along with the filing of the entry or entry summary with CBP, making the pilot program no longer necessary. The cancellation of the pilot program is effective December 31, 2016.

TTB announcements and Federal Register documents

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

Date	Subject
01-04-17	Changes to Certain Alcohol-Related Regulations Governing Bond Requirements and Tax Return Filing Periods [Docket No. TTB–2016–0013; T.D. TTB–146; Re: Notice No. 167] (TR)
	Changes to Certain Alcohol-Related Regulations Governing Bond Requirements and Tax Return Filing Periods [Docket No. TTB–2016–0013; Notice No. 167; Re: T.D. TTB–146] (PR)
01-09-17	Importation of Distilled Spirits, Wine, Beer, Malt Beverages, Tobacco Products, Processed Tobacco, and Cigarette Papers and Tubes; Cancellation of Pilot Program Testing Electronic Collection of Import Data [Docket No. TTB–2015–0012; Notice No. 169] (N)
01-10-17	Civil Monetary Penalty Inflation Adjustment—Alcoholic Beverage Labeling Act [Docket No. TTB–2017–0001; Notice No. 170] (N)
01-23-17	Implementation of Statutory Amendments Requiring the Modification of the Definition of Hard Cider [Docket No. TTB–2016–0014; T.D. TTB–147; Re: Notice No. 168] (Temp. Rule)
	Implementation of Statutory Amendments Requiring the Modification of the Definition of Hard Cider [Docket No. TTB–2016–0014; Notice No. 168; Re: T.D. TTB–147] (PR)

FDA clarifies circumstances when a tobacco product will be regulated

On January 9, 2017, the US Food and Drug Administration (FDA) published in the *Federal Register* a [final rule](#) [Docket No. FDA–2015–N–2002] to describe the circumstances in which a product made or derived from tobacco that is intended for human consumption will be subject to regulation as a drug, device, or a combination

product under the Federal Food, Drug, and Cosmetic Act (the FD&C Act). This action is intended to provide direction to regulated industry and to help avoid consumer confusion.

This rule is effective February 8, 2017.

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
01-04-17	Battery Safety Concerns in Electronic Nicotine Delivery Systems; Public Workshop; Establishment of a Public Docket; Request for Comments [Docket No. FDA-2016-N-4232] (N/H/RFC)
01-05-17	Questions and Answers on Nutrition and Supplement Facts Labels Related to Compliance Date, Added Sugars, and Declaration of Quantitative Amounts of Vitamins and Minerals [Docket No. FDA-2016-D-4414] (N)
	Reference Amounts Customarily Consumed: List of Products for Each Product Category; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-4098] (N)
01-09-17	Clarification of When Products Made or Derived From Tobacco Are Regulated as Drugs, Devices, or Combination Products; Amendments to Regulations Regarding "Intended Uses" [Docket No. FDA-2015-N-2002] (FR)
01-10-17	Annual Reporting by Prescription Drug Wholesale Distributors and Third-Party Logistics Providers: Questions and Answers; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-4646] (N)
	Recommended Warning for Over-the-Counter Acetaminophen-Containing Drug Products and Labeling Statements Regarding Serious Skin Reactions; Guidance for Industry; Availability [Docket No. FDA-2014-D-1862] (N)
	Recommended Statement for Over-the-Counter Aspirin-Containing Drug Products Labeled With Cardiovascular Related Imagery; Draft Guidance for Industry; Availability [Docket No. FDA-2012-D-0529] (N)
01-11-17	Current Good Manufacturing Practice Requirements for Combination Products; Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2015-D-0198] (N)
	International Drug Scheduling; Convention on Psychotropic Substances; Single Convention on Narcotic Drugs; World Health Organization; Scheduling Recommendations; 4- Methylethcathinone and Nine Other Substances; Request for Comments [Docket No. FDA-2016-N-4619] (N/RFC)
	Compliance Policy for Required Warning Statements on Small- Packaged Cigars; Draft Guidance for Industry; Availability [Docket No. FDA-2017-D-0121] (N)
01-17-17	Interpretation of and Compliance Policy for Certain Label Requirement; Applicability of Certain Federal Food, Drug, and Cosmetic Act Requirements to Vape Shops; Draft Guidance for Industry; Availability [Docket No. FDA-2017-D-0120] (N)
	Public Hearing: Strategic Partnerships To Enhance the Safety of Imported Foods: Capacity Building, Risk-Based Decisionmaking, Recognition of Commodity Food Control Programs, and Systems Recognition; Request for Comments [Docket No. FDA-2016-N-4662] (N/H/RFC)
01-18-17	The Prohibition of Distributing Free Samples of Tobacco Products; Draft Guidance for Industry; Availability [Docket No. FDA-2017-D-0113] (N)
01-19-17	Regulation of Mosquito-Related Products; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-4482] (N)
01-23-17	Listing of Color Additives Exempt From Certification; Titanium Dioxide and Listing of Color Additives Subject to Certification; [Phthalocyaninato (2-)] Copper; Confirmation of Effective Date [Docket No. FDA-2016-F-0821] (FR)
	Compliance With and Recommendations for Implementation of the Standards for the Growing, Harvesting, Packing, and Holding of Produce for Human Con-

F.R. Date	Subject
	sumption for Sprout Operations; Draft Guidance for Industry; Availability [Docket No. FDA-2017-D-0175] (N)
	Tobacco Product Standard for N-nitrosornicotine Level in Finished Smokeless Tobacco Products [Docket No. FDA-2016-N-2527] (PR)

AMS proposes origin labeling for venison

On January 13, 2017, the Agricultural Marketing Service (AMS) published in the *Federal Register* a [proposed rule](#) [Doc. No. AMS-LPS-16-0014] that would amend the country of origin labeling (COOL) regulation to add muscle cuts of venison and ground venison to mandatory COOL requirements. AMS is issuing this proposed rule to conform to amendments to the *Agricultural Marketing Act of 1946* (Act) as mandated by the *Agricultural Act of 2014* (2014 Farm Bill), that added muscle cuts of venison and ground venison to the list of covered commodities subject to mandatory COOL.

Comments should be submitted on or before March 14, 2017.

APHIS and other USDA notices issued

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

F.R. Date	Subject
01-13-17	AMS: Addition of Mandatory Country of Origin Labeling Requirements for Venison [Doc. No. AMS-LPS-16-0014] (PR)
	AMS: Beef Promotion and Research; Reapportionment [No. AMS-LPS-16-0071] (PR)
01-17-17	APHIS: Importation of Hass Avocados From Colombia [Docket No. APHIS-2016-0022] (PR/RO)
01-18-17	AMS: National Organic Program (NOP); Sunset 2017 Amendments to the National List [Document Number AMS-NOP-16-0052; NOP-16-03] (PR)
	AMS: Organic Research, Promotion, and Information Order [Document Number AMS-SC-16-0112; PR-A1] (PR)
	AMS: Organic Research, Promotion, and Information Order; Referendum Procedures [Document Number AMS-SC-16-0112; PR-B] (PR)
01-19-17	AMS: National Organic Program (NOP); Organic Livestock and Poultry Practices [Document Number AMS-NOP-15-0012; NOP-15-06FR] (FR)
	APHIS: Addition of Moldova to the List of Regions Affected by African Swine Fever [Docket No. APHIS-2016-0093] (N)
	APHIS: Notice of Decision To Authorize the Importation of Fresh Star Apple Fruit From Vietnam Into the Continental United States [Docket No. APHIS-2016-0032] (N)
	FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Food Additives [Docket No. FSIS-2016-0049] (N/H/RFC)
	FSIS: Revision of the Nutrition Facts Labels for Meat and Poultry Products and Updating Certain Reference Amounts Customarily Consumed [Docket No. FSIS-2014-0024] (PR)
	APHIS: Plant Pest Regulations; Update of Provisions [Docket No. APHIS-2008-0076] (PR/W/PR)
	APHIS: Importation, Interstate Movement, and Environmental Release of Certain Genetically Engineered Organisms [Docket No. APHIS-2015-0057] (PR)
	APHIS: Importation of Beef From a Region in Argentina [Docket No. APHIS-2014-0032] (FR)

F.R. Date	Subject
	APHIS: Agricultural Bioterrorism Protection Act of 2002; Biennial Review and Republication of the Select Agent and Toxin List; Amendments to the Select Agent and Toxin Regulations [Docket No. APHIS-2014-0095] (FR)
01-23-17	AMS: Regulations Issued under Authority of the Export Apple Act and Export Grapes and Plums; Changes to Export Reporting Requirements [Doc. No. AMS-FV-14-0099; FV15-33/35-1 PR] (PR/RO)
	AMS: U.S. Standards for Grades of Catfish and Catfish Products [Docket No. AMS-LPS-16-0114] (N)
01-23-17	APHIS: Addition of Lebanon to the List of Regions Affected by Highly Pathogenic Avian Influenza [Docket No. APHIS-2016-0072] (N)
	APHIS: Addition of the Republic of Korea to the List of Regions Affected by Contagious Equine Metritis [Docket No. APHIS-2016-0048] (N)
	APHIS: Concurrence with OIE Risk Designations for Bovine Spongiform Encephalopathy [Docket No. APHIS-2016-0092] (N)
	APHIS: Evaluation of the Classical Swine Fever, Foot-and-Mouth Disease, Swine Vesicular Disease, and Rinderpest Status of Cyprus [Docket No. APHIS-2016-0044] (N)
01-25-17	APHIS: Importation of Lemons From Northwest Argentina [APHIS 2014-0092] (FR) <i>stayed until 03-27-17</i>

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](#).

- Austria - [FAIRS - Narrative](#)
- Brazil - [Exporter Guide](#)
- Brazil - [FAIRS - Narrative](#)
- Bulgaria - [FAIRS - Certification](#)
- Bulgaria - [FAIRS - Narrative](#)
- Canada - [FAIRS - Certification](#)
- Canada - [FAIRS - Narrative](#)
- Chile - [FAIRS - Certification](#)
- Chile - [FAIRS - Certification](#)
- Chile - [FAIRS - Narrative](#)
- China - [Exporter Guide](#)
- China - [Revised Draft Implementing Rules of the 2015 Food Safety Law](#)
- Colombia - [FAIRS - Certification](#)
- Colombia - [FAIRS - Narrative](#)
- Costa Rica - [Exporter Guide](#)
- Costa Rica - [FAIRS - Narrative](#)
- Czech Rep. - [FAIRS - Certification](#)
- Ecuador - [FAIRS - Certification](#)
- Egypt - [FAIRS - Narrative](#)

- El Salvador - [Exporter Guide](#)
- El Salvador - [FAIRS - Certification](#)
- El Salvador - [FAIRS - Narrative](#)
- Ghana - [FAIRS - Narrative](#)
- Guatemala - [FAIRS - Certification](#)
- Guatemala - [FAIRS - Narrative](#)
- Honduras - [Exporter Guide](#)
- Honduras - [FAIRS - Narrative](#)
- Hong Kong - [Exporter Guide](#)
- Hong Kong - [FAIRS - Certification](#)
- Hong Kong - [FAIRS - Narrative](#)
- Hungary - [FAIRS - Narrative](#)
- India - [Draft Notification on Food Fortification Published in Indian Gazette](#)
- India - [Exporter Guide](#)
- India - [FAIRS - Certification](#)
- India - [FAIRS - Narrative](#)
- India - [FSSAI - Draft Notification on Standards for Milk and Dairy Products](#)
- India - [FSSAI Adopts Vertical Standards for Food Additives](#)
- India - [GOI Notifies SOP for Traceability of Imported Bovine Germplasm](#)
- India - [Import Policy Update for Animal Products](#)
- Indonesia - [Exporter Guide](#)
- Indonesia - [FAIRS - Certification](#)
- Indonesia - [FAIRS - Narrative](#)
- Israel - [Exporter Guide](#)
- Italy - [FAIRS - Narrative](#)
- Italy - [FAIRS - Narrative](#)
- Italy - [FAIRS - Certification](#)
- Japan - [FAIRS - Certification](#)
- Japan - [FAIRS - Narrative](#)
- Jordan - [Exporter Guide](#)
- Kenya - [FAIRS - Certification](#)
- Kenya - [FAIRS - Narrative](#)
- Korea, Rep. - [FAIRS - Certification](#)
- Korea, Rep. - [FAIRS - Narrative](#)
- Lithuania - [FAIRS Certification](#)
- Lithuania - [FAIRS - Narrative](#)
- Mexico - [Exporter Guide](#)
- Mexico - [FAIRS - Narrative](#)
- Mexico - [Mexico Announces Maximum Sugar Export Quota to the United States](#)
- Morocco - [FAIRS - Certification](#)

- Morocco - [FAIRS - Narrative](#)
- Netherlands - [FAIRS - Certification](#)
- New Zealand - [FAIRS - Narrative](#)
- Nicaragua - [FAIRS - Certification](#)
- Nicaragua - [FAIRS - Narrative](#)
- Nigeria - [FAIRS - Narrative](#)
- Pakistan - [FAIRS - Certification](#)
- Pakistan - [FAIRS - Narrative](#)
- Peru - [Exporter Guide](#)
- Peru - [Exporter Guide](#)
- Peru - [FAIRS - Certification](#)
- Peru - [FAIRS - Narrative](#)
- Philippines - [FAIRS - Certification](#)
- Philippines - [FAIRS - Narrative](#)
- Poland - [FAIRS - Narrative](#)
- Romania - [FAIRS - Certification](#)
- Romania - [FAIRS - Narrative](#)
- Serbia - [FAIRS - Certification](#)
- Serbia - [FAIRS - Narrative](#)
- Singapore - [FAIRS - Certification](#)
- South Africa - [FAIRS - Certification](#)
- South Africa - [FAIRS - Narrative](#)
- Spain – [FAIRS - Narrative](#)
- Thailand - [Exporter Guide](#)
- Thailand - [FAIRS - Certification](#)
- Thailand - [FAIRS - Narrative](#)
- Thailand - [Revised Food Additive Maximum Level Published](#)
- Tunisia - [FAIRS - Narrative](#)
- Turkey - [Delays Implementation of New Labeling System](#)
- Turkey - [Exporter Guide](#)
- Turkey - [FAIRS Certificate Report](#)
- UK - [FAIRS - Narrative](#)
- Venezuela - [Exporter Guide](#)
- Venezuela – [FAIRS - Certification](#)
- Venezuela – [FAIRS – Narrative](#)
- Vietnam - [FAIRS - Narrative](#)

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
01-03-17	Environmental Protection Agency (EPA): Pesticide Product Registrations; Receipt of Applications for New Active Ingredients [EPA-HQ-OPP-2015-0021; FRL-9956-39] (N)
	EPA: Pesticide Product Registrations; Receipt of Applications for New Uses [EPA-HQ-OPP-2015-0022; FRL-9956-33] (N)
	EPA: Significant New Use Rule on Certain Chemical Substances; Reopening of Comment Period [EPA-HQ-OPPT-2015-0810; FRL-9955-71] (PR/RO)
01-04-17	Energy: Energy Conservation Program: Test Procedures for Compressors [Docket No. EERE-2014-BT-TP-0054] (FR)
	National Highway Traffic Safety Administration (NHTSA): Extension of Comment Period on Whether Nonconforming Model Year 2013 and 2014 Ferrari F12 Berlinetta Passenger Cars are Eligible for Importation [Docket No. NHTSA-2015-00104; Notice 2] (RFC/E)
	NHTSA: Reports, Forms, and Record Keeping Requirements [Docket No. NHTSA-2016-0132] (N/RFC)
	NHTSA: Reports, Forms, and Record Keeping Requirements [Docket No. NHTSA-2016-0134] (N/RFC)
01-05-17	Energy: Energy Conservation Program: Test Procedures for Central Air Conditioners and Heat Pumps [Docket No. EERE-2016-BT-TP-0029] (FR)
	EPA: Propiconazole; Extension of Tolerance for Emergency Exemptions [EPA-HQ-OPP-2016-0682; FRL-9956-54] (FR)
01-06-17	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Central Air Conditioners and Heat Pumps [Docket Number EERE-2014-BT-STD-0048] (FR)
	Energy: Energy Conservation Program: Energy Conservation Standards for Consumer Central Air Conditioners and Heat Pumps [Docket Number EERE-2014-BT-STD-0048] (PR)
01-09-17	Drug Enforcement Adm. (DEA): Schedules of Controlled Substances: Temporary Placement of Six Synthetic Cannabinoids (5F-ADB, 5F-AMB, 5FAPINACA, ADB-FUBINACA, MDMBCHMICA and MDMB-FUBINACA) Into Schedule I [Docket No. DEA-446] (N)
	DEA: Schedules of Controlled Substances: Temporary Placement of Six Synthetic Cannabinoids (5F-ADB-, 5F-AMB, 5F-APINACA, ADB-FUBINACA, NDMB-CHMICA and MDMB-FUBINACA) Into Schedule I Correction [Docket No. DEA-446] (PR/C)
01-10-17	EPA: Tetraconazole; Pesticide Tolerances [EPA-HQ-OPP-2015-0695; FRL-9955-74] (FR)
	EPA: Butanedioic Acid, 2-Methylene-, Telomer With Sodium Phosphinate (1:1), Acidified, Potassium Salts; Tolerance Exemption [EPA-HQ-OPP-2016-0487; FRL-9954-53] (FR)
	Treasury: Departmental Offices; Interest Rate Paid on Cash Deposited To Secure U.S. Immigration and Customs Enforcement Immigration Bonds (N)
01-12-17	NHTSA: Federal Motor Vehicle Safety Standards; V2V Communications [Docket No. NHTSA-2016-0126] (PR)
	EPA: Chemical Substances When Manufactured or Processed as Nanoscale Materials; TSCA Reporting and Recordkeeping Requirements [EPA-HQ-OPPT-2010-0572; FRL-9957-81] (FR)
	EPA: Civil Monetary Penalty Inflation Adjustment Rule [FRL-9958-06-OECA] (FR)
01-13-17	EPA: TSCA Inventory Notification (Active-Inactive) Requirements [EPA-HQ-OPPT-2016-0426; FRL-9956-28] (PR)
	EPA: Agency Information Collection Activities; Proposed Collection; Comment Request; Information Collection for Importation of On-highway Vehicles and Motorcycles and Nonroad Engines, Vehicles, and Equipment [EPA-HQ-OAR-2016-0094-1138; FRL-9958-27-OEI] (N)
01-17-17	EPA: Procedures for Prioritization of Chemicals for Risk Evaluation Under the Toxic Substances Control Act [EPA-HQ-OPPT-2016-0636; FRL-9957-74] (PR)
01-18-17	Securities and Exchange Commission (SEC): Adjustments to Civil Monetary Penalty Amounts [Release Nos. 33-10276; 34-79749; IA-4599; IC-32414] (FR)

F.R. Date	Subject
	Energy: Energy Conservation Program: Energy Conservation Standards for Dedicated-Purpose Pool Pumps [Docket Number EERE-2015-BT-STD-0008] (FR)
	Energy: Energy Conservation Program: Energy Conservation Standards for Dedicated-Purpose Pool Pumps [Docket Number EERE-2015-BT-STD-0008] (PR)
	EPA: Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0829; FRL-9956-85] (FR)
01-19-17	National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): Endangered and Threatened Wildlife and Plants; Final Rule To List Two Guitarfishes as Threatened Under the Endangered Species Act [Docket No. 150211138-7024-02] (FR)
	Department of Defense (DoD): Civil Monetary Penalty Inflation Adjustment [Docket ID: DOD-2016-OS-0045] (FR)
	Energy: Energy Conservation Program: Energy Conservation Standards for Ceiling Fans [Docket Number EERE-2012-BT-STD-0045] (FR)
	Energy: Energy Conservation Program: Energy Conservation Standards for General Service Lamps [Docket Number EERE-2013-BT-STD-0051] (FR)
	EPA: Statutory Requirements for Substantiation of Confidential Business Information (CBI) Claims Under the Toxic Substances Control Act (TSCA) [EPA-HQ-OPPT-2017-0026; FRL-9958-34] (N)
	EPA: Risk Evaluation Scoping Efforts Under TSCA for Ten Chemical Substances; Notice of Public Meeting [EPA-HQ-OPPT-2017-0002; FRL-9958-33] (N/H)
	EPA: Inquiry To Learn Whether Businesses Assert Business Confidentiality Claims Regarding Waste Import and Export EPA-HQ-OECA-2016-0745; FRL-9958-54-OECA] (N/RFC)
	EPA: Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act [EPA-HQ-OPPT-2016-0654; FRL-9957-75] (PR)
	EPA: Trichloroethylene (TCE); Regulation of Use in Vapor Degreasing Under TSCA Section 6(a) [EPA-HQ-OPPT-2016-0387; FRL-9950-08]
	EPA: Methylene Chloride and NMethylpyrrolidone; Regulation of Certain Uses Under TSCA Section 6(a) [EPA-HQ-OPPT-2016-0231; FRL-9958-57] (PR)
	EPA: Significant New Use Rules on Certain Chemical Substances; Withdrawal [EPA-HQ-OPPT-2016-0207; FRL-9958-20] (FR/W)
	Energy: Civil Monetary Penalty Inflation Adjustments [Docket No. RM17-9-000; Order No. 834] (FR)
01-24-17	Federal Communications Commission (FCC): Annual Adjustment of Civil Monetary Penalties To Reflect Inflation [DA 16-1453] (FR)
	Nuclear Regulatory Commission: Adjustment of Civil Penalties for Inflation for FY 2017 [NRC-2016-0165] (FR)
01-25-17	NHTSA: Federal Motor Vehicle Safety Standards; Automatic Emergency Braking [Docket No. NHTSA-2017-0005] Denial of Petition
01-26-17	EPA: Delay of Effective Date for 30 Final Regulations Published by the Environmental Protection Agency between October 28, 2016 and January 17, 2017 [FRL-9958-87-OP] (FR)
01-27-17	DEA: Schedules of Controlled Substances: Placement of AB-CHMINACA, AB-PINACA and THJ-2201 Into Schedule I [Docket No. DEA-402] (PR)
	DEA: Schedules of Controlled Substances: Placement of AB-CHMINACA, AB-PINACA and THJ-2201 Into Schedule I [Docket No. DEA-402] (TR)
01-30-17	DEA: Revision of Import and Export Requirements for Controlled Substances, Listed Chemicals, and Tableting and Encapsulating Machines, Including Changes To Implement the International Trade Data System (ITDS); Revision of Reporting Requirements for Domestic Transactions in Listed Chemicals and Tableting and Encapsulating Machines; and Technical Amendments [Docket No. DEA-403] (FR – Delay)
	NHTSA: Civil Penalties [Docket No. NHTSA-2016-0136] (FR/delay of eff.date)
01-31-17	Energy: Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers [Docket No. EERE-2016-BT-TP-0030] (FR/delay of eff.date)

F.R. Date	Subject
	Energy: Energy Conservation Program: Energy Conservation Standards for Ceiling Fans [Docket No. EERE-2012-BT-STD- 0045] (FR/delay of eff.date)

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Decree to speed up disposition of goods by Customs Directorate

On 23 January 2017, the *Boletín Oficial* (Official Gazette) published [Decree 51/2017 \(20 January 2017\)](#) (by the President with the agreement of the Ministers) to remove the congestion of goods being stored by the Customs Service. The Decree requires the Customs service to turn over nearly 3,000 shipments that have not been properly entered, are violative of IPR laws, or are restricted in some manner, etc. to the Ministry of Social Development for disposal, social use or government use, after verification, tariff classification and ex officio valuation. The Ministry of Defense will be in charge of designating the premises necessary to carry out the logistics and storage of the goods. The marketing of such goods by any of the interveners or addressees in the process is strictly prohibited. The Chief of the Cabinet of Ministers shall establish the terms for disposing of the goods and the withdrawal of the merchandise for use by the national, provincial, municipal or Autonomous City of Buenos Aires or designated non-governmental organizations. The Decree also establishes an “ad hoc” commission, consisting of the General Directorate of Customs, the National Service of Health and Food Quality (SENASA), the National Administration of Medicines, Food and Medical Technology (ANMAT), the National Food Institute (INAL) and the National Institute of Industrial Technology (INTI), which will comply with the previous interventions that are necessary for the early customs clearance of the merchandise with the corresponding certifications. The Decree provides for notice, sampling and removal of violative IP markings.

Boletín Oficial publications

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

BO Date	Subject
02-01-17	Decree № 1344/2016 (30-12-16) Export Quotas for Paraná River fishery
	Decree № 1341/2016 (30-12-16) Modification of Export Reimbursement levels applicable to different tariff positions - Mercosur Common Nomenclature
	Federal Adm. of Public Revenue (AFIP): General Res. № 3975 (29-12-17) Values criterion of preventive character for imports. General Resolution No. 2,730 and its amendment. Supplementary rule
	AFIP: General Res. № 3977 (29-12-16) Values criterion of preventive character for imports. General Resolution No. 2,730 and its amendment. Supplementary rule.
	AFIP: General Res. № 3978 (29-12-16) Values criterion of preventive character for imports. General Resolution No. 2,730 and its amendment. Supplementary rule.

BO Date	Subject
	AFIP: General Res. № 3979 (29-12-16) Values criterion of preventive character for imports. General Resolution No. 2,730 and its amendment. Supplementary rule.
	AFIP: General Res. № 3980 (29-12-16) Values criterion of preventive character for imports. General Resolution No. 2,730 and its amendment. Supplementary rule.
11-01-17	AFIP: General Res. № 3983-E (10-01-17) Economic Complementarity Agreement No. 18 - Eighty-third Additional Protocol. Certificate of Digital Origin (COD). Pilot Plan between the Argentine Republic and the Federative Republic of Brazil. General Resolution No. 3,942. Extended.
16-01-17	Nat. Adm. of Medicines, Food and Medical Technology (ANMATM): Disp. № 326/2017 (12-01-17) Prohibition on the use and commercialization of certain cosmetic products
	ANMATM: Disp. № 327/2017 (01-01-17) Prohibition on commercialization of a gourmet and cosmetic product
	ANMATM: Disp. № 328/2017 (01-01-17) Prohibition on the use and commercialization of medical products
	ANMATM: Disp. № 329/2017 (12-01-17) Prohibition on the use and commercialization of certain household products
19-01-17	ANMATM: Disp. № 565/2017 (17-01-17) – Prohibition on the use and commercialization of certain products for domestic use
20-01-17	Trade: Foreign Trade – Resolution № 47- E/2017 Amending Resolution № 269/2001 [modification of time to place foreign currencies into local financial system]
23-01-17	General Directorate of Customs (DGA): Decree 51/2017 (20-01-17) Customs Service [disposal of stored goods]
26-01-17	Decree 68/2017 (25-01-17) Creating a National Border Commission (Comisión Nacional de Fronteras)

Brazil

Mercosur (Mercosul) adopts CET to HS2017

On 7 December 2016, CAMEX, the Brazilian Chamber of Foreign Trade, [announced](#) that Mercosur Resolution GMC № 26/2016 has adopted the Common external Tariff (CET) to the sixth amendment of the Harmonized System (HS2017). The Portuguese preliminary version of the revised CET may be [found here](#) (for information purposes) without the Exceptions List for IT and Telecommunications Goods. A CAMEX Resolution will shortly adopt the CET to national law so that it should come into effect on 1 January 2017.

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
22-12-16	SECEX Ordinance № 54 (21-12-16) Approves the 6th Edition of the Drawback Exemption System Manual
26-12-16	SECEX Circular № 75 (23-12-16) Institutes a public consultation for the purpose of issuing the Ordinance of the Foreign Trade Secretariat to amend Portaria SECEX No. 23 of July 14, 2011
16-01-17	SECEX Circular № 2 (13-01-17) Opens public consultation to suggest changes to the proposed Decree that will provide for procedures related to fragmented industries in commercial defense investigations.

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
11-01-17	Hacienda: Resolution exempt № 7,897, of 2016.- Modifies Compendium of Customs Norms
12-01-17	Health: Law No. 20,985.- Establishes norms on certification of medical specialties obtained abroad
14-01-17	Hacienda: Resolution № 4, of 2017.- Classifies General Warehouses of Deposit, according to evaluation indicating...
18-01-17	Hacienda: Exempt Resolution № 8,177, of 2016.- Modifies Compendium of Customs Norms
	Hacienda: Resolution № 8,164, of 2016.- Modifies Compendium of Customs Norms
	Hacienda: Exempt Resolution № 8,161, of 2016.- Modifies Compendium of Customs Norms
	Hacienda: Circular № 7, of 2017.- Provides instructions for filling declarations by validity of new National Customs Tariff
24-01-17	Hacienda: Exempt Resolution № 121, of 2017.- Establishes the obligation to present openings of shipment that indicates in the Customs of Arica
	Hacienda: Exempt Resolution № 8, of 2017.- Authorizes non-profit institutions as recipients of food whose commercialization is not feasible
27-01-17	Hacienda: Exempt Decree № 550, of 2016.- International fair Expo Hospital 2017
	Hacienda: Decree exempt № 11, of 2017.- Applies reductions of customs duties for the import of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and substandard

Classification opinions, advance rulings and classification valuation and origin decisions

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

Colombia

TPTA information

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

Tariff Classification Resolutions

Tariff Classification Resolutions issued in 2016 may be [found here](#). Prior years may be [found here](#).

MinCIT, MinHacienda and DIAN Documents

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

Date	Subject
14-12-16	MinCIT: Circular 032 Partial modification to Circular 019 of July 31, 2016
20-12-16	MinCIT: Circular 033 Presentation of Demonstration Studies of Raw Materials of Special Import-Export Systems
26-12-16	Decree 2147 (23-12-16) - By which the regime of free zones is modified and other provisions are dictated
	Decree 2133 - Establishing control measures for the importation and commercialization of mercury and the products containing it, within the framework established in Article 5 of Law 1658 of 2013
	Decree 2142 (23-12-16) Which modifies and adds to Decree 2025 of 2015 and modifies article 121 of Decree 2685 of 1999 [Importation of mobile telephones]
28-12-16	Circular 034 Distribution and administration of the sugar and sugar products export quota under the Colombia - United States Trade Promotion Agreement
	Circular 035 Suspension of terms in administrative proceedings and procedures related to special import and export systems and international marketing companies
29-12-16	Circular 036 Description of motor vehicles, trailers and semi-trailers in applications for import registrations and licenses - implementation of resolution 3752 of October 6, 2015
30-12-16	Circular 037 Requirements, Permits and authorizations required by entities linked to the Foreign Trade Single Window - VUCE, for the submission of import registration and license applications Annex No. 01 –Subheadings that cover products to which the Executive Council of Foreign trade has included in the LP (Prior License) scheme Annex No. 02 Controlled Chemical Substances - Ministry of Justice and Law Annex No. 03 Imports by National Fund of Narcotics Annex No. 04 Military Industry Annex No. 05 Ozone Depleting Substances Annex No. 06 Air Conditioning Refrigerators and Equipment Annex No. 07 Certificate of Emissions by Dynamic Test - National Authority of Environmental Licenses Annex No. 08 Waste or Hazardous Waste - National Authority of Environmental Licenses Revised Annex No. 09 Exotic or Invasive Species - National Environmental Licensing Annex No. 10 Imports of Pneumatic Subject to SRS Annex No. 11 National Authority of Aquaculture And Fisheries Annex No. 12 Agricultural Products Subject to ICA Annex No. 13 INVIMA Annex No. 14 Canada Contingent Annex No. 15 EFTA Contingent Annex No. 16 Ministry of Mines and Energy Annex No. 17 Min. of Health and Social Protection Annex No. 18 Ministry of Transportation Annex No. 19 Radioactive Materials Annex No. 20 Technical Regulations under Industry and Commerce Annex No. 21 RETIQ Annex No. 22 Private Security and Surveillance
30-12-16	Circular 38 (29-12-16) Circular update 024 of 2016 - Decree 2153 of 2016, by which the customs tariff and provisions are adopted Annex No. 04 Fish - Ornamental and Consumption Annex No. 05 No CITES Annex No. 07 Min of Agri. Regulation Exportation to Mexico Annex No. 08 CITES

Date	Subject
	Annex No. 11 Chemicals
04-01-17	DIAN: ircular external 00
	MinCIT: Circular 001 Values IT services BACEX - VUCE - VALIDITY 2017
13-01-17	DIAN: Circular 000003 2017 Reference Prices of Agricultural Products
	DIAN: Circular 2707 2017 Ad valorem levies applicable to reference agricultural products, their substitutes, agroindustrial products or by-products
20-01-17	MinCIT: Circular 003 "Optimization of the process of presentation and update of exporting companies to the anti-drug police through the Single Window of Foreign Trade - VUCE
26-01-17	MinCIT: Resolution 0108 Establishes the list of tariff subheadings of capital goods and spare parts to be imported in development of the operations of articles 17 literal c) and 174 of Decree Law 444 of 1967, and repealing Resolution 1148 of 2002
	MinCIT: Resolution 0130 Establishing the requirements and procedure for the National Registry of Authorized Importers and Traders - RUNIC

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
03-01-17	SUNAT: Resolution No. 50-2016-SUNAT / 5F0000 Specific Procedure modify the Non Intrusive Inspection Physical Inspection and physical examination of goods in the Customs Complex Maritime Administration of Customs of Callao INTA - PE.00.13 (version 1)
04-01-17	SUNAT: Resolution No. 007-2016-SUNAT / 500000 It provides for the application of the discretion to not determine or punish offenses provided for in the General Customs Law
05-01-17	SUNAT: Resolution No. 49-2016-SUNAT / 5F0000 Immobilization approve specific procedure - Seizure and Determination of Goods Legal INPCFA - PE.00.01 (version 7) and change the Preparation Instructions Filling and Registration Act of Immobilization - Confiscation INPCFA - IT.00.01 (version 2)
06-01-17	Agriculture and Irrigation: Directorial Resolution Nº 001 Suspend imports of live birds fertile eggs eggs SPF poultry meat and other products capable of transmitting or serving as avian flu vehicle from Chile
07-01-17	Economy and Finance: Vice Ministerial Resolution Nº 001 Reference prices and additional variable duties referred to in DS Nº 115
	Agriculture and Irrigation: Directorial Resolution Nº 0049 They establish phytosanitary requirements of necessary fulfillment in the import of tomato fresh fruit of origin and provenance Korea
	Legislative Decree: Legislative Decree Nº 1345 Legislative Decree that complements and optimizes the normative framework for cosmetic products domestic hygiene products and specialized chemicals
08-01-17	SUNAT: Resolution No. 01-2017-SUNAT / 5F0000 Application specific procedure approved Preferences under the Free Trade Agreement between the Republic of Peru and the Republic of Honduras INTA - PE 01.35 (version 1)
12-01-17	External Relations: Ministerial Resolution No. 0005 / RE-2017 Publication of a summary of substantive paragraphs of the parties to the United Nations Security

Date	Subject
	Council Resolution 2316 (2016) regarding the situation in Somalia External Relations: Ministerial Resolution No. 0006 / RE-2017 publication of a summary of substantive paragraphs of the parties, considering and resolving Resolution 2317 (2016) of the United Nations Security Council on the situation in Somalia
13-01-17	Economy and Finance: Supreme Decree № 003-2017-EF Modify the Regulation of the Special Customs Regime of Postal Shipments or Packages transported by the Postal Service approved by Supreme Decree No. 244-2013-EF
	External Relations: Ministerial Resolution No. 0007 / RE-2017 Publishing a summary of substantive paragraphs of the parties, considering and resolving United Nations Security Council Res. 2313 (2016) on the situation in Haiti
	External Relations: Ministerial Resolution No. 0008 / RE-2017T Publishing a summary of substantive paragraphs of the parties to the United Nations Security Council Res. 2325 (2016) regarding the non-proliferation of weapons of mass destruction
14-01-17	External Relations: Ministerial Resolution No. 0009 / RE-2017 Publication of a summary of the substantive paragraphs of the parties, considering and resolving UN Security Council Resolution 2321 (2016) on Non-Proliferation of Weapons / Democratic People's Republic of Korea
	External Relations: Ministerial Resolution No. 0010 / RE-2017 Publication of a summary of the substantive paragraphs of the parties, considering and resolving Resolution 2315 (2016) of the United Nations Security Council on the situation in Bosnia and Herzegovina
17-01-17	Agriculture and Irrigation: Directoral Resolution № 0002-2017-MINAGRI-SENASA-DSA Establishes specific sanitary requirements of mandatory compliance for the importation of animals from Brazil Chile and Argentina
	Agriculture and Irrigation: Directoral Resolution № 0002 Establishes phytosanitary requirements of necessary fulfillment in the import of cherry seeds of origin and origin France
26-01-17	Agriculture and irrigation: Directoral Resolution № 0003 Modifies RD No. 0023-2015-MINAGRI-SENASA-DSV on the import of rice grain in shell
	Agriculture and Irrigation: Directoral Resolution № 0004 Establishes phytosanitary requirements of necessary fulfillment in the import of seeds of carrot of origin and origin Italy

Venezuela

New Tariff Schedule

On 30 December 2016, Decree No. 2,647 was published in the *Official Gazette of the Bolivarian Republic of Venezuela* (Extraordinary) № 6,281, promulgating the New Customs Tariff, which will come into effect on 30 January 2017. The tariff incorporates the Recommended Amendment VI to the Harmonized System. As carried by the Mercosur Common Nomenclature (NCM). As of 30 January 2017, the tariff identification of goods and the consequent determination of the legal and tariff regime, which are subject to import, export and transit regimes will be carried out in accordance with the new tariff.

In view of the foregoing, the Customs Service has made available for consultation on its [website](#) the following information :

- [Customs Tariff](#) incorporating the Recommended Amendment VI of the Harmonized System based on the Common Nomenclature of Mercosur (NCM), Decree No. 2,647 dated 30 December 2016, published in *Official Gazette* No. 6,281 Extraordinary dated 30 December 2016.
- [Correlation of tariff codes](#) contained in Decree No. 236 dated 15 July 2013, published in *Official Gazette* № 6,105 Extraordinary of 15 July 2013, regarding the tariff codes contained in Decree No. 2,647 dated December 30, 2016, published in *Official Gazette* № 6,281 (Extraordinary) dated 30 December 2016, new Customs Tariff.

Official Gazette

Date	Subject
30-12-16	Presidency: Decree No. 2,647, which establishes the ordering of goods in this tariff and adopts the Common Tariff Nomenclature of the States Parties of MERCOSUR (NCM), based on the Harmonized Commodity Description and Coding System (HS) of the Customs Cooperation Council (CEC) - World Customs Organization (WCO) .- (See No. 6.281 Extraordinary of the Official Gazette of the Bolivarian Republic of Venezuela, of this same date).
11-01-17	SENIAT: Provisions through which the incorporation into the National Legal Order of the MERCOSUR Resolutions mentioned therein is approved.

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

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
27-01-17	DIBP № 2017/02	Indexation of customs duty rates on excise-equivalent goods on 1 February 2017
30-01-17	DIBP № 2017/03	Customs Tariff Working Page Subscription Service

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	Date	Matter
10-01-17	TC 17-01	16-01-17	TC 17-05
11-01-17	TC 17-02	18-01-17	TC 17-06
12-01-17	TC 17-03	25-01-17	TC 17-07
13-01-17	TC 17-04		

Antidumping and countervailing duty cases

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

China (including Hong Kong SAR)

PRC prohibits dual use exports to N. Korea

On January 25, 2016, the Ministries of Commerce, Industry and Information Technology, National Defense Science and Industry Bureau, State Atomic Energy Agency and the General Administration of Customs issued [Announcement No. 9 of 2017](#) which prohibits the export to the Democratic People's Republic of Korea (North Korea) dual-use measures related to weapons of mass destruction and their means of delivery in order to implement relevant UN Security Council resolutions. The action

is being taken in accordance with Articles 16 and 18 of the *Foreign Trade Law of the PRC*.

MOFCOM and GAC notices

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

Date	Series and №	Subject
07-12-16	Consultation draft	Notice of the Ministry of Commerce of the National Development and Reform Commission on Public Consultation on the Revision of the Catalog of Industries for the Guidance of Foreign Investment
30-12-16	Consultation	China-Korea FTA
16-01-17	Consultation	28 th China-New Zealand Committee for Economy and Trade
10-12-16	MOFCOM/GAC № 75	Suspension of Imported Coal from the DPRK before December 31, 2016
	MOFCOM/GAC № 84	2016 Catalog of Goods Subject to Automatic Import Licensing Administration
15-12-16	MOFCOM/MIIT/GAC № 76	Announcement of the List of Enterprises Subject to 2017 Motor Vehicle, Motorcycle and Non-road Two-wheeled Motorcycles and All-terrain Vehicle Export License Conditions
23-12-16	MOFCOM № 77	2016 List of enterprises that meet the conditions for export license of ferroalloys
30-12-16	MOFCOM/GAC/AQSIC № 85	2016 2016 Catalog of Export License Management
	MOFCOM/GAC/AQSIC № 89	2016 on Adjusting the Inspection and Release of Foreign Aid Materials
31-12-16	MOFCOM/GAC № 86	2016 2016 Catalog of Export License Management
	MOFCOM/GAC № 87	2016 2016 Catalog of Import and Export Licenses for Dual-Use Items and Technologies
	MOFCOM № 90	Catalog of Import and Export Licenses
	MOFCOM № 91	Catalog of Grading and Licensing of Goods for Export Licensing Administration in 2017
13-01-17	MOFCOM Ann. № 2	Adopting 34 trade industry standards
25-01-17	Joint Ann. № 9, 2017	MOFCOM, Industry and Information Tech., National Defense Science and Industry Bureau, State Atomic Energy Agency, GAC prohibition on export of dual use articles to DPRK.

Antidumping and Countervailing Duty Cases

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

India

DGFT posts 2017 Import Policy

The Director General of Foreign Trade has posted the [Indian Trade Classification \(Harmonized System\) \[ITC\(HS\)\] 2017- Schedule I Import Policy](#). The schedule is arranged in four columns as follows:

- Column 1 provides the ITC HS Code, also called as EXIM Code. The six digit code and product description corresponds exactly with the six digit WCO Harmonised System..

- Column 2 contains the ITC (HS) description against the respective codes. Some adaptations have been made in the descriptions to comply with existing import policy.
- Column 3 gives the Import Policy regime applicable on the item: Prohibited, Restricted, STE (only specified State Trading Enterprises may import under conditions set forth in the Foreign Trade Policy Handbook) and Free (no permission or license required).
- Column 4 sets forth the precise restrictions, whenever possible.

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 were issued during the period covered by this Update:

Date	Series and No	Subject
CBEC		
06-01-17	02/2017-Cus (NT)	Further amends notification 63/94 dated 21.11.1994
12-01-17	03/2017-Cus (NT)	Regarding in amendment in Notification no. 131/2016- Customs (N.T.) dated 31.10.2016 relating to AIR of duty drawback
13-01-17	04/2017-Cus (NT)	Tariff value Notification in respect of Fixation of tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
20-01-17	01/2017-Cus (T)	Further amends Notification no.153/93- Customs, dated 13.08.1993
24-01-17	07/2017-Cus (NT)	Seeks to notify the India-Japan Comprehensive Economic Partnership Agreement (Bilateral Safeguard Measures) Rules, 2017
27-01-17	02/2017-Cus (T)	Further amends Notification No. 96/2008-Customs dated 13.08.2008 so as to prescribe a Margin of Preference of 60% for all goods falling under sub-heading [0802 80] under the Duty Free Tariff Preference (DFTP) scheme
31-01-17	08/2017-Cus (NT)	Tariff value Notification in respect of Fixation of tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
DGFT		
03-01-17	33/2015-2020	Amendment in import policy of items classified under Chapter 41 & 43 of ITC (HS), 2012-Schedule-1(Import Policy).
13-01-17	34/2015-2020	Export Policy of Animal By-Products
17-01-17	36/2015-2020	Notification of ITC (HS), 2017 - Schedule-1 (Import Policy).
27-01-17	37/2015-2020	Export Policy of Sandalwood.

Antidumping and countervailing duty cases

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

Indonesia

New export regulations: re-emergence of resource nationalism?

Headlines

Under regulations issued on 11 January 2017:

- Exports of certain amounts of mineral concentrates may continue for a further five years, with permission for exports monitored at least every six months and tied

closely to the progress of physical construction of domestic processing and refining facilities.

- Contract of Work holders who produce mineral ores are forced to convert their Contracts of Work into IUPs (licences) or else they will be prohibited from exporting mineral concentrates.
- Every producing mine in Indonesia (whether under a Contract of Work or IUP) must become at least 51% Indonesian owned - the exceptions which previously allowed foreign control of underground mines and mines with processing and refining facilities have been scrapped.

The Regulations

The following regulations were issued:

- Government Regulation Number 1 of 2017 on the Fourth Amendment to Government Regulation Number 23 of 2010 on the Activities of Mineral and Coal Mining (GR1/2017);
- Regulation of the Minister of Energy and Mineral Resources Number 5 of 2017 on Increasing Added Value Through Domestic Processing and Refining of Minerals (PERMEN5/2017);
- Regulation of the Minister of Energy and Mineral Resources Number 6 of 2017 on Procedures and Requirements to Obtain Recommendations for Export Sale of Minerals Resulting from Processing and Refining (PERMEN6/2017).

Exports, Domestic Processing and Refining

IUP or IUPK holders are given an extra five years from 11 January 2017 during which they may export approved quantities of processed material, provided they have demonstrated sufficient progress with construction of domestic processing and refining facilities.

Approval for export of concentrates is granted by the Ministry of Trade based on a recommendation from the Minister of Energy and Mineral Resources on a yearly basis but reviewed every six months.

The regime is as follows:

- There are specified minimum domestic processing and refining requirements for various types of metal minerals, non-metallic minerals and certain rocks.
- While processing and refining facilities are being constructed to meet these requirements, certain approved quantities of processed materials (which have not been refined to the level required) can be exported by IUP and IUPK holders - but not Contract of Work holders - for a period of five years from 11 January 2017. There are special rules for nickel and bauxite.
- The approval to export is given by the Minister of Trade after receiving a recommendation from the Minister of Energy and Mineral Resources. The pre-requisites for obtaining a recommendation include submitting independently verified plans for construction of processing and refining facilities (amongst other things) and progress evaluations. The recommendation is valid for one year (with subsequent extensions available). The extensions depend on an evaluation of the progress of construction of the facilities.
- The evaluation of the progress of construction is made by the Director General of Minerals and Coal every six months (or at any other time) and if the company is unable to demonstrate the achievement of 90% of its scheduled rate of progress the export approval recommendation will be revoked.

- Export duties will be payable in connection with the export of the processed material.
- In addition to the requirement to process or refine metal minerals, non-metallic minerals and certain rocks, by-products of processing and refining are also required to be further processed and refined domestically to meet minimum specified requirements (for example, gold and silver produced as a by-product of the processing and refining of lead and zinc must also be processed and refined and there are requirements for the minimum domestic processing of anode slimes from copper production).
- Processing and refining can be done in cooperation with other IUP and IUPK holders as well as holders of specific IUPs for Processing and Refining (stand-alone facilities). This can be done by way of buying and selling ore or on a tolling basis. The plans for doing so must be submitted to the Minister of Energy and Mineral Resources (or Governor) for approval.
- Ministerial approval is required if a processing or refining facility is to process or refine ores imported from overseas.

Forced Conversion of Contracts of Work into IUPKs

Contract of Work holders cannot obtain approval for ongoing export sales of concentrates and other processed, but non-refined minerals as it is a pre-condition under the regulations that to obtain approval a Contract of Work holder must have converted its Contract of Work into an IUPK (these requirements were foreshadowed in one or two drafts of the new [Mining Law](#)). However, we note that there appears to be an exception in relation to anode slimes, provided they are sufficiently processed.

Although the regulations suggest that a Contract of Work holder has the option to apply for a conversion, the result of the regulations is likely to be that a Contract of Work holder that is not refining 100% of its export production has no option but to apply for conversion. This may be regarded by Contract of Work holders as a breach or repudiation of their Contract of Work and/or a form of duress. Effectively, the Contract of Work holder is being forced to give up its contractual rights. There is little legal basis for such a requirement as *Law No 4 of 2009 on Minerals and Coal Mining (Mining Law)* has no requirement or process to convert Contracts of Work into IUPKs and, in fact, upholds their validity until their expiry. In addition, there are many provisions in the Mining Law related to IUPKs which do not sit well with the rights currently held by Contract of Work holders.

When issuing GR1/2017, the Government seems to have omitted to include a conversion process in GR1/2017, leaving it instead to the lower level ministerial regulations. Even if such a conversion process had been specified in GR1/2017, it would still appear to conflict with provisions in the Mining Law which require IUPKs to be granted to private entities on the basis of a tender, making it liable to be challenged in the Supreme Court.

It remains to be seen how COW holders will react to these changes—this is particularly the case as a number of them may have previously entered into MOUs or Amendment Agreements related to their existing COWs prior to the issuance of this new set of regulations.

Clearly, having the concession in the form of an IUPK would mean that certain "nailed down" provisions which the mining companies previously had under their COWs would no longer be applicable and thus these concessions will be subject to any changes to the laws / regulations generally applicable to IUP / IUPK holders which occur from time to time.

Divestment

Formerly, mining companies in production were required to limit foreign ownership to 49%, except where such companies were carrying out underground mining activities, in which case foreign owners were entitled to hold up to 70% of the shares of such company (for companies carrying out smelting activities, the applicable foreign ownership limitation was 60%).

The new divestment requirements will ultimately cause all foreign investors to lose the majority stake in the mines they have invested in—regardless of whether they are carrying out underground mining or smelting activities.

Consequently, the divestment has now reverted back to an earlier scheme, and is the same for all IUP, IUPK, COW and CCOW holders. The amount of shareholding required to be held by Indonesian participants is as follows:

- in the sixth year of production, 20%
- in the seventh year of production, 30%
- in the eighth year of production, 37%
- in the ninth year of production, 44%
- in the tenth year of production, 51%

Other changes include:

- The time that production is measured from is the issuance of the IUP / IUPK rather than actual production (meaning that construction time is counted). Consequently shares to be divested must be offered within 90 days after five years from the grant of the IUP/IUPK (the precise timing for Contract of Work holders is unclear).
- The shares to be divested must still be offered in this order: (1) to the Central Government; (2) to Provincial / Regional Governments; (3) to State-owned Companies and Regional-owned Companies and only then to (4) private entities. However, there are no longer express response times required for when the shares are offered, meaning that each participant at each step of the process could delay matters (and potentially dilute shareholder value pending any such transfer).
- IPOed shares of a mining company held by foreign investors will no longer be deemed to be held by domestic participants.
- Provisions which formerly stated that divestment does not apply to holders of an IUP specially for Processing and Refining have been deleted. However, the revised article refers to the timing from the "mining production stage", which suggests that there may not be a direct intention to impose a divestment regime on owners of processing and refining facilities; however it does leave the question open.

There is some grey area in interpretation as to whether this new divestment regime applies immediately to COW and CCOW holders (who have been in production for more than five years) or whether they may have up to a further five years to comply.

The price to be paid for the shares to be divested has not been specified in GR1/2017, meaning that the current ministerial regulations still apply (meaning that only sunk costs, not fair market value, is payable where the divestment shares are taken up directly by the Government (as opposed to Government-owned companies/national companies)).

These new divestment requirements can be seen as a hardening of the Government's stance on foreign investment in the mining sector. The previous understanding that underground mining projects (due to their technical complexity and the high level of investment needed) could have foreign control has been removed. If the Government (Central, Provincial or Regional) or State-owned or Regional-owned Companies exercise their preferential right to take up the shares to be divested (rather than private Indonesian entities), the result may be a largely national/nationalized Indonesian mining industry.

In this connection, it remains to be seen what scope there will be for ongoing private investment to support some of these government/state-owned company equity participations.

Extensions to IUPs And IUPKs

The regulations extend the period in which an application for extension of an IUP or IUPK can be made. This has changed from being, at the earliest, two years before expiry and, at the latest, six months before expiry to being, at the earliest, five years before expiry and, at the latest, one year before expiry.

These changes do not apply to Contract of Work holders.

For additional information, please contact [Muhammed Karnova](#) or [Luke D. Devine](#).

Regulations and other legal documents

The following import or export regulations and other documents were issued by the Ministry of Trade (T), the Ministry of Finance (F) or Customs & Excise (CE) (dd-mm-yy).

Date	Reference	Matter
09-12-16	82/M-DAG/PER/12/2016	Imports of Iron or Steel, Steel Alloys, And Its Derivatives
27-12-16	84/M-DAG/PER/12/2016	Export of Forestry Industry Products
	85/M-DAG/PER/12/2016	Integrated Services Trade
	86/M-DAG/PER/12/2016	Conditions in the Field of Trade Licensing Services Online and Electronic Signature (Digital Signature)
23-12-16	87/M-DAG/PER/12/2016	Pricing Benchmark Top Export Agricultural and Forestry Products Subject to Customs Exit
	88/M-DAG/PER/12/2016	Pricing Benchmark Over Mining Products Export Processing Results subjected Duty

Japan

2017 Tariff Schedule posted

Trade Statistics Japan has now posted the [2017 Tariff Schedule](#). Rates of duty are given for the following categories: Basic General, Interim Temporary, WTO Agreement, Preferential GSP, Special LDC preferential, and the following Economic Partnership Agreements: Singapore, Mexico, Malaysia, Chile, Thailand, Indonesia, Indonesia, Brunei, ASEAN, Philippines and Switzerland.

Malaysia

New tariff schedule published

The [Customs Duties Order 2017](#) was published in the *Warta Kerajaan Persekutuan* (Federal Government Gazette) on 3 January 2017. It contains the 2017 Tariff Schedule and comes into effect on 1 April 2017.

Federal Government Gazette

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

Date	Matter
03-01-17	P.U. (A) 5/2017 Customs Duties Order 2017 - Customs Act 1967
04-01-17	P.U. (B) 1/2017 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
17-01-17	P.U. (A) 16/2017 Customs Duties (Exemption) (Amendment) Order 2017 - Customs Act 1967
18-01-17	P.U. (B) 30/2017 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
	P.U. (B) 31/2017 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
23-01-17	P.U. (B) 41/2017 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
27-01-17	P.U. (A) 39/2017 Free Zones (Exclusion of Goods and Services) (Amendment) Order 2017 - Free Zones Act 1990
	P.U. (B) 59/2017 Free Zones (Declared Area) Notification 2017 - Free Zones Act 1990
	P.U. (B) 60/2017 Free Zones (Amendment) Notification 2017 - Free Zones Act 1990
31-01-17	P.U. (B) 68/2017 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967

Customs rulings

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

New Zealand

New Zealand Gazette

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

Date	Matter
24-01-17	HS 2017 Tariff – Consequential Changes to Part II Concessions
	Tariff Concession (Advertisement) Notice No. 2017/01
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 1) 2017
31-01-17	Tariff Concession (Advertisement) Notice No. 2017/02
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 2) 2017

Singapore

Notices, circulars, etc.

Date	Reference	Matter
05-01-17	Cir. 01/2017	Revised Requirements, Formats and Application Procedures for the Certificate of Non-Manipulation and Certificate of Free Sale
18-01-17	Cir. 02/2017	Advisory: GST Short Payment on Importation of Granite and Sand

Taiwan

Taiwan adopts 2017 Harmonized System changes

The Customs Service has [announced](#) that in order to be up to international standards, Taiwan has amended the [Customs Import Tariff](#), according to the *Harmonized Commodity Description and Coding System* (HS) 2017 version, recommended by World Customs Organization (WCO). The new Customs Import Tariff went into effect on January 1, 2017.

Customs Administration has finished the 8 digits correlation tables and has updated the Tariff Database of Customs Clearance System for the HS2017 amendments. For detail information about above, please log on [Customs Administration website](#).

From the January 1 effective date of the *Customs Import Tariff* revisions, the application of tariffs shall be governed by Article 2 of the Enforcement Rules of the Customs Act. For imported goods, the amendment thereto shall apply from the arrival date of the means of transportation. The term “the arrival date of the transportation means”, according to Article 6 of the same Rules, shall refer to: 1) for sea cargo, the date on which the vessel arrives at the port of entry and files the import manifest with Customs; 2) for air cargo, the date on which the plane arrives at the airport and files the import manifest with Customs.

Amendments to the Customs Act

On November 9, 2016, the Legislative Yuan passed [amendments to the Customs and Tariff Law](#). Some highlights of the revised Articles (some of which require implementing regulations, which were adopted on 11 November 2016):

- Art. 10 authorizes electronic filings
- Art. 21 authorizes the application for preliminary advance rulings, which will be issued in writing. If the tariff number is subsequently changed, the Customs shall notify the importer or its agent. If the importer can show that the contract has been completed and the new number results in a monetary loss, the new number can be delayed for 90 days on application by the importer. If the importer disagrees with the preliminary tariff number, it may appeal to the Customs and Excise Department prior to importation.
- Art. 22 sets forth requirements for Customs declaration personnel.
- Art. 26 sets forth requirements for temporary storage and bonding of uncleared goods
- Art. 27 permits the establishment of special procedures and locations for processing parcels, express cargo, etc.
- Art. 28 requires identification of the origin of the goods, provides for requiring certificates of origin, permits Ministry of Finance and Ministry of Economic Affairs to determine origin criteria. Importers or their agents may apply for advance origin determinations which the importer may challenge in a review,
- Art. 28-1 provides for Customs bonding and sealing of containers with unique numbered seals for further transportation

- Art. 36 authorizes the importer or his agent to request advance preliminary valuation. If final valuation is found to differ, procedures similar to those in Art. 21 above apply.
- Art. 39 provides for converting the price of imported goods to NT dollars at an exchange rate announced by Customs.
- Art. 43 requires duties to be paid within 14 days after tax payment certificate is served.
- Art. 48 provides remedies and procedures for late payments, including restricting business and in the most serious cases, restricting overseas travel.
- Art. 49 provides certain exemptions from payment of duties for certain classes of persons and certain types of merchandise, and the establishment of a de minimis value for other goods which are exempt from duty, unless frequently imported by the same person.
- Art. 75 provides penalties for a person who evades, obstructs or refuses to provide information in connection with violations of Arts. 13(¶2) and 42.
- Arts. 78, 82, 84-86, 89-92 prescribe additional penalties and procedures for a variety of Customs-related infractions.
- Art. 95 establishes the priorities for collections

Notices, circulars, etc. (Dates are given as mm-dd-yy)

Date	Matter
11-09-16	Order of the Ministry of Finance: Amendments to the Provisions on the Establishment and Management of Bonded Warehouses Order of the Ministry of Finance: Amendments to the Measures for the Administration of Customs Clearance of Free Trade Ports
11-10-16	Decree of the Ministry of Finance of the People's Republic of China: Amending the Provisions on Customs Clearance of Goods in the Logistics Center Items 10, 12 and 17, effective immediately
11-16-16	Ministry of Economic Affairs Announcement: To entrust the Ministry of National Defense to handle the import and export of strategic high-tech goods for military use by the National Zhongshan Research Institute and other management matters.
11-21-16	Notice of the Ministry of Economic Affairs (MOEA) Announcement: From now on, CCC2309.90.90.90-7EX will be used as an additive for the feed plant or plant extract (extract of mixed plant of Hedysarum, Epimedium and Ligustrum lucidum). And CCC6802.93.90.00-7EX “, the goods are allowed to import and 5 items to amend the name of the goods, and the other CCC7009.92.00.00-6EX amended the name of the goods” can be placed in 50x50cm square all the shape of the glass mirror, has framed “ Granite products: surface chisel, machine chisel processing, and any side shall not be polished or fire or water or antique or matte finish “and CCC8536.90.10.00-6EX “ transparent conductive oxide glass ” 2 goods show Extension of the import deadline
12-23-16	Notice of the Ministry of Finance: Notice The importation of granulated sugar from Guatemala in the year 2017 is subject to the quota amount of tax exemption in column 2 of the Customs Import Tariff of China
12-09-16	Notice of the Ministry of Economic Affairs (MOEA) Announcement: Industrial and Mining Sub-sector Standard Textual Criteria for Toys and Children's Products Industry
12-13-16	Notice of the Ministry of Finance, the Customs and Excise Department: Notice of the time limit for declaration of the declaration of export shipments by the person in charge of the means of transport or by the conveyer of the conveyance
12-14-16	Notice of the Ministry of Finance Announcement: Importation of Nicaragua origin peanut, raw sugar and refined sugar products for import of tariff quota in 2017
12-16-16	Notice of the Ministry of Finance: Promulgating the Draft Amendments to the Provisions on the Administration of Establishment of Customs Brokerage
12-29-16	Ministry of Economic Affairs Bureau of Foreign Trade Announcement: Announcement Since January 1, 2006, CCC0507.90.26.00-9 “Pangolin Tablets (including Chinese Herbs)” has been amended to read “501” CCC0814.00.00.10-4 “Orange Peel” and other 36 items of goods listed on the importation of goods and the provi-

Date	Matter
	sions of the “Customs and Excise Department to help check the importation of goods table”
12-30-16	Measures of the Customs on the Implementation of Measures for the Protection of Trademark Rights and Interests, as amended by the Ministry of Finance on January 1, 1986 The President announced the “Customs Import Tariff” part of the tariff amendment, China’s first international and simultaneous implementation of HS2017 Order of the Treasury Department: “Provisions on the Operation of Duty Free Shops in and out of the Airport and Port Control Zones”
01-03-17	Ministry of Economic Affairs Bureau of Foreign Trade Announcement: Announcement Since January 1, 106, “ROC Classification of Imports and Exports” Delete CCC2933.99.90.81-3 “3,4-Methylene bisoxobis (diisobutyl ketone) 3,4-methylene-bis-oxo-pyrrolidone) and its isomers, esters, ethers and salts “1 item number, and add CCC2934.99.90.70-5” 3,4- Methylene bis-O-diisobutyl ketone (3,4-methylene bisoxo-pyrrolidone) and its isomers, esters, ethers and salts, “a product number and its import and export And to be included in the “Customs Assistance in Checking Outbound Commodities List” and “Customs Assistance in Checking of Imported Goods” Notice of the Bureau of Foreign Trade of the Ministry of Economic Affairs: Announcement Since January 1, 2006, CCC2932.20.90.20-2 “Gamma-butyrolactone” and CCC2915.11.00.00-7 “Formic acid (formic acid) “And the other nine items are listed as” 508 “, which is listed in the” Customs Checklist for Imported Commodities “
01-17-17	The Ministry of Finance has made the following decisions on the implementation of the ex post facto audit tax in accordance with the provisions of Article 13 of the Tariff Law. If the relevant provisions of the Customs Anti-Smuggling Ordinance are not violated, Tax rebate approach to raw materials, “the provisions of Article 28 to apply for tax rebates
01-18-17	Amendments to Article 49 of the Tariff Act, provides that athletic equipment and goods imported by or donated to government agencies in order to hold international athletic competitions shall be exempt from customs duty

Vietnam

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
26-12-16	Decision No. 5051 / QĐ-BTC dated 26-12-2016 of the Ministry of Industry and Trade on the adjustment of certain HS codes on the list of imported goods and products to check the quality assurance, technical regulations, food safety before clearance under the management responsibility of the Ministry of Industry and Trade
28-12-16	Circular No. 36/2016 / TT-BCT dated 28-12-2016 of the Ministry of Industry and Trade re: energy labeling for vehicles, equipment and energy management under the Ministry of Industry and Trade
30-12-16	Circular No. 39/2016 / TT-BCT dated 30-12-2016 of the Ministry of Industry and Trade provides for the import of raw tobacco under tariff quotas in 2017 Official Letter No. 12 190 / TCHQ-TXNK dated 30-12-2016 of the General Administration of Customs v / v obstacles implementing export tariffs
03-01-17	Official Letter No. 26 / 03.01.2017 TCHQ-GSQL of the General Department of Customs on import certification body, engine components, chassis cars, motorcycles No. 03 / GSQL-GQ4 of 03-01-2017 of the General Department of Customs on the labeling of exports Official Letter No. 24 / TCHQ-TXNK dated 03-01-2017 v / v Export duties on goods exported for processing

Date	Reference and Matter
04-01-17	No. 30/TCHQ-ĐTCBL Strengthening the prevention of smuggling on air route.
05-01-17	Official Letter No. 59 / TXNK-CST of 05-01-2017 of the General Department of Customs v / v Policy preferential tax with investment projects
06-01-17	Official Letter No. 01 / CP-KTTH of 06-01-2017 Government v / v correct an error in the preferential import tariff specially issued with Decree No. 126/2016 / NĐ-CP
	Official Letter No. 65 /TXNK-PL of 06-01-2017 of the General Department of Customs v / v Importing specialized machines used and new 100%
	Official Letter No. 64 / TXNK-TGHQ of 06-01-2017 of the General Department of Customs v / v obstacle on the customs value (supplementary declaration royalty)
09-01-17	Decision No. 31 / QĐ-GDC dated 09-01-2017 of the General Administration of Customs on the issuance of the administrative reform plan of the Customs 2017
	Official Letter No. 119 / TXNK-TGHQ dated 09-01-2017 of the General Department of Customs v / v obstacle of customs value (for surcharge CIC)
10-01-17	Official Letter No. 36 / GSQL -GQ2 of 10-01-2017 guiding customs procedures of foreign invested enterprises
11-01-17	Official Letter No. 143 / TXNK-CST dated 11-01-2017 of the General Department of Customs v / v Import duty and VAT on imported goods of agricultural enterprises high-tech applications
	Decision No. 55 / QĐ-TCHQ dated 10-01-2017 of the General Administration of Customs on Issuance Plan task implementation administrative control of the Customs 2017
12-01-17	Official Letter No. 177 / TXNK-CST dated 12-01-2017 of the General Department of Customs v / v Tax Policy aluminum ingot exports of refined products
	Official Letter No. 187 /TXNK-CST dated 01.12.2017 of the General Department of Customs v / v Import duty generators

Europe, Middle East and North Africa

European Union and EFTA

US-EU issue joint report on TTIP progress to date

On 17 January 2017, EU Trade Commissioner Cecilia Malmström and then US Trade Representative Michael Froman published a joint assessment of the progress made in the negotiations for a Transatlantic Trade and Investment Partnership (TTIP) since negotiations started in July 2013. A copy of the full report is [available here](#).

The announcement states, in part:

The joint EU-US report outlines progress made in all areas of the talks, namely on better access to markets for EU and US firms, on simplifying technical regulations without lowering standards and on global rules of trade, including sustainable development, labour and the environment with a dedicated chapter on smaller firms. In addition to outlining the common ground reached, the report also identifies the areas where significant work remains to resolve differences, including improving access to public procurement markets, providing strong investment protection that preserves the right to regulate, and reconciling approaches to trademarks and geographical indications.

During the past several years, the Commission has [published](#) the EU's textual proposals in the TTIP negotiations, along with round reports and position papers, and extensively consulted civil society, making the EU-US trade talks the most transparent bilateral negotiations ever conducted.

The talks also resulted in a reform of the EU's investment protection provisions in trade agreements based on extensive dialogue with stakeholders, including a public consultation. In November 2015, the Commission [put forward a new proposal](#) to replace the outdated investor-state dispute settlement (ISDS) model with a modern and transparent investment court system (ICS) that effectively protects investment while fully preserving the right of governments to regulate.

The economic and strategic rationale for an agreement between the world's two largest advanced industrial economies remains strong. In the past three years, significant progress has been made towards concluding a balanced and high-standard agreement that boosts growth, improves competitiveness and creates jobs on both sides of the Atlantic.

- See also [European Commission's website dedicated to TTIP](#)

Commission Proposes enhanced market access for Sri Lanka

On 11 January 2017, The EU Commission [announced](#) a proposal to enhance market access for Sri Lanka as a reform initiative. The Commission proposed that a significant part of the remaining import duties on Sri Lankan products should be removed by the European Union in exchange for the country's commitment to ratify and effectively implement 27 international conventions on human rights, labour conditions, protection of the environment and good governance. These one-way trade preferences would consist of the full removal of duties on 66% of tariff lines, covering a wide array of products including textiles and fisheries. The announcement stated:

These preferences would come under a special arrangement of the EU Generalised Scheme of Preferences, known as [GSP+](#). This arrangement is designed to support developing countries by fostering their economic development through increased trade with Europe and providing incentives to take tangible measures towards sustainable development. The European Parliament and the Council have now up to four months to raise potential objections before the measures become effective.

Trade Commissioner Cecilia Malmström said: “GSP+ preferences can make a significant contribution to Sri Lanka's economic development by increasing exports to the EU market. But this also reflects the way in which we want to support Sri Lanka in implementing human rights, rule of law and good governance reforms. I am confident of seeing timely and substantial further progress in these areas and the GSP+ dialogue and monitoring features will support this reform process. This should include making Sri Lankan counter-terrorism legislation fully compatible with international human rights conventions.”

Granting access to the GSP+ scheme does not mean that the situation of the beneficiary country with respect to the 27 international conventions is fully satisfactory. Instead, it offers the incentive of increased trade access in return for further progress towards the full implementation of those conventions, and provides a platform for engagement with beneficiaries on all problematic areas. As is the case for all GSP+ countries, the removal of customs duties for Sri Lanka would be accompanied with rigorous monitoring of the country's progress in the area of sustainable development, human rights and good governance.

Sri Lanka had already benefited from GSP+ in the past. In 2010 the EU decided however to stop the preferential treatment for Sri Lankan imports due to the failure to address reported human rights violations in the country. In 2015, the new government of Sri Lanka set out a path of major reforms aiming for national reconciliation, respect of human rights, the rule of law and good governance principles, as well as sustainable economic development. The Sri Lankan government applied for GSP+ in July 2016 and the Commission's assessment has concluded that it met the GSP+ entry criteria set out in the [EU Regulation](#).

Ecuador joins EU-Colombia/Peru Trade Agreement

The Commission [announced](#) that the free trade agreement between the EU and Ecuador came into effect on 1 January 2017. The agreement eliminates tariffs for all industrial and fisheries products, increases market access for agricultural products, offers opportunities in public procurement and services sectors, and further reduces technical barriers to trade. The agreement replaces the EU's earlier one-way preferences for imports from Ecuador under the Generalised Scheme of Preferences that the EU grants to developing countries. Other Andean partners – Colombia and Peru – have been benefitting from similar trade agreements since 2013.

Commission proposes to modernise the Customs Union with Turkey

The European Commission [announced](#) that on 21 December 2016, it asked the Council for a mandate to launch talks with Turkey to modernise the existing 20-year-old EU-Turkey Customs Union. The announcement stated:

The upgrade of the EU-Turkey trade relation forms an essential part of the efforts made by the EU and Turkey to deepen their relations in key areas of joint interest identified at the [EU-Turkey Summit](#) of 29 November 2015 and in the [EU-Turkey statement](#) of 18 March 2016. By making this proposal, the Commission continues to deliver on the commitments it has made.

Modernising the Customs Union to reflect current EU-Turkey trade relations would bring substantial economic benefits for both partners.

With the evolution of the economic environment and the significant growth of EU-Turkey trade, the Customs Union that entered into force in 1996 is becoming less and less equipped to deal with the modern day challenges of trade integration. The first EU-Turkey High Level Economic Dialogue last April underlined the potential of its modernisation. The modernisation and extension of the Customs Union could unlock further opportunities for EU companies in the agri-food and services sectors and the public procurement market. Respect of democracy and fundamental rights will be an essential element of the agreement.

Turkey is the EU's 5th largest partner in trade in goods. The value of bilateral trade in goods has increased more than fourfold since 1996 and currently amounts to €140 billion annually. The EU has a positive balance of €17 billion. For Turkey the EU is the most important trading partner, representing 41% of Turkey's global trade. Moreover, two thirds of foreign direct investment (FDI) in Turkey currently originates in the EU.

Registered Exporter system (REX system) now into effect

The European Commission has created a webpage explaining the [Registered Exporter system](#) (the REX system). The REX system is the system of certification of origin of goods that will be applied in the Generalised System of Preference (GSP) of the European Union as from 1 January 2017 for several beneficiary countries. It is based on a principle of self-certification by economic operators who will make out themselves so-called *statements on origin*. To be entitled to make out a statement on origin, an economic operator will have to be registered in a database by his competent authorities. The economic operator will become a "registered exporter". The European Commission's REX system website states:

The REX system was introduced in the GSP rules of origin by the amending [Regulation \(EU\) No 1063/2010](#) in the context of the reform of the GSP rules of origin in 2010. While the other elements of the reform have taken their effect as from 1 January 2011, the application of the REX system has been deferred to 1 January 2017, to give enough time to the GSP beneficiary countries to be ready.

The REX system will progressively and completely replace the current system of origin certification based on certificates of origin issued by governmental authorities and on invoice declarations made out under certain conditions by economic operators. This means as well that the REX system will be used between GSP beneficiary countries applying regional cumulation.

The global transition period from the current system of origin certification to the REX system will start on 1 January 2017 and will last until 30th June 2020 at the latest. More information concerning the transition period is provided [here](#).

The REX system is the term used to designate the system of certification of origin as a whole, and not only the underlying IT system which is used for the registration of exporters.

Since 1 May 2016 and the entry into application of the Union Customs Code (UCC), the rules of the REX system are laid down in [Commission Implementing Regulation \(EU\) No 2015/2447](#) (the UCC IA, for “Implementing Act”).

Progressively, the REX system will also be applied in the context of bilateral trade agreements between the EU and the partner countries.

The data of the REX system is published and may be searched online (from 1 January 2017) on this [website](#). It is important to note that the rules for determining the origin of goods in the GSP scheme of the European Union remain unchanged with the application of the REX system. Only the method to certify the origin of goods is changed.

Commission issues tariff classification regulations

No tariff classification regulations were issued by the European Commission during the period covered by this Update.

Amendments to the CN Explanatory Notes

No amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* 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
04-01-17	Commission Implementing Regulation (EU) 2017/1 of 3 January 2017 on procedures for watercraft identification under Directive 2013/53/EU of the European Parliament and of the Council on recreational craft and personal watercraft
06-01-17	Information notice — Public consultation — Geographical indications from Australia [2017/C 3/09]
07-01-17	Commission Implementing Regulation (EU) 2017/12 of 6 January 2017 regarding the form and content of the applications and requests for the establishment of maximum residue limits in accordance with Regulation (EC) No 470/2009 of the European Parliament and of the Council
	Commission Implementing Decision (EU) 2017/14 of 5 January 2017 amending the Annex to Implementing Decision (EU) 2016/2122 on protective measures in relation to outbreaks of the highly pathogenic avian influenza of subtype H5N8 in certain Member States (notified under document C(2017) 55)

OJ Date	Subject
11-01-17	Council Decision (EU) 2017/43 of 12 December 2016 on the position to be adopted, on behalf of the European Union, in the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, in relation to the update of Annexes XXI-A to XXI-P on regulatory approximation in the area of public procurement
12-01-17	Notice concerning the provisional application of the Partnership Agreement on Relations and Cooperation between the European Union and its Member States, of the one part, and New Zealand, of the other part Decision No 1/2016 of the Joint Committee on Agriculture of 16 November 2016 on amending Annex 10 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products [2017/51] Various Decisions of the EEA Joint Committee № 175 - 196
13-01-17	Notice concerning the entry into force of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part Regulation No 138 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of Quiet Road Transport Vehicles with regard to their reduced audibility [2017/71] Commission communication in the framework of the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Publication of references of European Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011) [2017/C 10/02] Commission communication in the framework of the implementation of Directive 2014/53/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2017/C 11/01] Commission Communication in the framework of the implementation of Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Publication of titles and references of harmonised standards under entry 27 of Annex XVII to REACH) [2017/C 11/02]
17-01-17	Council Decision (EU) 2017/75 of 21 November 2016 on the signing, on behalf of the Union and its Member States, and provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union Council Decision (Euratom) 2017/76 of 21 November 2016 approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union Commission Implementing Regulation (EU) 2017/78 of 15 July 2016 establishing administrative provisions for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicle systems and uniform conditions for the implementation of Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the privacy and data protection of users of such systems Commission Delegated Regulation (EU) 2017/79 of 12 September 2016 estab-

OJ Date	Subject
	lishing detailed technical requirements and test procedures for the EC type-approval of motor vehicles with respect to their 112-based eCall in-vehicles systems, of 112-based eCall in-vehicle separate technical units and components and supplementing and amending Regulation (EU) 2015/758 of the European Parliament and of the Council with regard to the exemptions and applicable standards
	Commission Recommendation (EU) 2017/84 of 16 January 2017 on the monitoring of mineral oil hydrocarbons in food and in materials and articles intended to come into contact with food
	Commission Implementing Regulation (EU) 2017/53 of 14 December 2016 concerning the authorisation of butan-1-ol, hexan-1-ol, octan-1-ol, nonan-1-ol, dodecan-1-ol, heptan-1-ol, decan-1-ol, pentan-1-ol, ethanol, acetaldehyde, propanal, butanal, pentanal, hexanal, octanal, decanal, dodecanal, nonanal, heptanal, undecanal, 1,1-diethoxyethane, formic acid, acetic acid, propionic acid, valeric acid, hexanoic acid, octanoic acid, decanoic acid, dodecanoic acid, oleic acid, hexadecanoic acid, tetradecanoic acid, heptanoic acid, nonanoic acid, ethyl acetate, propyl acetate, butyl acetate, hexyl acetate, octyl acetate, nonyl acetate, decyl acetate, dodecyl acetate, heptyl acetate, methyl acetate, methyl butyrate, butyl butyrate, pentyl butyrate, hexyl butyrate, octyl butyrate, ethyl decanoate, ethyl hexanoate, propyl hexanoate, pentyl hexanoate, hexyl hexanoate, methyl hexanoate, ethyl formate, ethyl dodecanoate, ethyl tetradecanoate, ethyl nonanoate, ethyl octanoate, ethyl propionate, methyl propionate, ethyl valerate, butyl valerate, ethyl hex-3-enoate, ethyl hexadecanoate, ethyl trans-2-butenate, ethyl undecanoate, butyl isovalerate, hexyl isobutyrate, methyl 2-methylbutyrate, hexyl 2-methylbutyrate, triethyl citrate, hexyl isovalerate and methyl 2-methylvalerate as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/54 of 14 December 2016 concerning the authorisation of 2-methylpropan-1-ol, isopentanol, 3,7-dimethyloctan-1-ol, 2-ethylhexan-1-ol, 2-methylpropanal, 3-methylbutanal, 2-methylbutyraldehyde, 3-methylbutyric acid, 2-methylvaleric acid, 2-ethylbutyric acid, 2-methylbutyric acid, 2-methylheptanoic acid, 4-methylnonanoic acid, 4-methyloctanoic acid, isobutyl acetate, isobutyl butyrate, 3-methylbutyl hexanoate, 3-methylbutyl dodecanoate, 3-methylbutyl octanoate, 3-methylbutyl propionate, 3-methylbutyl formate, glyceryl tributyrate, isobutyl isobutyrate, isopentyl isobutyrate, isobutyl isovalerate, isopentyl 2-methylbutyrate, 2-methylbutyl isovalerate and 2-methylbutyl butyrate as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/55 of 14 December 2016 concerning the authorisation of octan-2-ol, isopropanol, pentan-2-ol, octan-3-ol, heptan-2-one, pentan-2-one, 6-methyl-hepta-3,5-dien-2-one, nonan-3-one, decan-2-one and isopropyl tetradecanoate as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/56 of 14 December 2016 concerning the authorisation of lactic acid, 4-oxovaleric acid, succinic acid, fumaric acid, ethyl acetoacetate, ethyl lactate, butyl lactate, ethyl 4-oxovalerate, diethyl succinate, diethyl malonate, butyl-O-butyryllactate, hex-3-enyl lactate, hexyl lactate, butyro-1,4-lactone, decano-1,5-lactone, undecano-1,5-lactone, pentano-1,4-lactone, nonano-1,5-lactone, octano-1,5-lactone, heptano-1,4-lactone and hexano-1,4-lactone as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/57 of 14 December 2016 concerning the authorisation of 1,8-cineole, 3,4-dihydrocoumarin and 2-(2-methylprop-1-enyl)-4-methyltetrahydropyran as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/58 of 14 December 2016 concerning the authorisation of alpha-terpineol, nerolidol, 2-(4-methylphenyl) propan-2-ol, terpineol and linalyl acetate as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/59 of 14 December 2016 concerning the authorisation of 1,1-dimethoxy-2-phenylethane, phenethyl formate, phenethyl octanoate, phenethyl isobutyrate, phenethyl 2-methyl-butyrate and phenethyl benzoate as feed additives for all animal species
	Commission Implementing Regulation (EU) 2017/60 of 14 December 2016 concerning the authorisation of isoeugenol as a feed additive for pigs, ruminants

OJ Date	Subject
	and horses except those producing milk for human consumption and pets Commission Implementing Regulation (EU) 2017/61 of 14 December 2016 concerning the authorisation of 4-allyl-2,6-dimethoxyphenol and eugenyl acetate as feed additives for all animal species except for fish and poultry Commission Implementing Regulation (EU) 2017/63 of 14 December 2016 concerning the authorisation of benzyl alcohol, 4-isopropylbenzyl alcohol, benzaldehyde, 4-isopropylbenzaldehyde, salicylaldehyde, p-tolualdehyde, 2-methoxybenzaldehyde, benzoic acid, benzyl acetate, benzyl butyrate, benzyl formate, benzyl propionate, benzyl hexanoate, benzyl isobutyrate, benzyl isovalerate, hexyl salicylate, benzyl phenylacetate, methyl benzoate, ethyl benzoate, isopentyl benzoate, pentyl salicylate and isobutyl benzoate as feed additives for all animal species and of veratraldehyde and gallic acid as feed additives for certain animal species Commission Implementing Regulation (EU) 2017/64 of 14 December 2016 concerning the authorisation of glycyrrhizic acid ammoniated as a feed additive for all animal species Commission Implementing Regulation (EU) 2017/65 of 14 December 2016 concerning the authorisation of 1-isopropyl-4-methylbenzene, pin-2(10)-ene, pin-2(3)-ene, beta-caryophyllene, camphene, 1-isopropenyl-4-methylbenzene, delta-3-carene and d-limonene as feed additives for all animal species Commission Implementing Regulation (EU) 2017/66 of 14 December 2016 concerning the authorisation of tannic acid as a feed additive for all animal species
18-01-17	Information relating to the provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union Council Decision (EU) 2017/85 of 16 January 2017 on the conclusion of the Protocol to the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the People's Democratic Republic of Algeria, of the other part, on a Framework Agreement between the European Union and the People's Democratic Republic of Algeria on the general principles for the participation of the People's Democratic Republic of Algeria in Union programmes Notice to undertakings intending to place hydrofluorocarbons in bulk on the market in the European Union in 2018 [2017/C 16/08]
20-01-17	Commission Implementing Decision (EU) 2017/98 of 18 January 2017 amending the Annex to Implementing Decision 2013/519/EU as regards the model animal health certificate for imports into the Union of dogs, cats and ferrets (<i>notified under document C(2017) 123</i>) Commission Implementing Decision (EU) 2017/99 of 18 January 2017 amending Decision 93/195/EEC as regards animal health and veterinary certification conditions for the re-entry of registered horses for racing, competition and cultural events after temporary export to Mexico and the United States of America, and amending Annex I to Decision 2004/211/EC as regards the entries for China and Mexico in the list of third countries and parts thereof from which imports into the Union of live equidae and semen, ova and embryos of the equine species are authorised (<i>notified under document C(2017) 128</i>)
21-01-17	Decision No 1/2016 of the EPA Committee set up by the interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, of 15 December 2016 regarding the adoption of the Rules of Procedure of the EPA Committee [2017/108] Corrigendum to Commission Regulation (EU) 2016/314 of 4 March 2016 amending Annex III to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products (OJ L 60, 5.3.2016)
24-01-17	Commission Regulation (EU) 2017/110 of 23 January 2017 amending Annexes IV and X to Regulation (EC) No 999/2001 of the European Parliament and of the Council laying down rules for the prevention, control and eradication of certain transmissible spongiform encephalopathies Commission Implementing Decision (EU) 2017/115 of 20 January 2017 author-

OJ Date	Subject
	ising the placing on the market of fermented soybean extract as a novel food ingredient under Regulation (EC) No 258/97 of the European Parliament and of the Council (notified under document C(2017) 165) Commission Implementing Decision (EU) 2017/116 of 20 January 2017 amending the Annex to Implementing Decision (EU) 2016/2122 on protective measures in relation to outbreaks of the highly pathogenic avian influenza of subtype H5N8 in certain Member States (notified under document C(2017) 376) 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) [2017/C 23/02]
25-01-17	Commission Implementing Regulation (EU) 2017/120 of 24 January 2017 on the derogations from the rules of origin laid down in Annex II to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador, of the other part, that apply within quotas for certain products from Ecuador
26-01-17	Commission Regulation (EU) 2017/128 of 20 January 2017 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein Commission Implementing Regulation (EU) 2017/129 of 25 January 2017 amending Implementing Regulation (EU) No 743/2013 introducing protective measures on imports of bivalve molluscs from Turkey intended for human consumption, as regards its period of application Commission Decision (EU) 2017/133 of 25 January 2017 on the maintenance with a restriction in the Official Journal of the European Union of the reference of harmonised standard EN 14342:2013 'Wood flooring and parquet: Characteristics, evaluation of conformity and marking' in accordance with Regulation (EU) No 305/2011 of the European Parliament and of the Council
27-01-17	Commission Implementing Regulation (EU) 2017/139 of 25 January 2017 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin Decision No 1/2016 of the EU-Bosnia and Herzegovina Stabilisation and Association Council of 9 December 2016 replacing Protocol 2 to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2017/147] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 December 2016 to 31 December 2016(Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2017/C 28/01] Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 December 2016 to 31 December 2016(Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2017/C 28/02]
28-01-17	Commission Implementing Regulation (EU) 2017/151 of 27 January 2017 amending Annex I to Regulation (EC) No 798/2008, as regards the entries in the list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into and transit through the Union and the veterinary certification requirements Commission Implementing Decision (EU) 2017/155 of 26 January 2017 amending the Annex to Implementing Decision (EU) 2016/2122 on protective measures in relation to outbreaks of the highly pathogenic avian influenza of subtype H5N8 in certain Member States (notified under document C(2017) 483) Corrigendum to Commission Implementing Regulation (EU) 2016/1825 of 6 September 2016 amending Implementing Regulation (EU) No 901/2014 with regard to the administrative requirements for the approval and market surveillance of two- or three-wheel vehicles and quadricycles (OJ L 279, 15.10.2016)

OJ Date	Subject
	Corrigendum to Commission Regulation (EU) 2017/128 of 20 January 2017 amending Council Regulation (EC) No 338/97 on the protection of species of wild fauna and flora by regulating trade therein (OJ L 21, 26.1.2017) 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). [2017/C 29/10] Updated list of customs offices in which products listed in Annex I to Commission Regulation (EC) No 1635/2006 may be declared for free circulation in the European Community [2017/C 29/13]
31-01-17	Commission Implementing Regulation (EU) 2017/157 of 30 January 2017 renewing the approval of the active substance thiabendazole 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 Corrigendum to Commission Delegated Regulation (EU) 2016/1969 of 12 September 2016 amending Council Regulation (EC) No 428/2009 setting up a Community regime for the control of exports, transfer, brokering and transit of dual-use items (OJ L 307, 15.11.2016) Corrigendum to Decision No 1/2016 of the Joint Committee on Agriculture of 16 November 2016 on amending Annex 10 to the Agreement between the European Community and the Swiss Confederation on trade in agricultural products [2017/51] (OJ L 7, 12.1.2017) Information concerning the entry into force of the Agreement between the United States of America and the European Union on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offences Commission statement regarding the EU/US Agreement on the protection of personal information relating to the prevention, investigation, detection, and prosecution of criminal offenses ('Umbrella Agreement')

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
11-01-17	Commission Implementing Regulation (EU) 2017/44 of 10 January 2017 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
17-01-17	Council Decision (CFSP) 2017/83 of 16 January 2017 amending Decision 2010/413/CFSP concerning restrictive measures against Iran Council Implementing Regulation (EU) 2017/77 of 16 January 2017 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran Council Decision (CFSP) 2017/82 of 16 January 2017 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea Commission Implementing Regulation (EU) 2017/80 of 16 January 2017 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
27-01-17	Commission Implementing Regulation (EU) 2017/142 of 26 January 2017 amending for the 258th 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
28-01-17	Council Decision (CFSP) 2017/153 of 27 January 2017 amending Decision 2011/72/CFSP concerning restrictive measures directed against certain persons and entities in view of the situation in Tunisia

OJ Date	Restrictive Measure
	Council Implementing Regulation (EU) 2017/149 of 27 January 2017 implementing Regulation (EU) No 101/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Tunisia
	Council Decision (CFSP) 2017/154 of 27 January 2017 updating 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 repealing Decision (CFSP) 2016/1136
	Council Implementing Regulation (EU) 2017/150 of 27 January 2017 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 repealing Implementing Regulation (EU) 2016/1127

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
05-12-16	2016/59-Notice to importers of oxalic acid dihydrate or anhydrous aqueous solution originating in the People's Republic of China
12-12-16	2016/60-Notice to importers of crystalline silicon photovoltaic modules and their essential components originating in or coming from the People's Republic of China
14-12-16	2016/61-Notice to importers of products eligible for tariff-rate quotas managed on an "as and when" basis 2016/62-Notice to importers of products eligible under the scheme of generalized tariff preferences (GSP) 2016/63-Notice to importers and exporters in the framework of EU-Cameroon trade
16-12-16	2016/64-Notice to importers of certain processed and non-processed agricultural products originating in South Africa
20-12-16	2016 / 64b-Notice to importers of products subject to excise duty (alcohol and manufactured tobacco)
28-12-16	2016/65-Notice to importers of certain bars and reinforcing rods of concrete, originating in the Republic of Belarus
30-12-16	2016/66 Notice to importers and exporters concerning the accession of Ecuador to the Agreement between the EU and Peru and Colombia 2016/67-Notice to importers of certain agricultural and industrial products originating in any third country
03-01-17	Text № 17-001 Declaration of Exchanges of Goods between Member States of the European Union (DEB).
06-01-17	2017/01-Notice to importers of certain hot-rolled products of iron, non-alloy steel or other alloy steel originating in Brazil and Russia
30-01-17	2017/02-Notice to importers of certain stainless steel pipe fittings originating in the People's Republic of China and Taiwan 2017/03-Notice to importers of certain goods originating in Peru, Colombia and Ecuador

United Kingdom

UK – May sets out Brexit Objectives: Leave the Single Market to become a Global Britain

On 17 July 2017, the UK Prime Minister Theresa May set out her strategy for Brexit in a speech held at Lancaster House, London. In her speech, she covered both UK's relationship with the rest of the world, and the UK's relationship with the EU.

May set out that she wants a *"truly Global Britain"* which will be outward-looking, and which will not seek to hold on to bits of EU membership but will remain the *"best friend"* of the remaining EU Member States ("EU-27"). In line with our previous thinking, May suggested a form of free trade agreement ("FTA") with the EU-27, confirmed that the UK would not remain part of the Single Market, and indicated that the UK would not remain part of the Customs Union with the EU-27 due to the limits that this would place on the UK's ability to trade independently with the rest of the world.

12 Negotiating Priorities

May used her speech to set out 12 negotiating priorities, driven by four key principles: (A) certainty and clarity; (B) a stronger Britain; (C) a fairer Britain; and (D) a truly Global Britain. May also emphasised that a phased approach to Brexit would be important, notably for businesses. The 12 negotiating priorities are as follows:

(A) Certainty and clarity:

1. Provide certainty about the process of leaving the EU

(B) A stronger Britain

2. Control of our own laws
3. Strengthen the Union between the four nations of the United Kingdom
4. Maintain the Common Travel Area with Ireland

(C) A fairer Britain:

5. Brexit must mean control of the number of people who come to Britain from Europe
6. Rights for EU nationals in Britain and British nationals in the EU
7. Protect workers' rights

(D) A truly Global Britain:

8. Free trade with the EU through a comprehensive free trade agreement
9. New trade agreements with other countries
10. The best place for science and innovation
11. Co-operation in the fight against crime and terrorism

A phased approach:

12. A smooth, orderly Brexit

May said that the 12 negotiating priorities amount to one goal: a new, positive and constructive partnership between Britain and the EU-27. We analyse the key trade priorities and objectives below.

Trade with the Rest of the World: a Global Britain

With regard to trade with the rest of the world, the overriding tone of the speech was that May is aiming for what she termed a "Global Britain". May backed up her plan

for a Global Britain by noting that the British people “*voted to leave the EU and to embrace the world*”. She highlighted that leaving the EU provides the UK with an opportunity to build a stronger economy and a fairer society, by embracing a genuine economic and social reform.

May said that she wants Britain to be “*a country that reaches beyond the borders of Europe to the wider world [...] a country that gets out into the world to build relationships with old friends and new allies alike*”. May also confirmed that the UK wants to study in, travel to, and trade with countries outside the EU. She made it clear that the UK wants to continue to attract global talent, and to assert its position as a great global trading nation.

May indicated an ambitious approach to global trade, and cited several countries that have either approached the UK or with whom the UK has already begun preparatory talks about future enhanced trading relationships. These countries included: China; Brazil; the Gulf States; Australia; New Zealand; India; and the US. In particular, May noted that President Elect Trump has said that Britain is not “at the back of the queue” for a trade deal with the US, but front of the line.

May also stressed the importance of the UK being free to strike its own FTAs with third countries, and that the UK needs to increase its trade with the fastest growing markets. She noted that this was precisely why she created the Department of International Trade, led by Liam Fox.

Trade with the EU-27

Single Market

With regard to the post-Brexit trading relationship with the EU-27, the key message emphasised by May is that Britain is leaving the EU and that she is not seeking to “*hold on to bits of membership*” or to have a “*half-in, half-out*” relationship with the EU-27. As discussed in our previous Blog posts (see [here](#) and [here](#)), May emphasised that the UK will not seek to stay in the EU Single Market. May noted that Single Market membership entails four key freedoms (i.e., the free movement of goods, people, services, and capital). She also explained that the UK could not accept all four freedoms since they are not in line with the UK’s aims, such as controlling immigration as part of a “fairer Britain”, and by default this meant that the UK could not remain part of the Single Market.

FTA

May said that the UK will instead look to enter into a different sort of trading agreement with the EU-27. She stated that “*we do not seek membership of the Single Market. Instead we seek the greatest possible access to it through a new, comprehensive, bold and ambitious FTA*”.

For our discussion on the impact of leaving the Single Market, and the differences between an FTA and the Single Market, see our previous Blog post [here](#).

May also emphasised that the UK will not seek to adopt a trading model already enjoyed by other countries, confirming our view that the UK may seek to negotiate a hybrid FTA with the EU-27 once it has exited the EU (see our previous webinar dated 6 July 2016, available [here](#)). May said “*We seek a new and equal partnership – between an independent self-governing, global Britain, and our friends and allies in the EU [...] We do not seek to adopt a model already enjoyed by other countries.*”

She noted that elements of the current trading situation with the EU could be incorporated into the new FTA, such as in the areas of cars and lorries, or the freedom to provide financial services across borders. This would eliminate the need to “*start from scratch*” in these areas.

We note that a comprehensive, bold and ambitious FTA solution with the EU-27 could be good for business, and could indeed allow the UK to pursue a more global, independent trade policy. However, companies need to be prepared for the potential costs and bureaucracy associated with the UK leaving the Customs Union. One of the key hurdles with an FTA, as opposed to a Customs Union or Single Market arrangement, is that only goods that ‘originate’ in either the UK or the EU-27 will benefit from lower or no tariffs. Understanding and evidencing this can be complex and time-consuming for businesses.

Furthermore, given our UK economy is primarily services-based, the UK Government is likely to want the FTA to address services much more effectively than the EU’s FTAs have done to-date.

Customs Union

The notion of Britain “taking back control” and negotiating its own, independent trade agreements with the rest of the world had prompted our speculation that the UK will leave the EU Customs Union, as well as the Single Market. This is because, as a party to the Customs Union, the UK would be restricted from negotiating its own independent trade policy, and would instead be effectively bound to negotiate external trade policies as a bloc with the EU-27.

On the Customs Union, May acknowledged that “*full Customs Union membership prevents us from negotiating our own comprehensive trade deals*”. She also stated that she wanted Britain to be able to negotiate its own trade agreements, but also to enjoy tariff-free trade with the EU that is as frictionless as possible.

May’s solution to this issue was to remain open minded and flexible in the thinking; she said “*whether that means we must reach a completely new customs agreement, become an associate member of the Customs Union in some way, or remain a signatory to some elements of it, I hold no preconceived position*”. This aligns with our previous thinking that a hybrid “FTA + Customs Agreement” may be the best solution for the UK’s future trading relationship with the EU-27, allowing it to simultaneously attain the objectives behind the Leave vote and maintain tariff-free trade with its EU neighbours. We also note that, within this hybrid, a myriad of possible options exists.

EU Law

May confirmed that the “*acquis*” (i.e. the entire body of EU law), will be incorporated into UK law in order to give maximum certainty. She noted that the same rules will apply on the day after Brexit as they did before, and that it will be for the British Parliament to decide on any changes to that law after full scrutiny and proper Parliamentary debate.

Whilst we note that this is aimed at providing maximum certainty, and is certainly helpful in that respect, we need to be attuned to fact that in certain areas this may not work out as intended, and that amendments will be required to existing EU law to ensure that they work in and for the UK (for example, the recently implemented Union Customs Code).

Timing and Transitional Arrangements

Today's speech comes with fewer than 11 weeks remaining before May's end of March deadline for triggering Article 50, kick-starting Britain's exit from the EU.

With regard to timing of negotiations with the EU-27, May stated that she wants the UK and EU-27 to have *"reached an agreement about our future partnership by the time the two-year Article 50 process has concluded."* Based on past practice, to negotiate and agree such a deep and comprehensive FTA within two years is, in our view, an ambitious timeline.

Referring to suggestions of a transitional period or phased approach, May stated that *"from [the time the two-year Article 50 process has concluded] onward, we believe a phased process of implementation, in which both Britain and the EU institutions and Member States prepare for the new arrangements that will exist between us will be in our mutual self-interest."* May was clear that the objective was to avoid a disruptive "cliff-edge" and to allow businesses time to plan and prepare for the new arrangements to be phased in.

May also confirmed that the Government will put the final deal that is agreed between the UK and the EU to a vote in both Houses of Parliament before it comes into force. In the Questions and Answer section following the speech, May was asked what would happen in the event that the House of Commons and the House of Lords rejected the final deal. May noted that MPs have voted for the Government to "get on with Brexit" and remarked that she was sure that Parliament will want to respect the views of the people.

The full text of the speech can be found [here](#).

Baker McKenzie Brexit Materials

- For our webinar on the impact of Brexit on trade in goods and services and customs, please see [here](#).
- For a checklist of issues to consider in evaluating how Brexit may affect your business, please see [here](#).
- For our dedicated Brexit website, please see [here](#).

For additional information, please contact [Ross Denton](#), [Sunny Mann](#) or [Jessica Mutton](#), the author of the above article. Check our [Brexit blog](#) for future developments.

HMRC updates

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

Release Date	Ref. No. and Subject
Customs Information Papers	
03-01-17	Customs Information Paper 67 (2016): introduction of Registered Exporters (REX) System
06-01-17	Customs Information Paper 70 (2016): importation of equipment pre-charged with hydrofluorocarbons (HFCs)
18-01-17	Customs Information Paper 1 (2017): tariff preference changes
20-01-17	Customs Information Paper 2 (2017): new address for the Central Community

Release Date	Ref. No. and Subject
	Transit Office (CCTO)
Tariff and Anti-Dumping Notices	
03-01-17	Tariff Notice 38 (2016): bedding and furnishings stuffed with any material
	Tariff Notice 39 (2016): electronic components that supply power to motor vehicles
04-01-17	Tariff Notice 46 (2016): y-shaped flexible tubes used in various fields
	Tariff Notice 47 (2016): a digital microscope in a cylindrical form
	Tariff Notice 50 (2016): a cylindrical track roller
06-01-17	Tariff Stop Press Notice 46 (2016): changes to the monthly trade euro rate
09-01-17	Anti-Dumping Duty measure AD2165
12-01-17	Anti-Dumping Duty measure AD2169
	Anti-Dumping Duty measure AD2166
13-01-17	Tariff Notice 48 (2016): items designed for Christmas festivities
	Tariff Notice 49 (2016): wireless speaker adapter
	Anti-Dumping Duty measure AD2167
	Anti-Dumping Duty measure AD2168
17-01-17	Tariff Stop Press Notice 44 (2016): amendments to commodity codes in chapter 72
18-01-17	Tariff Quota Notice 189 (2016): new and amended tariff quotas for certain agricultural and industrial products
20-01-17	Tariff Stop Press Notice 45 (2016): changes to anti-dumping
Other Documents and Notices	
05-01-17	VAT Notice 702: imports
	Import and export: Customs Duty/import VAT relating to imports by post (BOR286)
06-01-17	HM Revenue and Customs' organisation chart
09-01-17	Import and export: apply for a Customs Comprehensive Guarantee (CCG1)
10-01-17	HMRC1: HM Revenue and Customs decisions - what to do if you disagree
31-01-17	Customs Freight Simplified Procedures: contact lists

ECO Notices to Exporters and DIT documents

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

Date	Notice No. and Subct
09-01-17	Using spire to get an export licence
20-01-17	Notice: Notice to exporters 2017/01: 16 open licences updated
	Guidance: Open general export licence (technology for military goods)
	Guidance: Open general export licence (military surplus vehicles)
	Guidance: Open general export licence (export after repair/replacement under warranty: military goods)
	Guidance: Open general transshipment licence (sporting guns)
	Guidance: Open general export licence (export for repair/replacement under warranty: military goods)
	Guidance: Open general trade control licence (maritime anti-piracy)
	Guidance: Open general export licence (military and dual-use goods: UK forces deployed in embargoed destinations)
	Guidance: Open general export licence (export after exhibition or demonstration: military goods)
	Guidance: Open general export licence (historic military goods)
	Guidance: Open general export licence (cryptographic development)
	Guidance: Open general export licence (access overseas to software and technology for military goods: individual use only)
	Guidance: Open general export licence (military and dual-use goods: UK forces deployed in non-embargoed destinations)

Date	Notice No. and Subct
	Guidance: Open general export licence (PCBs and components for military goods)
	Guidance: Open general export licence (military goods: for demonstration)
	Guidance: Open general transshipment licence
	Guidance: Open general export licence (software and source code for military goods)
24-01-17	Open individual export licence (OIEL) undertaking template
	Open General Export Licence (Military Goods, Software and Technology) Consignee Undertaking Template
	End-user certificate (EUC) form

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	
04-01-17	Foreign Affairs : № 2 Decree No. 2017-1 of 3 January 2017 and with publication of the Protocol to the Convention on the International Carriage of Goods by Road (CMR) concerning the electronic consignment note, signed at Geneva on 20 February 2008
07-01-17	Social Affairs and Health: № 56 Notice to producers, distributors, importers and users of products for embalming the body of the deceased (or embalming fluids)
10-01-17	Social Affairs and Health: № 12 Decree No. 2017-20 of January 9, 2017 on pharmaceuticals and inspection by the National Security Agency drug and health products and introducing simplification procedures implemented by this agency
12-01-17	Economy and Finance: № 15 Decree of 4 January 2017 on the accounting network of the General Directorate of Customs and Excise
26-01-17	Social Affairs and Health: Decree of 19 January 2017 amending the Decree of 22 February 1990 establishing the list of substances classified as narcotics
27-01-17	Foreign Affairs: № 11 Decree No. 2017-77 of 25 January 2017 and with publication of the Convention of the Council of Europe on counterfeiting of medical products and similar crimes involving threats to public health, signed in Moscow on 28 October 2011 (1)
Germany	
26-01-17	Regulation on the revision of national regulations on the placing on the market and supply of chemicals (20-01-2017) From No. 4 of January 26, 2017, page 94
Ireland (Eire)	
27-12-16	S.I. No. 625 of 2016 - European Communities (Official Controls on the Import of Food of Non-Animal Origin for Pesticide Residues) (Amendment) (No. 4) Regulations 2016
	S.I. No. 628 of 2016 - European Union (Caseins and Caseinates) Regulation, 2016
03-01-17	S.I. No. 634 of 2016 - European Union (Energy Efficiency Obligation Scheme) (Amendment) Regulations 2016
	S.I. No. 644 of 2016 - European Communities (Safety of Toys) (Amendment) Regulations 2016
10-01-17	S.I. No. 677 of 2016 - Avian Influenza (Precautionary Confinement (of Birds) Regulations 2016
	S.I. No. 678 of 2016 - European Union (Seed of Oil Plants and Fibre Plants) (Amendment) Regulations 2016

Date*	Measure
20-01-17	S.I. No. 5 of 2017 - European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2017
Liechtenstein	
17-01-17	LGBI № 2017.001 Protocol amending the free trade agreement between the EFTA States and the Republic of Serbia (LR № 0.632.311.261)
26-01-17	LGBI № 2017.017 Regulation of 24 January 2017 on the amendment to the Regulation on precautionary measures for the prevention of the introduction of avian influenza (LR № 916.421.1)
Luxembourg	
26-01-17	Mem A103: Grand-Ducal Regulation of 24 January 2017 amending the amended Grand-Ducal Regulation of 23 December 2013 fixing the autonomous excise duty and other provisions on manufactured tobacco.
	Mem A104: Ministerial Regulation of 24 January 2017 on the taxation of manufactured tobacco.
Malta	
24-01-17	№27 of 2017 – Export and Import of Hazardous Chemicals Regulations, 2017 Government Gazette of Malta No. 19,716 – 24.01.2017
Norway	
02-01-17	FOR-2016-12-22-1880 Health and Care Services Regulation amending the Regulation on food hygiene (food hygiene regulations)
03-01-17	FOR-2016-12-21-1888 Climate and Environment Ministry Amendments in Toy Regulations
04-01-17	FOR-2017-01-03-2 Ministry of Health, Agriculture and Food Regulation amending the Regulation on specific rules for the organization of official controls on products of animal origin intended for human consumption (animaliekontrollforskriften)
10-01-17	FOR-2017-01-06-15 Foreign Affairs Regulations amending the Regulations for the implementation of the Convention on 3 March 1973 on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
18-01-17	FOR-2017-01-12-36 Health and Care Services Regulation amending the Regulation on medicines, regulation of clinical trials of medicines for human and regulation on the manufacture and import of medicinal
	FOR-2017-01-16-39 Climate and Environment Ministry Regulation amending the Regulation on the restriction of use of hazardous chemicals and other products (Product Regulations)
	FOR-2017-01-17-40 Ministry of Health, Ministry of Agriculture, Industry and Fisheries Ministry Regulation amending the Regulation on the supervision and control on the import and export of foodstuffs and products of animal origin within the EEA, and of non-animal foodstuffs from third countries
24-01-17	FOR-2017-01-23-59 Agriculture and Food Regulation amending the Regulation on animal health conditions governing the import and export of live animals, semen, ova and embryos (regulation on trade in animals)
	FOR-2017-01-23-58 Agriculture and Food Regulation amending the Regulation on animal health conditions for the importation and exportation of equidae
27-01-17	FOR-2017-01-26-75 Health and Care Services Regulation amending the Regulation on special safeguard measures on imports of clams from Turkey
31-01-17	FOR-2017-01-30-104 Finance The VAT Act § 6-37 and § 7-10 - Lockheed Martin - Decisions on exemption from VAT for the sale and importation associated maintenance program for weapon system F-35
Poland	
03-01-17	№ 7 Regulation of the Minister of Development and Finance of 21 December 2016. On essential requirements for the restriction of the use of certain hazardous substances in electrical and electronic equipment
04-01-17	№ 16 Regulation of the Minister of Development and Finance of 29 December 2016. On specific health and safety conditions of service of customs officers
09-01-17	№ 50 Proclamation of the Marshal of the Polish Sejm of 16 December 2016. On the uniform text of the Act on plant protection products
11-01-17	№ 64 Minister of Health of 28 December 2016. On gathering information on

Date*	Measure
	suspected or confirmed poisoning biocidal product
	№ 65 The announcement of the Minister of Development and Finance of 9 December 2016. On the uniform text of the Regulation of the Minister of Finance on the proceedings concerning statements of means of customs officers
17-01-17	№ 105 Regulation of the Minister of Agriculture and Rural Development of 4 January 2017. On the introduction of a program to detect the prevalence of infections with viruses that cause avian influenza in the years 2017-2019
24-01-17	№ 149 Proclamation of the Marshal of the Polish Sejm of 3 January 2017. On the uniform text of the law on food safety and nutrition
27-01-17	№ 168 Council of Ministers of 23 January 2017. Amending the Regulation on Kostrzyn Special Economic Zone
Spain	
05-01-17	Hacienda: 159 .Resolution of January 3, 2017, of the Department of Customs and Special Taxes of the State Agency of Tax Administration, which modifies that of July 11, 2014, which contains instructions for the formalization of the single administrative document (DUA). (BOE-A-2017-159)
09-01-17	Hacienda: Resolution of December 15, 2016, of the Presidency of the State Agency of Tax Administration, which approves the provisional relationship of admitted and excluded to the aptitude tests for training as a customs representative (BOE-A-2017-252)
14-01-17	Economy, etc.: Resolution of January 9, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of European standards that have been ratified during the month of December 2016 as Spanish standards. (BOE-A-2017-425)
	Economy, etc.: Resolution of January 9, 2017, of the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of UNE standards annulled by the Spanish Association for Standardization and Certification during the month of December 2016. (BOE-A-2017-426)
	Economy, etc.: Resolution of January 9, 2017, issued by the General Directorate of Industry and Small and Medium Enterprise, which publishes the list of UNE standards approved by the Spanish Association for Standardization and Certification during the month of December 2016. (BOE-A-2017-427)
26-01-17	Presidency, etc.: Correction of errata of Royal Decree 677/2016, of December 16, by which approves the quality standard for the flour, the semolina and other products of the milling of the cereals. (BOE-A-2017-814 - 1 p. - 175 KB)
27-01-17	Hacienda: Resolution of January 19, 2017, of the General Directorate of the State Agency of Tax Administration, approving the general guidelines of the Annual Tax and Customs Control Plan for 2017. (BOE-A-2017-871)
28-01-17	Agriculture: Royal Decree 38/2017 of 27 January on provisions for the application of European Union legislation on information and promotion measures relating to agricultural products in the internal market and in third countries. (BOE-A-2017-913)
Switzerland	
28-12-16	Ordinance of the OSAV establishing measures to prevent the introduction into Switzerland of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
10-01-17	Ordinance of the Swiss Agency for Therapeutic Products concerning the enactment of the pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11)
	Ordinance of the FOAG on the fixing of periods and periods and the authorization of parts of tariff quotas for fresh vegetables, fresh fruit and fresh cut flowers (RS 916.121.100)
	Ordinance on International Trade in Rough Diamonds (RS 946.231.11)
12-01-17	Ordinance of the OSAV establishing measures to prevent the introduction into Switzerland of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
17-01-17	Ordinance on the Importation and Exportation of Vegetables, Fruit and Horticultural Plants (OIELFP) (RS 916.121.10)
	Ordinance of the DFI regulating trade in import, transit and export of animals and animal products with third countries (OIT-PT-DFI) (RS 916.443.106)

Date*	Measure
	Decision № 2/2015 of EFTA-Korea Joint Committee amending paragraph 1 of Article 21 and paragraph 7 of Article 24 of Annex I to the Free Trade Agreement between the EFTA States And the Republic of Korea (RS 0.632.312.811)
24-01-17	FDF Ordinance on Rates of Export Contributions of Agricultural Commodities (RS 632.111.723.1) Decision № 1/2016 of the Joint Committee on Agriculture of 16 November 2016 concerning the amendment of Annex 10 of the Agreement between the Swiss Confederation and the European Community on agricultural trade (RS 0.916.026.81)
26-01-17	Ordinance of the OSAV to prevent the introduction of avian influenza into the domestic poultry population (RS 916.403.1)
27-01-17	Ordinance of the OSAV establishing measures to prevent the introduction into Switzerland of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
31-01-17	Federal Law on Foodstuffs and usual objects (Food Law, LDAI) (RS 817.0) Ordinance on Foodstuffs and Ordinary Objects (ODAIOUs) (RS 817.02) Exchange of letters of 1 st and 9 December 2008 between Switzerland and the United States of America concerning the establishment of a data protection framework for the transfer of personal data to the United States of America (Safe-Harbor) (RS 0.235.233.6) Federal Decree approving the protocols amending the Free Trade Agreements between the EFTA States and Serbia and Albania Protocol amending the Free Trade Agreement between the EFTA States and the Republic of Serbia (RS 0.632.316.821)
United Kingdom	
11-01-17	SI 2017/8 - The Plant Health (England) (Amendment) Order 2017
13-01-17	SSI 2017/6 - The Plant Health (Import Inspection Fees) (Scotland) Amendment Regulations 2017
20-01-17	SI 2017/28 - The Air Navigation (Dangerous Goods) (Amendment) Regulations 2017
23-01-17	SSI 2017/13 - The Sale of Nicotine Vapour Products (Prescribed Documents) (Scotland) Regulations 2017 SSI 2017/12 - The Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (Commencement No. 1) Regulations 2017

Restrictive measures established, amended, corrected

The following restrictive measures (grouped by country) were established, amended or corrected and published in the national official journals or agency websites during the period covered by this Update. [This is a partial listing, unofficial translations.]

*The date shown may be the signature date, release date or publication date, depending on local practice.

Date*	Restrictive Measure
Ireland (Eire)	
23-12-16	S.I. No. 617 of 2016 - European Union (Restrictive Measures Concerning Yemen) (No. 2) Regulations 2016 S.I. No. 618 of 2016 - European Union (Restrictive Measures Concerning Ukraine) (No. 3) Regulations 2016
Liechtenstein	
19-01-17	LGBI № 2017.005 Regulation of 18 January 2017 on the amendment of the Regulation on measures against persons and entities with links to the Taliban (LR № 946.222.21) LGBI № 2017.006 Regulation of 18 January 2017 on the amendment to the Regulation on economic measures against the Republic of Iraq (LR № 946.221.1)
26-01-17	LGBI № 2017.014 Regulation of 24 January 2017 on the amendment of the regulation on measures against the Islamic Republic of Iran (LR № 946.223.3)

Date*	Restrictive Measure
	LGBI № 2017.015 Regulation of 24 January 2017 on the amendment of the Regulation on measures against persons and entities with links to the grouping "Al-Qaida" (LR № 946.222.22)
Switzerland	
10-01-17	Amendment of 21-12-16 to the Ordinance of Blockage of assets in the context of Tunisia (RS 196.127.58)
19-01-17	Amendment to the Ordinance of 2 October 2000 imposing measures against persons and entities associated with Usama bin Laden, the group "Al-Qaeda" or the Taliban (RS 946.203) [Effective 18-01-17]
27-01-17	Amendment of 26-01-17 to the Ordinance of 11 November 2015 instituting measures against the Islamic Republic of Iran (RS 946.231.143.6) [Eff. 27-01-17]
27-01-17	Amendment of 27-01-17 to the Ordinance of 7 August 1990 imposing economic measures against the Republic of Iraq (RS 946.206) [Eff. 26-01-17]
31-01-17	Order to block heritage values in the context of Egypt (O-Egypt) (RS 196.123.21)

Non EU-EFTA European Countries

CEFTA

The Central European Free Trade Agreement (CEFTA) Parties (Albania, Bosnia and Herzegovina, Macedonia, Moldova, Montenegro, Serbia, and Kosovo) established the so-called "[Transparency Pack](#)" – a series of trade related databases – to provide businesses, officials and academics with valuable information on trade relations among the CEFTA Parties. The databases are:

- [Trade Portal](#)
- [TBT Platform](#)
- [SPS Database](#)
- [Market Access Barriers \(MAB\) Database](#)

Turkey

Legislation (laws, resolutions, orders, etc.)

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

Date	Subject
26-11-16	Min. of Customs and Trade: Communique № 24 WCO HSC 56 Classification Decisions added to Turkish regime
07-12-16	Council of Ministers: Communication № 2016/9379 (17-10-16) application of tariff quotas to certain agricultural products from Moldova
	Council of Ministers: Communication № 2016/9513 (07-11-16) – Tariff rate quotas and duty exemptions for certain industrial products [Effective 01-01-17]
	Economy: Communication № 2016/49 – Continuation after expiry review of anti-dumping investigation of heading 8207 drill bits from China
08-12-16	Council of Minister's Decision № 2016/9530 (14-11-16) Classification Opinions
16-12-16	Economy: Communication № 2016/3 – Surveillance document for certain lifts, escalators, etc. [light curtains and height photocells] under a certain value 8431.31.
	Economy: Communication № 2016/06 – Surveillance document for Ammonium Chloride (Nişadır) with Tariff code 2827.10.00.00.00 which have a customs value of less than \$0.35 USD/KG per unit
21-12-16	Economy: Communication № 2016/51 – Hot rolled non-flat steel from China – Anti-dumping investigation initiated
	Economy: Communication № 2016/53 – Certain hinges and similar items (ex-

Date	Subject
	cept for civil aircraft use) from China – Continuation of antidumping duties [specified subheadings of 8302]

Ukraine

Legislation (laws, resolutions, orders, etc.)

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

Date	Subject
30-12-16	On Amendments to the Regulations on the procedure for monitoring the export, import transactions - Resolution of the National Bank of Ukraine on December 30, 2016 № 419

Eurasian Economic Union (EAEU)

New Customs Code of the Eurasian Economic Union

On 26 December 2016 members of the Eurasian Economic Union (EAEU) approved and signed the new [Customs Code](#) (EAEU Customs Code). There is only one exception - the Customs Code has not yet been signed by Belarus.

With that, the EAEU Customs Code will come into force after it has been signed by Belarus and ratified by all member states of the EAEU. The document is expected to come into force not earlier than 1 July 2017.

The EAEU Customs Code counts over 1,000 pages, and it is designed to systematize and codify over 20 international treaties of the EAEU in the sphere of international trade, including on customs valuation, rules of origin, customs clearance of goods delivered via international mail, etc. After the adoption of the EAEU Customs Code the above mentioned international treaties of the EAEU would be repealed. The EAEU Customs Code is aimed at making customs operations more transparent and provides instruments that would facilitate interaction between businesses and state authorities by reducing paperwork and direct contact with customs officials. The main changes introduced by the EAEU Customs Code (in comparison with the currently effective Customs Union Customs Code) include the following:

- Simplification of customs procedures, including:
 - i. [release for internal consumption customs procedure](#) (i.e., the standard import customs regime): special provisions on application of the procedure to the products of processing that were imported to the EAEU territory under the inward customs processing procedure and re-exported outside of the EAEU territory (subject to certain conditions);
 - ii. [temporary import customs procedure](#): the right to use temporarily imported goods on the whole territory of the EAEU without payment of customs duties and taxes;
 - iii. [customs procedures of inward and outward processing](#): revised list of processing operations which includes modernization of goods;

- iv. customs warehouse customs procedure: special provisions for goods in unassembled or disassembled conditions, more detailed provisions on the application customs payments.
- The legal status of the importer of record (i.e., "declarant") has been revisited with respect to foreign legal entities and their local branches and representative offices, allowing them to use various customs procedures that so far have not been practically applied within the EAEU (for example, the customs procedure of customs warehouse);
- The EAEU Customs Code introduces new measures targeted on simplification of customs clearance formalities, including the following:
 - i. The automatic release of goods with the use of information systems of the customs authorities and excluding any direct interactions between the importers of record and the customs officers;
 - ii. The customs clearance mechanism named "single window" (i.e., the importers of record should not provide once again any documents or information for customs clearance purposes, when relevant copies thereof already are available in the electronic customs database of the EAEU);
 - iii. The statutory terms of performing certain customs clearance have been significantly reduced, that would allow the importers to complete customs clearance formalities faster (e.g., 4 hours for general import clearance instead of 24 hours presently in effect, etc.);
 - iv. A possibility to defer payment of import customs duties and taxes (subject to certain conditions).
- The legal status of authorized economic operator (AEO) is significantly fixed. The EAEU Customs Code establishes three categories of AEO differentiated by specific qualification criteria, requirements and certain specific simplifications in the sphere of customs clearance. Under the new regulations the AEOs will become entitled to apply a wider scope of simplifications, including: (i) priority in performing certain customs operations, (ii) release from the obligation to provide security of customs payments, or a possibility to provide such security in a lower amount subject to certain conditions, (iii) priority for participation in various pilot projects performed by customs authorities, (iv) assignment of a lower risk score in the customs risk management system, and (v) the right of distant clearance – i.e. ability to clear the goods with clearing customs posts located in other regions of the same EAEU member state than the region where the goods are actually imported/located, etc.

The EAEU Customs Code contains a large amount of references to customs regulations of the EAEU and national legislation of the EAEU member states, which would respectively require adoption of a large number of relevant implementing regulations.

For additional information, please contact [Alexander Bychkov](#) or [Vladimir Efremov](#) of our Moscow office.

Decisions and recommendations of the Eurasian Economic Commission

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

Publication Date	Title
Council (Совет) of the Eurasian Economic Commission Решение	

Publication Date	Title
09-12-16	№ 101 (18-10-16) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union
22-12-16	№ 110 (18-10-16) On introduction of changes to the list of goods temporarily imported with full conditional exemption from customs duties and taxes
	№ 111 (18-10-16) On the establishment of import customs duties of the Common Customs Tariff of the Eurasian Economic Union on the artificial fiber rayon
	№ 112 (18-10-16) On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union, the Common Customs Tariff of the Eurasian Economic Union as well as the list of sensitive products for which the decision to change the rate of import duty is taken by the Council of the Eurasian Economic Commission, in respect of certain types of fruit puree
23-12-16	№ 113 (18-10-16) On the technical regulations of the Eurasian Economic Union "On Restriction of use of hazardous substances in electrical and electronics products"
	№ 114 (18-10-16) On the technical regulations of the Eurasian Economic Union "On the safety of amusement"
	№ 115 (18-10-16) On the application of protective measures and trigger bilateral safeguard measures under the Agreement on free trade between the Eurasian Economic Union and its Member States, on the one hand, and the Socialist Republic of Vietnam, on the other hand, on May 29, 2015
	№ 124 (30-11-16) On Amendments to the list of categories of goods in respect of which special customs procedure and conditions of their placement can be installed under a customs procedure
	№ 126 (30-11-16) On Amendments to the technical regulations of the Customs Union "On the safety of agricultural and forestry tractors and their trailers" (TR CU 031/2012)
	№ 127 (30-11-16) On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of chemical compounds
	№ 128 (30-11-16) On amendments to some decisions of the Commission of the Customs Union in respect of ships, pipe layers
	№ 129 (30-11-16) On amendments to some decisions of the Commission of the Customs Union in respect of textured yarns of polypropylene
	№ 130 (30-11-16) On the establishment of import customs duties of the Common Customs Tariff of the Eurasian Economic Union on the polyethylene coating factory three-layer anticorrosion coating on a large diameter pipe
	№ 138 (30-11-16) On amendments to some decisions of the Commission of the Customs Union in respect of certain types of temporarily imported turboprop commercial aircraft
13-01-17	№ 140 (21-12-16) On amendments to some decisions of the Commission of the Customs Union and the decision of the Council of the Eurasian Economic Commission on December 2, 2015 № 88 in respect of certain types of temporarily imported civil passenger aircraft
	№ 141 (21-12-16) On approval of the application by the authorized bodies of the states - members of the Eurasian Economic Union on the suspension measures or to prohibit the use of medical devices that are dangerous to the life and (or) human health, substandard, counterfeit or falsified medical products and withdrawal them from circulation in the territories of the states - members of the Eurasian economic Union
Board (Коллегии) of the Eurasian Economic Commission Решения	
17-01-17	№ 1(16-01-17) On Amendments to the decision of the Board of the Eurasian Economic Commission dated November 12, 2013 № 254
	№ 2 (16-01-17) On Amendments to the decision of the Board of the Eurasian Economic Commission on April 21, 2015 № 30 On measures of non-tariff regulation
	№ 3 (16-01-17) On Amendments to the decision of the Board of the Eurasian Economic Commission on August 18, 2015 № 101

Publication Date	Title
	№ 4 (16-01-17) On the order of entry into force of amendments to the technical regulations of the Customs Union "On the security package" (TR CU 005/2011) № 5 (16-01-17) On Amendments to the decision of the Board of the Eurasian Economic Commission dated January 15, 2013 № 5
25-01-17	№ 6 (24-01-17) On the technological documents regulating information interaction in the implementation of the means of the integrated information system of foreign and mutual trade of the general process of "formation, maintenance and use of a common register of places of arrival of goods into the customs territory of the Eurasian Economic Union and places of departure of goods from a territory" № 7 (24-01-17) The classification of the installation for underground repair of wells in accordance with the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union № 8 (24-01-17) The classification of the lubricant according to the uniform Commodity nomenclature of foreign economic activity of the Eurasian Economic Union № 9 (24-01-17) On amendments to some decisions of the Board of the Eurasian Economic Commission on the technological documents regulating information interaction in the implementation of the means of the integrated information system of foreign and mutual trade of the general processes
Board Recommendations	
17-01-17	№ 1 (16-01-17) On the application of the preliminary information on the structure and format of the goods imported into the customs territory of the Eurasian Economic Union, rail and air transport

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 26 January 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 January 2017. 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 12 December 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
21-12-16	Order of the President of the Russian Federation from 20-12-2016 № 417-rp On signing the Agreement on the Customs Code of the Eurasian Economic Union.
23-12-16	The order of the Russian Federation from 12/21/2016 number 2764-r "On conclusion of the Agreement between the Russian Federation and the Government of the Republic of Korea by the Government on the organization of a system of direct encrypted communication between the Russian Federation and the Republic of Korea."
26-12-17	Presidential Decree of 26.12.2016 № 710 On Amendments to the Decree of the President of the Russian Federation dated August 8, 2001 № 1005 On approval of the list of equipment, materials and technologies that can be used in the creation of missiles and for which set export controls in the list approved by this Decree Russian Federation Government Resolution dated 12.23.2016 number 1460 "On Amendments to the list of (groups) of goods, works, services, results of intellectual activity (the rights to them), foreign transactions which are subject to registration for the purposes of export control"
27-12-16	The order of the Russian Federation from 12.26.2016 number 2830-r "On termination of international free trade agreements between the Russian Federation and the Government of the Republic of Tajikistan" Russian Federation Government Resolution dated 12.23.2016 number 1448 "On Amendments to the Rules of representation by a foreign investor or a group of persons including a foreign investor, the information on transactions with the shares (stakes) in the authorized capital of business entities of strategic importance for the national defense and state security, transactions, other actions, subject to prior agreement " Russian Federation Government Resolution dated 12.23.2016 number 1449 "On Amendments to the Rules of prior approval of transactions and agreement to establish control of foreign investors or a group of persons including a foreign investor over the business entities of strategic importance for national defense and state security " Russian Federation Government Resolution dated 12/24/2016 number 1477 "On Amendments to the Rules of obtaining end-user certificates for the import into the Russian Federation for military use foreign-made products."
28-12-16	Russian Federation Government Resolution dated 12/24/2016 number 1478 "On licensing of imports of rubble, gravel crushing screenings, materials from crushing screenings and mixtures, the components of which are crushed stone, gravel and sand." Federal law from 28-12-2016 № 510-FZ On Amendments to Articles 12 and 104 of the Federal Law On Customs Regulation in the Russian Federation and the Russian Federation Code of Administrative Offences

R.G. Date of Publication	Subject
	Federal law from 28-12-2016 № 507-FZ On Amendments to Article 3-1 of the RF Law On Customs Tariff
30-12-16	Russian Federation Government Resolution dated 28/12/2016 number 1515 "On Amendments to Article 9 of the Rules of import of drugs for medical use in the territory of the Russian Federation"
	Russian Federation Government Resolution dated 28/12/2016 number 1522 "On approval of Rules of preparation act of the Government of the Russian Federation on the definition of the parties - investors special investment contract or attracted by such party-investor of a person engaged in the creation or modernization and (or) development of production of goods in the territory of the Russian Federation in accordance with the special investment contract concluded on the basis of the Federal law "on industrial policy in the Russian Federation", the sole supplier of this product, the information on which is included in the register of sole suppliers of goods, production of which is created or upgraded, and (or) being developed in the Russian Federation "
03-01-17	Russian Federation Government Resolution dated 31-12-2016 number 1581 "On Amendments to the list of medical products, the implementation of which in the territory of the Russian Federation, the Russian Federation and the import into the territory and other territories under its jurisdiction are not subject to (exempt from) tax value added "
16-01-17	Russian Federation Government Resolution dated 14-01-2017 number 9, "On establishing a ban on admission of goods originating from foreign states, works (services) performed (provided) by foreign persons for the purposes of the procurement of goods, works (services) for the needs of national defense and security of the state "
19-01-17	Russian Federation Government Resolution dated 01-17-2017 number 15 "Concerning the Annulment of Certain Acts of the Government of the RSFSR (on the export of crude oil and refined products outside of the RSFSR)".
	Russian Federation Government Resolution dated 18-01-2017 number 19 "On Amendments to the list of goods that are essential to the internal market of the Russian Federation in respect of which temporary restrictions or export bans can be established in exceptional cases"
	Russian Federation Government Resolution dated 18-01-2017 number 20 "On the introduction of a temporary ban on the export of semi-finished leather from the Russian Federation"
24-01-17	Russian Federation Government Resolution dated 21-01-2017 number 46 "On Amendments to the ratification of the Protocol amending the Agreement on Rules of origin of goods in the Commonwealth of Independent States on November 20, 2009

Middle East and North Africa

Algeria

The 2017 Finance Law

1. The Algerian Finance Law for 2017 (the "2017 FL"), which is effective as of January 1, 2017, attempts to make up for the shortfall in oil and gas revenues through a number of tax increases or new taxes.

2. Notably, the standard VAT rate increases from 17% to 19% (Article 21), while the reduced tax rate is now 9% instead of 7% (Article 23). Incidentally, the old rate will continue to apply to public procurement contracts whose performance began up to December 31, 2016 until the end of the works/services according to a statement from the Director General of Tax.

3. Moreover, the Algerian government will be adding new revenues as follows:

- The tax on alcohol increases by 10%;
- The internal consumption tax on beer and tobacco products, as well as SUVs and other leisure vehicles, is also raised;
- The tax on petroleum products goes up for gas and gasoil;
- The tax on prepaid telephone cards goes up from 5% to 7%;
- A specific tax is imposed on advertising production and dissemination contracts which are carried out abroad for products that are not manufactured locally; the rate of this levy is 10% and it is included in the tax base for VAT; regardless of the medium of distribution used, this tax is borne by the undertaking which requests the dissemination of the advertising of the products without the possibility of deduction of the charge from its taxable income;
- Capital gains on the transfer, for consideration, of real estate (developed or not) are subject to income tax at the rate of 5% subject to a number of exceptions, including transactions made in the framework of the liquidation of an estate for succession purposes, transfer of leasing contracts and transfer of goods held for more than 10 years;
- A tax on rental income is also withheld at source at the rate of 15% for the lease of commercial or professional premises, including for the lease of residential premises to a company; a lower tax rate applies to individual and collective dwelling;
- A progressive energy efficiency tax will be applied on products which do not meet the efficiency levels set by regulation;
- The tax applicable on each application for the registration of pharmaceutical products is increased.

4. The verification procedures for the indirect transfer of profits (whether through the increase or decrease of the purchase or sale price, the payment of excessive royalties or royalties paid without consideration, the grant of loans without interest or at a reduced rate, the renunciation of the interest stipulated in the loan agreement, the grant of an advantage that is out of proportion with the service obtained, or any other means) are reinforced under Article 43. From now on, the tax administration has, in principle, more time to conduct an audit of the transferred amounts.

5. Article 74 of the 2017 FL provides that "the amounts collected by foreign companies which do not have permanent professional installations in Algeria and which are part of a contract for the supply of services subject to the 24% withholding tax are subject to VAT when the basis of calculation benefits from a rate reduction or abatements." We note that this article does not seem to target defense projects or major means which benefit from an exemption of the 24% tax rather than a reduction or abatements. However, The Algerian tax administration has yet to clarify how this new measure will be applied.

6. In order to encourage participation to the recent bond debt launched by the government, subscribers will not be subject to corporate or individual income tax for a period of 5 years for the bonds with a due date of three and five years (Article 83).

7. Pursuant to Article 88, a new preferential tax regime is established for production companies which perform assembly and installation activities, provided that they make an investment and create employment, but also that they comply with the integration rate of the final product as set forth by joint Order of the Ministry of Industry and the Ministry of Finances (which is yet to be adopted). The same preferential tax regime applies to parts, accessories and components, imported separately by the foregoing enterprises which form an integral part of the collections intended for the assembly industries. The special regime is granted by the Minister of Industry by co-signing the commitment of the beneficiary enterprise to comply with the integration rate.

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--

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

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

Credits:

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

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

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Please see the last page for additional information and disclaimers

8. Among the measures taken to improve the recovery of judicial fines:

- Article 55 provides that when a tax has not been paid by the due date, the tax receiver must send a reminder letter to the debtor 15 days before the notification of the first prosecution notice;
- However, Article 61 authorizes the receiver to revive the collection procedure for an unpaid tax debt until a judicial decision has been taken; in that case the four year statute of limitations is suspended;
- Moreover, the 2017 FL introduces an Article instructing the services of the Ministry of Justice to recover these fines directly within six months of any judicial decision. In cases where the fine is not recovered by the Ministry of Justice after the expiry of this period, the file is then sent to the tax administration, which will be responsible for the recovery (Article 62);
- The 2017 FL newly allows "offsetting", whereby the tax receiver has the option of earmarking refunds, reliefs, duties, taxes or penalties owed to a taxpayer to the payment of the payment of taxes, duties or penalties due by said taxpayer upon notice to the taxpayer.

9. Concerning the efforts of the government to increase social security contributions, the 2017 FL doubles the monetary fines applicable to employers who failed to register their employees with the social security authority within the required timeframe, but no longer sanctions such failure with prison sentences of up to two years in case of repeat violations as set forth in the Supplementary Finance Law for 2015.

10. Contrary to expectations, the 2017 LF does not modify the 51/49% rule which requires that at least 51% of the capital of Algerian companies be held by Algerian resident nationals or Algerian companies whose shareholders are all Algerian resident national. The rule was moved last year from the Investment Code to the 2016 Finance Law for more flexibility.

11. Finally, the implementing regulations of the Investment Code, which were promised for the end of 2016, remain to be adopted.

For more information, please contact [Michael L. Coleman](#), [Celine Van Zeebroeck](#) or [Jessica Norrant-Eyme](#).

Africa (except North Africa)

South Africa

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

Publication Date	Publication Details	Subject	Implementation Date
27-01-17	GG.40582 R.75	Amendment of Schedule No. 8 as a consequence to the publication of environmental levy on tyres as announced by the Minister of Finance in his Budget Review on 24 February 2016 • Notice R.75	01-02-17
	GG.40582 R.74	Amendment of Part 4 of Schedule No. 6 as a consequence to the publication of environmental levy on tyres as announced by The Minister of Finance in his Budget Review on 24 February 2016 • Notice R.74	
	GG.40582	Amendment of Part 5 of Schedule No. 4 as a con-	

Publication Date	Publication Details	Subject	Implementation Date
	R.73	sequence to the publication of environmental levy on tyres as announced by the Minister of Finance in his Budget Review on 24 February 2016 Notice R.73	
	GG.40582 R.72	Amendment of Part 1 of Schedule No. 3 as a consequence to the publication of environmental levy on tyres as announced by the Minister of Finance in his Budget Review on 24 February 2016 Notice R.72	
	GG.40582 R.71	Amendment of Part 3E of Schedule No. 1 as promulgated in the Rates and Monetary Amounts and Amendment of Revenue Laws Act No. 13 of 2016 published in Government Gazette No. 40560 dated 19 January 2017 as announced by the Minister of Finance in his Budget Review on 24 February 2016 Notice R.71	
	GG.40582 R.70	Amendment of Part 3D of Schedule No. 1 to include hybrid vehicles under environmental levy on carbon dioxide (CO2) emissions of motor vehicles Notice R.70	27-01-17
	GG.40582 R.69	Amendment of Part 1 of Schedule No. 1 as a consequence to the publication of environmental levy on tyres as announced by the Minister of Finance in his Budget Review on 24 February 2016 Notice R.69	01-02-17
	GG.40578 R.66	Amendment of Part 1 of Schedule No. 3 by the insertion of rebate items no. 311.42/8536.50.50/01.08 and 311.42/8544.49.90/01.08 to provide for a rebate provision for switches and wire for the manufacture of electric blankets - ITAC Report No. 536 Notice R.66	27-01-17
	GG.40582 R.76	Amendment to rule 54F to provide for environmental levy on tyres as announced by the Minister of Finance in his budget review on 24 February 2016 Notice R.76	01-02-17

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

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

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FRB= Federal Reserve Board of Governors; FTC= Federal Trade Commission; FWS= US Fish & Wildlife

Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; IRS= Internal Revenue Service; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; TTB= Alcohol & Tobacco Tax and Trade Bureau; USCG= US Coast Guard; USPIS=Postal Inspection Service; USDA= US Department of Agriculture; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; HKCE= Hong Kong Customs & Excise; SFO = UK Serious Fraud Office.]

Date of Release	Subject
12-28-16	4 businessman, 2 foreign officials plead guilty in connection with bribes paid to Mexican aviation officials (ICE, IRS, DOJ)
01-03-17	CBP seizes \$1.1 Million in Counterfeit Electronics in Joint Operation with Hong Kong Customs (CBP, HKCE)
01-10-17	2 energy-industry businessmen plead guilty in Houston to foreign bribery charges in connection with Venezuelan contract scheme (DOJ, ICE, IRS)
01-11-17	Volkswagen AG Agrees to Plead Guilty and Pay \$4.3 Billion in Criminal and Civil Penalties; Six Volkswagen Executives and Employees are Indicted in Connection with Conspiracy to Cheat U.S. Emissions Tests (DOJ, EPA, CBP, FBI, German authorities)
01-12-17	OFAC settles with Aban Offshore Ltd. [\$17,500 – alleged violation of 31 C.F.R. Part 560 -ITSR] (OFAC)
	OFAC settles with an individual and the Alliance for Responsible Cuba Policy Foundation [\$10,000 – alleged violations of 31 C.F.R. Part 515 CACR] (OFAC)
	Zimmer Biomet Holdings Inc. Agrees to Pay \$17.4 Million to Resolve Foreign Corrupt Practices Act Charges (DOJ, FBI, SEC)
	ICE returns cultural artifacts to Peru (ICE, State, FBI, DOJ)
01-13-17	Chilean Chemicals and Mining Company Agrees to Pay More Than \$15 Million to Resolve Foreign Corrupt Practices Act Charges (DOJ, SEC, FBI)
01-17-17	Rolls-Royce plc Agrees to Pay \$170 Million Criminal Penalty [as part of \$800 million global settlement] to Resolve Foreign Corrupt Practices Act Case (DOJ, FBI, USPIS, SFO, Brazilian authorities, Austria, Germany, the Netherlands, Singapore and Turkey)
01-18-17	Agreement reached to ensure destruction of timber believed to have been harvested in violation of Peruvian law (DOJ, ICE, CBP)
	Owner Of Major Online Colored Contact Lens Business Sentenced to 46 Months in Prison in Largest-Ever Scheme to Import and Sell Counterfeit and Misbranded Contact Lenses Prosecuted in the United States (DOJ, FDA, USPIS, ICE)
01-19-17	Western Union Admits Anti-Money Laundering Violations and Settles Consumer Fraud Charges, Forfeits \$586 Million in Settlement with FTC and Justice Department (DOJ, FBI, USPIS, IRS, ICE, IG-FRB, FTC)
	ICE removes Indian man convicted of conspiracy to export sensitive US technologies to Iran (DOJ, ICE)
	Missouri woman sentenced to 2 years in federal prison for \$90 million online counterfeit cellphone scheme (ICE, IRS, DOJ, CBP)
	Las Vegas Sands Corporation Agrees to Pay Nearly \$7 Million Penalty to Resolve FCPA Charges Related to China and Macao (DOJ, SEC, FBI)
01-23-17	ICE, CBP strengthen trade fraud coordination in Puerto Rico (ICE,CBP)
01-25-17	Former Colorado police officer sentenced for selling counterfeit Denver Broncos merchandise (ICE, Local DA)
01-30-17	Kansas Man Sentenced to 52 Months for Exporting Firearms to Overseas Purchasers Using Hidden Marketplace Website (DOJ, CBP, ATF, ICE, local PD)
01-31-17	Florida Man Convicted at Trial of Attempting to Use a Weapon of Mass Destruction and Providing Material Support to ISIL (DOJ, FBI, ATF, ICE, Local PD and sheriffs)
	California Man Pleads Guilty to Illegally Importing Chinese Cigarettes (DOJ, CBP, IRS, TTB, FDA)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [September 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:

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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 – January 2017 {older issues}
LegalBytes Special Edition – January 2017: US Sanctions Russian Intelligence and Security Services in Response to Alleged Election-Related Hacking
Trade Crossroads Blog: What Lies Ahead for Foreign Investment in the United States?
Trade Crossroads Blog: Behind the Scenes, Free Trade Keeps Chugging Along
Algeria: The 2017 Finance Law Client Alert
Buenos Aires Tax Alert: Tax Information Exchange Agreement between Argentina and the United States of America (Eng.); Acuerdo para el Intercambio de Información Tributaria celebrado entre la Argentina y los Estados Unidos (Span.)
Other areas
Global Immigration & Mobility Client Alert: President's Executive Order can impact travel for certain lawfully present non-immigrants and immigrants to the US
Global Information Technology & Communications Industry & Practice Group: LegalBytes January 2017
Buenos Aires Labor Alert: Amendments to and extension of REPRO (Eng.); Prórroga y cambios al REPRO (Span.)
Buenos Aires Oil and Gas Alert: Announcement of investment incentives for the oil and gas industry (Eng.); Anuncios de incentivos para la inversión en la industria del petróleo y del gas (Span.)
Buenos Aires Labor Alert: Executive Order Amends the Occupational Risks Regime (Eng.); Establecen por Decreto las Modificaciones al Régimen de Riesgos del Trabajo (Span.)
Amendment to the Thai Computer Crime Act: Benefits for Intellectual Property Rights Owners
Kyiv Dispute Resolution Client Alert: New Calculation of Court Fee under Ukraine's New Law (Eng.); Новий Закон України змінив процедуру обчислення судового збору (Ukr.); Новый Закон Украины изменил процедуру расчёта судебного сбора (Russ.)
Data Protection and Cybersecurity UK Update – January 2017
EU Client Alert: The MedTech Code in full force as of 1 January 2017
EMEA Healthcare Industry Group January 2017 Newsletter
b:INFORM: Data Privacy & Security: FDA Releases Guidance for Medical Device Cybersecurity
b:INFORM: Data Privacy & Security: Swiss-US Privacy Shield Framework Approved
b:INFORM: Data Privacy & Security: New York Regulator Eases Requirements For Its Proposed Cybersecurity Regulation
United States – Significant Changes to TTAB Rules Take Effect
Vietnam Information Technology & Communications Newsletter – January 2017

Webinars, Meetings, Seminars, Etc.



In a globalized world where international trade agreements and the geopolitical and macroeconomic environment are constantly changing at all levels, local and multinational companies always face challenges when doing business in multiple jurisdictions.

To help you deal with these challenges strategically, we invite you to join us for a breakfast briefing on **February 21, 2017**. Seasoned practitioners will discuss with you recent developments in Latin America, provide global updates on the trade and commercial landscape and discuss the implications for companies doing business in the region.

The seminar could help your business identify opportunities and challenges brought about by the changes in international trade and mitigate future risks through strategic decision-making in Latin America and globally.

Our experts from North America, Latin America and Europe will share their insights on the following topics:

- **The New US Presidency: What does it mean for trade in Latin America?**
- **Regional Trade Agreements and their Impact on International Commerce in the Americas**
- **International Trade and Transfer Pricing Rules in Latin America**

This event is complimentary, but registration is required. If you or a colleague would like to attend, please register [here](#) by no later than **Thursday, February 16, 2017**.

We look forward to your participation.

We will have speakers from Argentina, Brazil, Canada, Mexico and the United States



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Date:

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Time:

08:00 - 11:30 am

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2017 Global Trade and Supply Chain Webinar Series

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

We are very pleased to announce our 14th annual, **Global Trade and Supply Chain Webinar Series** entitled, "**2017: Beginning of a New Era in Global Trade and Business?**". The series will include the latest international trade developments including the impact of the

Webinar Start Time:

08:00 AM (Pacific)

10:00 AM (Central)

11:00 AM (Eastern)

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Trump presidency on trade policy and of Brexit. In addition to our usual topics of Customs, export controls/sanctions and FCPA/anti-bribery, we will also cover data privacy and intellectual property in the supply chain.

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

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

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

Webinar Dates and Topics:

January 31	Major Customs Developments in North America and Asia
Speakers: Stu Seidel (Washington, DC), Brian Cacic (Toronto), Eugene Lim (Singapore), and Adriana Ibarra-Fernandez (Mexico City)	
February 28	Customs Basic: How to Classify Your Products
Speakers: Jess Mutton (London), Jose Hoyos-Robles (Mexico City), and Eunhyung Shin (Chicago)	
March 28	New Era of Protectionism? – Trump Presidency and Brexit Developments
Speakers: Terrie Gleason and Stu Seidel (Washington DC), and Jenny Revis (London)	
April 25	Customs Basic: How to Value Your Products
Speakers: Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)	
May 23	Impact on Sanctions: Trump Administration’s Effects on US, EU, and Russian Sanctions
Speakers: Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)	
June 27	Customs Basic: Determining the Origin of Your Products
Speakers: Terrie Gleason (Washington, DC), Daniel Lund (London), and Adriana Ibarra-Fernandez (Mexico City)	
July 25	Major Developments in Data Privacy Laws – US, Canada and EU

Duration:
90 Minutes

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

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These webinars area all complimentary.

REGISTER NOW

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

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

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



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

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

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

August 22 **Customs Basic: Reducing your Duty Liability Through the Use of Customs Procedures**

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

September 26 **Intellectual Property Considerations and Issues in Your Supply Chain**

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

October 24 **Customs Basic: What You Need to Know about Customs in the EU, Russia and China**

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

November 28 **Major Developments in FCPA/Anti-Bribery Regulation**

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

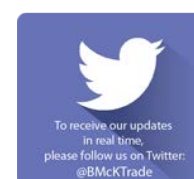
December 19 **Customs Basic: What You Need to Know about Customs in the US, Mexico and Brazil**

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

one or all webinars.

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

Interested in learning more?



2016 International Trade Compliance Webinar Series

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

Recorded Webinars:

Date	Topic
Presented January 26	Overview of the Trans-Pacific Partnership (TPP) Speakers: Frederick Burke (Ho Chi Minh City), Miguel Noyola (Chicago), Eugene Lim (Singapore), and Elizabeth Nightingale (Kuala Lumpur).
Presented February 16	The Trans-Pacific Partnership (TPP) and Labor and Environment Speakers: Frederick Burke (Ho Chi Minh City) and Thuy Hang Nguyen (Ho Chi Minh City).
Presented March 29	Customs Considerations in Free Trade Agreements, Including TPP and NAFTA Speakers: Adriana Ibarra (Mexico City), Stuart Seidel (Washington, DC), and Meredith DeMent (Washington, DC).
Presented April 19	The Latest on Trade Sanctions: Iran, Russia, and Other Developments Speakers: Steven Hill (Washington, DC), Philippe Reich (Zurich), Alexander Bychkov (Moscow), and Ben Smith (London).
Presented May 24	Cuba Sanctions Developments and Updates Speakers: Alison Stafford-Powell (Palo Alto), Alexandre Lamy (Washington, DC), Brian Cacic (Toronto), and Julia Pfeil (Frankfurt).

Presented June 21 1 [FCPA Considerations Arising in Import/Export Operations](#)
Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).

Presented July 26 [Update on Customs Valuation Issues Around the World – Transfer Pricing, First Sale, Royalties](#) Speakers: Paul Burns (Toronto), Nicole Looks (Frankfurt), Jennifer Revis (London), and Eugene Lim (Singapore).

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

Questions: If you have any questions regarding this webinar series, please contact:
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WTO TBT Notifications

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

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Argentina	ARG/166/Add.10	12/16/2016	Not given	Latex paints
 Argentina	ARG/290/Add.1	01/20/2017	Not given	Food products
 Argentina	ARG/304/Add.1/Corr.1	01/16/2017	Not given	Packaged paper
 Argentina	ARG/312	01/16/2017	02/15/2017	Personal hygiene products, cosmetics and perfumes.
 Argentina	ARG/313	01/16/2017	01/29/2017	Psychotropic substances and narcotic drugs
 Argentina	ARG/314	01/20/2017	02/19/2017	Personal hygiene products, cosmetics and perfumes
 Argentina	ARG/315	01/20/2017	Not given	Alcoholic beverages - wine
 Armenia	ARM/79	01/18/2017	02/28/2017	Pressure equipment
 Bahrain	BHR/461	01/10/2017	03/11/2017	Prepared Basbosa powder
 Bahrain	BHR/462	01/12/2017	03/13/2017	Food products in general
 Bahrain	BHR/463	01/12/2017	03/13/2017	Fresh Okra

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Bahrain	BHR/464	01/12/2017	03/13/2017	Peanut Butter
 Bahrain	BHR/465	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Bahrain	BHR/466	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Bahrain	BHR/467	01/17/2017	03/18/2017	Canned fruits
 Brazil	BRA/597/Add.1	01/09/2017	Not given	Toys also their parts and accessories, Wheeled toys designed to be ridden by children (for example, tricycles, scooters, pedal cars); dolls' carriages (HS 9501)
 Brazil	BRA/601/Add.1	01/04/2017	Not given	Clinical trials with medical devices
 Brazil	BRA/601/Add.2	01/05/2017	Not given	Clinical trials with medical devices
 Brazil	BRA/612/Add.1	01/09/2017	Not given	Toys; also their parts and accessories (HS 9501; 9502; 9503)
 Brazil	BRA/652/Add.1	01/09/2017	Not given	Cigarette lighters (HS 9613)
 Brazil	BRA/659/Add.1	01/09/2017	Not given	Vehicles (HS Chapter 87)
 Brazil	BRA/697/Corr.1	01/09/2017	Not given	All products, services and processes that are subject to a conformity assessment procedure; Product and company certification
 Brazil	BRA/702	01/05/2017	Not given	Electronic stability control (ESC) (HS Chapter 87 - Vehicles)
 Brazil	BRA/703	01/05/2017	Not given	Retro-reflective film affixed in vehicles (HS 3920)
 Brazil	BRA/703/Corr.1	01/12/2017	Not given	Retro-reflective film affixed in vehicles (HS 3920)
 Brazil	BRA/704	01/09/2017	Not given	Veterinary pharmaceutical and biological products (HS Chapter 30)
 Canada	CAN/447/Add.1	01/12/2017	Not given	Motor vehicle (ICS: 43.020, 43.060)
 Canada	CAN/451/Add.1	01/09/2017	Not given	All prepackaged products sold in Canada
 Canada	CAN/510	01/04/2017	02/17/2017	Jewellery items intended primarily for children under 15 years of age
 Canada	CAN/511	01/04/2017	02/17/2017	Products intended for use in learning or play (toys) by children between the ages of 3 years and under 14 years; Children's clothing and accessories; Products intended to facilitate the relaxation, sleep, hygiene, carrying or transport of a child under 4 years of age
 Canada	CAN/512	01/09/2017	03/05/2017	Dangerous Goods
 Chile	CHL/284/Add.1	12/21/2016	Not given	Commercial refrigerating furniture
 Chile	CHL/384	12/21/2016	02/19/2017	Food for human consumption
 Chile	CHL/385	12/22/2016	02/20/2017	Light motor vehicles
 Chile	CHL/359/Add.1	01/16/2017	Not given	Light and medium motorized vehicles
 China	CHN/1189	01/04/2017	03/05/2017	Motor vehicles and trailers. Vehicles other than railway or tramway rolling- stock, and parts and accessories thereof (HS 87) road vehicle systems
 China	CHN/1192	01/10/2017	03/11/2017	Drug
 Colombia	COL/189/Add.4	12/22/2016	Not given	Pharmaceutical products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Colombia	COL/222	01/11/2017	03/26/2016	Low-alloy corrugated bars and rods (7213.10.00.00 and 7214.20.00.00)
 Czech Republic	CZE/193/Add.1	01/09/2017	Not given	Radioactive, waste, repository, ionising, nuclear fuel. Fissile materials and nuclear fuel technology (ICS 27.120.30), Other standards related to nuclear energy (ICS 27.120.99)
 Czech Republic	CZE/195/Add.1	01/09/2017	Not given	Nuclear materials
 Czech Republic	CZE/198/Add.1	01/09/2017	Not given	Dual-use nuclear items
 Czech Republic	CZE/201	01/19/2017	03/20/2017	Biological agents, toxins, handling of high-risk biological agents and toxins, handling of risky biological agents and toxins, transport of biological agents and toxins
 Ecuador	ECU/329	12/22/2016	03/16/2017	Foods for special dietary uses (19011010; 19011091; 19011099; 20051000; 20052000; 20054000; 20055100; 20055900; 20056000; 20058000; and 21069080)
 Ecuador	ECU/177/Add.4	01/10/2017	Not given	Motorcycles (HS 8711, 8711.10.00, 8711.10.00.10, 8711.10.00.90, 8711.20.00, 8711.20.00.10, 8711.20.00.90, 8711.30.00, 8711.30.00.10, 8711.30.00.90, 8711.40.00, 8711.40.00.10, 8711.40.00.90, 8711.50.00, 8711.50.00.10, 8711.50.00.90, 8711.90.00, 8711.90.00.10 and 8711.90.00.90)
 Ecuador	ECU/17/Add.2	01/23/2017	Not given	Vehicle emissions
 Ecuador	ECU/17/Add.3	01/23/2017	Not given	Vehicle emissions
 Ecuador	ECU/288/Add.1	01/23/2017	Not given	Pesticides (HS 38085000, 3808500011, 3808500019, 3808500021, 3808500029, 3808500031, 3808500039, 3808500090, 38089111, 38089112, 38089113, 38089119, 38089191, 38089192, 38089193, 38089194, 38089195, 38089196, 38089199, 38089211, 38089219, 38089291, 38089293, 38089294, 38089299, 38089311, 38089319, 38089391, 38089392, 38089399, 38089911, 38089919, 38089991, and 38089999)
 Ecuador	ECU/325/Add.1	01/23/2017	Not given	Medical devices
 Ecuador	ECU/326/Add.1	01/23/2017	Not given	Natural processed products for medicinal use (HS 3006700000)
 El Salvador	SLV/187	12/09/2016	02/07/2017	Commercial refrigeration appliances
 El Salvador	SLV/188	12/09/2016	02/07/2017	Household refrigerators and freezers
 El Salvador	SLV/189	12/13/2016	02/11/2017	Central, packaged or split air conditioners
 El Salvador	SLV/190	12/13/2016	02/11/2017	Room air-conditioners
 El Salvador	SLV/191	12/13/2016	02/11/2017	Split-type, free-flow, ductless air-conditioners
 El Salvador	SLV/192	12/21/2016	02/19/2017	Poultry products
 El Salvador	SLV/193	12/21/2016	02/19/2017	Medicines for human use
 El Salvador	SLV/194	01/04/2017	03/05/2017	Three-phase squirrel-cage AC induction motors
 El Salvador	SLV/142/Add.2	12/22/2016	Not given	Poultry products
 Estonia	EST/12	01/18/2017	04/18/2017	Tobacco products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 European Union	EU/436	01/05/2017	03/06/2017	Cosmetic Products
 European Union	EU/437	01/06/2017	03/07/2017	Picoxystrobin (pesticide active substance)
 European Union	EU/438	01/12/2017	03/13/2017	Cosmetics
 European Union	EU/439	01/13/2017	03/14/2017	Biocidal products
 European Union	EU/440	01/13/2017	03/14/2017	Biocidal products
 European Union	EU/441	01/13/2017	03/14/2017	Biocidal products
 European Union	EU/442	01/13/2017	03/14/2017	Biocidal products
 European Union	EU/443	01/16/2017	03/17/2017	Electrical or electronic product, which intentionally emits and/or receives radio waves (electromagnetic waves of frequencies lower than 3 000 GHz) for the purpose of radio communication and/or radio-determination, with the exception of: Radio equipment exclusively used for activities concerning public security, defence, State security; Equipment used by radio amateurs unless the equipment is made available on the market; Marine equipment; Airborne products, parts and appliances
 European Union	EU/444	01/19/2017	03/20/2017	Medicinal products for human use
 European Union	EU/445	01/19/2017	03/20/2017	Medicinal products for human use
 European Union	EU/446	01/20/2017	03/21/2017	Cosmetics
 European Union	EU/447	01/20/2017	03/21/2017	Diflubenzuron (pesticide active substance)
 European Union	EU/448	01/24/2017	03/25/2017	Food
 European Union	EU/449	01/24/2017	03/25/2017	Sulfuryl fluoride (pesticide active substance)
 Hong Kong, China	HKG/49	01/16/2017	03/17/2017	Televisions (HS: 85287210, 85287220, 85401100 and 85401200), Storage Type Electric Water Heaters (HS: 85161000), Induction cookers (HS: 85166090), Room air conditioners (HS: 84151000 and 84158100) and Washing Machines (HS: 84501110, 84501120, 84501200 and 84501900)
 Hungary	HUN/32	01/18/2017	02/09/2017	Fire protection construction products (fixed fire protection systems, or parts of these systems), which are not covered by harmonized European standard or European technical assessment
 Indonesia	IDN/111	01/06/2017	03/07/2017	Cold Rolled Stainless Steel in Sheet dan Coil (HS Ex. 7219.32.00.00, HS Ex. 7219.33.00.00, HS Ex. 7219.34.00.00, 7219.35.00.00, Ex. 7219.90.00.00, 7220.90.10.00, 7220.90.10.00, 7220.90.90.00)
 Indonesia	IDN/13/Add.4	01/12/2017	Not given	Tyres (HS 4011, 4013)
 Indonesia	IDN/29/Add.2	01/12/2017	Not given	Packaged drinking water (HS 2201)
 Ireland	IRL/3	01/13/2017	04/13/2017	Fresh, chilled and frozen non-prepacked cuts of meat of swine, sheep, goats and poultry offered for sale or supply. Meat of swine, fresh, chilled or frozen. (HS: 0203), Meat of sheep or goats, fresh, chilled or frozen (HS: 0204), Meat and edible offal, of the poultry of heading 01.05, fresh, chilled or frozen (HS: 0207)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Israel	ISR/941	01/04/2017	03/05/2017	Fire detection systems (HS 8531)
 Japan	JPN/543	01/06/2017	Not given	Substances with probable effects on the central nervous system
 Japan	JPN/544	01/23/2017	03/24/2017	Vehicles, devices and components (HS: 87.01, 87.02, 87.03, 87.04, 87.05, 87.06, 87.07, 87.08, 87.11, 87.14, 87.16). Tractors (other than tractors of heading 87.09) (HS: 8701), Motor vehicles for the transport of ten or more persons, including the driver (HS: 8702), Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars (HS: 8703), Motor vehicles for the transport of goods (HS: 8704), Special purpose motor vehicles, other than those principally designed for the transport of persons or goods (for example, breakdown lorries (wreckers), crane lorries (mobile cranes), fire fighting vehicles, concrete mixer lorries (concrete-mixers), road sweeper lorries (road sweepers), spraying lorries (spraying vehicles), mobile workshops, mobile radiological units) (HS: 8705), Chassis fitted with engines, for the motor vehicles of headings 87.01 to 87.05 (HS: 8706), Bodies (including cabs), for the motor vehicles of headings 87.01 to 87.05 (HS: 8707), Parts and accessories of the motor vehicles of headings 87.01 to 87.05 (HS: 8708), Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars (HS: 8711), Parts and accessories of vehicles of headings 87.11 to 87.13 (HS: 8714), Trailers and semi-trailers; other vehicles, not mechanically propelled; parts thereof (HS: 8716)
 Kazakhstan	KAZ/11	01/24/2017	03/20/2017	Equipment operating under excess pressure
 Kazakhstan	KAZ/12	01/24/2017	03/20/2017	High-speed railway transport and its infrastructure
 Kenya	KEN/526	01/17/2017	02/28/2017	Fibre and particle boards
 Kenya	KEN/527	01/18/2017	02/28/2017	Strawberries
 Kenya	KEN/528	01/18/2017	02/28/2017	Fibre and particle boards
 Kenya	KEN/529	01/18/2017	02/28/2017	Solid wastes
 Kenya	KEN/530	01/18/2017	02/28/2017	Fresh bulb onions
 Kenya	KEN/531	01/18/2017	02/28/2017	Head lettuce
 Kenya	KEN/532	01/18/2017	02/28/2017	Asparagus
 Kenya	KEN/533	01/18/2017	02/28/2017	Fresh whole carrots
 Kenya	KEN/534	01/18/2017	02/28/2017	Fresh Chillies
 Kenya	KEN/535	01/18/2017	02/28/2017	Garden Peas
 Kenya	KEN/536	01/19/2017	02/28/2017	Fresh bottle gourds (dudhi)
 Kenya	KEN/537	01/19/2017	02/28/2017	Fresh bitter gourds (karela)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Kenya	KEN/538	01/19/2017	02/28/2017	Fresh ridged gourd (turia)
 Kenya	KEN/539	01/19/2017	02/28/2017	Fresh ivy gourds (tindori)
 Kenya	KEN/540	01/20/2017	02/28/2017	Fresh headed cabbages
 Kenya	KEN/541	01/20/2017	02/28/2017	Fresh cauliflower
 Kenya	KEN/542	01/20/2017	02/28/2017	Off-grid solar photovoltaic lighting kits
 Kenya	KEN/543	01/20/2017	03/05/2017	Animal Feeds
 Kenya	KEN/544	01/20/2017	03/05/2017	Animal feeds
 Kenya	KEN/545	01/20/2017	02/28/2017	Fresh Okra
 Kenya	KEN/546	01/20/2017	02/28/2017	Insulating materials
 Kenya	KEN/547	01/20/2017	02/28/2017	Fresh green beans
 Korea, Republic of	KOR/700	01/09/2017	03/10/2017	Non-phase-in substance & Phase-in Substance, Product containing carcinogenic or mutagenic substance, restricted substance, substance subject to authorization
 Korea, Republic of	KOR/701	01/10/2017	03/11/2017	Bicycles
 Korea, Republic of	KOR/702	01/12/2017	02/11/2017	Consumer chemical products and biocides
 Kuwait	KWT/343	01/10/2017	03/11/2017	Prepared Basbosa powder
 Kuwait	KWT/344	01/12/2017	03/13/2017	Food products in general
 Kuwait	KWT/345	01/12/2017	03/13/2017	Fresh Okra
 Kuwait	KWT/346	01/12/2017	03/13/2017	Peanut Butter
 Kuwait	KWT/347	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Kuwait	KWT/348	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Kuwait	KWT/349	01/17/2017	03/18/2017	Canned fruits
 Lithuania	LTU/29	01/09/2017	03/10/2017	Cosmetic products. Defined categories of cosmetic products which are relevant for the application of Regulation (EC) No 1223/2009 of the European Parliament and of the Council of 30 November 2009 on cosmetic products (face, lips, skin eyes, nails, oral and similar products).
 Malaysia	MYS/72	01/20/2017	03/21/2017	Household electrical equipment: 34 Category of Energy Commission's Regulated Electrical Equipment
 Malaysia	MYS/73	01/20/2017	03/21/2017	Safety glass for motor vehicles (HS 70.07)
 Malaysia	MYS/74	01/20/2017	03/21/2017	Household electrical equipment: 34 Category of Energy Commission's Regulated Electrical Equipment
 Mexico	MEX/224/Add.3	01/17/2017	Not given	Light-emitting diode (LED) lamps
 Mexico	MEX/300/Add.4	12/16/2016	Not given	Petroleum products (headings 27.01 to 2901.10)
 Mexico	MEX/304/Add.1	01/17/2017	Not given	Hydraulic bottle jacks (subheading 8425.42)
 Mexico	MEX/312/Add.1	01/10/2017	Not given	Motor vehicles (heading 87.03)
 Mexico	MEX/335	12/07/2016	02/03/2017	External power supplies
 Mexico	MEX/336	12/19/2016	02/11/2017	Valves used in transportable liquefied petroleum gas

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				(LPG) containers (tariff heading 84.81)
 Mexico	MEX/337	12/19/2016	02/11/2017	Primary cells and primary batteries (tariff heading 85.06)
 Mexico	MEX/338	12/19/2016	Not given	Turtle excluder devices (tariff heading 9805)
 Nicaragua	NIC/150	01/11/2017	03/12/2017	Hollow and solid blocks made from cement and rock aggregates
 Oman	OMN/283	01/10/2017	03/11/2017	Prepared Basbosa powder
 Oman	OMN/284	01/12/2017	03/13/2017	Food products in general
 Oman	OMN/285	01/12/2017	03/13/2017	Fresh Okra
 Oman	OMN/286	01/12/2017	03/13/2017	Peanut Butter
 Oman	OMN/287	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Oman	OMN/288	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Oman	OMN/289	01/17/2017	03/18/2017	Canned fruits
 Panama	PAN/88	01/11/2017	02/26/2017	Room air-conditioners
 Panama	PAN/89	01/11/2017	02/26/2017	Split type, free flow, ductless air conditioners
 Panama	PAN/90	01/11/2017	02/26/2017	Split type, free flow, ductless air conditioners
 Peru	PER/90	12/14/2016	03/12/2017	Road and rail tankers (HS 8705.90.90.00)
 Qatar	QAT/457	01/10/2017	03/11/2017	Prepared Basbosa powder
 Qatar	QAT/458	01/12/2017	03/13/2017	Food products in general
 Qatar	QAT/459	01/12/2017	03/13/2017	Fresh Okra
 Qatar	QAT/460	01/12/2017	03/13/2017	Peanut Butter
 Qatar	QAT/461	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Qatar	QAT/462	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Qatar	QAT/463	01/17/2017	03/18/2017	Canned fruits
 Saudi Arabia	SAU/963	01/10/2017	03/11/2017	Prepared Basbosa powder
 Saudi Arabia	SAU/964	01/12/2017	03/13/2017	Food products in general
 Saudi Arabia	SAU/965	01/12/2017	03/13/2017	Fresh Okra
 Saudi Arabia	SAU/966	01/12/2017	03/13/2017	Peanut Butter
 Saudi Arabia	SAU/967	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Saudi Arabia	SAU/968	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Saudi Arabia	SAU/969	01/17/2017	03/18/2017	Canned fruits
 Singapore	SGP/32	01/18/2017	03/19/2017	Food
 Spain	ESP/34	12/22/2016	02/20/2017	Beer (Includes 2203.00: Beer made from malt)
 Spain	ESP/35	01/04/2017	03/06/2017	Flour, meal and other milled cereal products. Includes: 11.01.00. Wheat or meslin flour; 11.02. Cereal flours other than of wheat or meslin; 11.03.11. Groats and meal of wheat; 11.03.13. Groats and meal of maize (corn); 11.03.19. Groats and meal of other cereals; 11.04.30. Germ of cereals, whole, rolled, flaked

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				or ground.
 Taiwan Economy	TPKM/185/Rev. 2/Add.1	01/06/2017	Not given	Specific dietary foods for patients
 Taiwan Economy	TPKM/259	01/09/2017	03/10/2017	Drinking water supplier (CCCN 8418.69.90.00.9A, 8516.10.00.00.9D). Other refrigerating or freezing equipment (HS: 841869). Electric instantaneous or storage water heaters and immersion heaters (HS: 851610) HS 841869, 851610
 Taiwan Economy	TPKM/260	01/12/2017	03/13/2017	Printers and photo-copying machines (HS Chapter 84) (HS: 8443)
 Taiwan Economy	TPKM/261	01/12/2017	03/13/2017	7 items of electrical and electronic products (HS Chapter 85)
 Taiwan Economy	TPKM/262	01/19/2017	03/20/2017	Food products containing Cordyceps militaris
 Thailand	THA/396/Add.1	01/09/2017	Not given	Fuses and other overcurrent protection devices (HS 8535)
 Thailand	THA/467/Add.1	01/09/2017	Not given	Other standards related to lamps
 Uganda	UGA/596	01/09/2017	03/10/2017	Maize grains (HS 1005)
 Uganda	UGA/597	01/09/2017	03/10/2017	Dry beans (- Beans (Vigna spp., Phaseolus spp.) (HS 070820), -- Beans (Vigna spp., Phaseolus spp.) (HS 071022), - Beans (Vigna spp., Phaseolus spp.): (HS 07133), - Beans (Vigna spp., Phaseolus spp.): (HS 20055), -- Beans, shelled (HS 200551)
 Uganda	UGA/598	01/09/2017	03/10/2017	Milled rice (Semi-milled or wholly milled rice, whether or not polished or glazed (HS 100630), - Rice flour (HS 110230))
 Uganda	UGA/599	01/09/2017	03/10/2017	Wheat grains (HS 1001)
 Uganda	UGA/600	01/10/2017	03/11/2017	Men's open shoes (HS 64)
 Uganda	UGA/601	10/10/2017	03/11/2017	Men's closed shoes (HS 64)
 Uganda	UGA/602	01/10/2017	03/11/2017	Ladies' closed shoes (HS 64)
 Uganda	UGA/603	10/10/2017	03/11/2017	Ladies' open shoes (HS 64)
 Uganda	UGA/604	01/10/2017	03/11/2017	Children's shoes (HS 64)
 Uganda	UGA/605	10/10/2017	03/11/2017	Children's shoes (HS 64)
 Ukraine	UKR/113	01/06/2017	03/07/2017	Televisions
 Ukraine	UKR/114	01/06/2017	03/07/2017	Household tumble driers
 Ukraine	UKR/115	01/06/2017	03/07/2017	Domestic ovens and range hoods
 Ukraine	UKR/116	01/06/2017	03/07/2017	Cosmetics products
 Ukraine	UKR/117	01/06/2017	03/07/2017	Buildings and structures
 United Arab Emirates	ARE/346	01/05/2017	03/06/2017	Tobacco, tobacco products and related equipment
 United Arab Emirates	ARE/347	01/10/2017	03/11/2017	Prepared Basbosa powder
 United Arab Emirates	ARE/348	01/12/2017	03/13/2017	Food products in general
 United Arab Emirates	ARE/349	01/12/2017	03/13/2017	Fresh Okra

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United Arab Emirates	ARE/350	01/12/2017	03/13/2017	Peanut Butter
 United Arab Emirates	ARE/351	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 United Arab Emirates	ARE/352	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 United Arab Emirates	ARE/353	01/17/2017	03/18/2017	Canned fruits
 United States	USA/1002/Add.1	01/06/2017	Not given	Transponder equipment
 United States	USA/1024/Add.1	01/19/2017	Not given	Distilled spirits, wine, beer, tobacco products, processed tobacco, or cigarette papers and tubes
 United States	USA/1031/Add.2	01/19/2017	Not given	Tobacco products (HS 2402)
 United States	USA/1033/Add.3	01/19/2017	Not given	Proximity detection systems
 United States	USA/1039/Add.1	01/04/2017	Not given	Pediatric hospital beds, medical cribs and medical bassinets (HS 9402)
 United States	USA/1062/Add.2	01/25/2017	Not given	Ceiling fans (HS 8414.51)
 United States	USA/1088/Add.3	01/06/2017	Not given	Electronic cigarette substance
 United States	USA/1092/Add.1	01/04/2017	Not given	Powdered gloves
 United States	USA/1101/Add.2	01/16/2017	Not given	Airplanes
 United States	USA/1118/Add.2	01/25/2017	Not given	Organic livestock and poultry
 United States	USA/1122/Add.1	01/12/2017	Not given	Compressors
 United States	USA/1133/Add.2	01/06/2017	Not given	Commercial water heating equipment
 United States	USA/1152/Add.1	01/06/2017	Not given	Canned vegetables
 United States	USA/1156/Add.1	01/06/2017	Not given	Distilled spirits, wine, beer and malt beverages, tobacco products, processed tobacco, and cigarette papers and tubes (HS 2204, 24, 2402)
 United States	USA/1166/Add.1	01/25/2017	Not given	Catfish and catfish products
 United States	USA/1175/Add.1	01/23/2017	Not given	Ferroalloys emissions
 United States	USA/1179/Add.3	01/06/2017	Not given	Fiberglass boat manufacturing emissions
 United States	USA/1189/Add.2	01/09/2017	Not given	Walk-in coolers and walk-in freezers. Refrigerators, freezers and other refrigerating or freezing equipment, electric or other; heat pumps other than air conditioning machines of heading 84.15 (HS 8418)
 United States	USA/1192/Add.1	01/12/2017	Not given	Avocados (HS 0804)
 United States	USA/1197/Add.1	01/25/2017	Not given	Off-highway recreational vehicles (OHRVs) (HS 8703)
 United States	USA/1198/Add.1	01/23/2017	Not given	On-highway heavy-duty vehicles
 United States	USA/1220/Add.1	01/12/2017	Not given	Chemical substances
 United States	USA/1223/Add.2	01/09/2017	Not given	Renewable fuels
 United States	USA/1226/Add.1	01/25/2017	Not given	Chemical substances
 United States	USA/1226/Corr. 1	01/06/2017	Not given	Chemical substances
 United States	USA/1249	01/05/2017	03/06/2017	Food labelling
 United States	USA/1250	01/06/2017	02/17/2017	Underground natural gas storage facilities
 United States	USA/1251	01/09/2017	01/11/2017	Cider
 United States	USA/1252	01/09/2017	03/01/2017	Wood burning appliances

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1253	01/11/2017	1/19/2017	Underhung slung (jump) saws
 United States	USA/1254	01/12/2017	1/26/2017	Animal feed
 United States	USA/1255	01/12/2017	Not given	Medical devices
 United States	USA/1256	01/16/2017	Not given	Enhanced flight vision systems
 United States	USA/1256/Corr. 1	01/25/2017	Not given	Enhanced flight vision systems
 United States	USA/1257	01/16/2017	4/26/ 2017	Air conditioners and heat pumps
 United States	USA/1257/Add.1	01/19/2017	Not given	Air conditioners and heat pumps
 United States	USA/1258	01/16/2017	Not given	Neurovascular mechanical thrombectomy device
 United States	USA/1259	01/20/2017	03/14/2017	Venison
 United States	USA/1260	01/24/2017	Not given	Medical diagnostic equipment
 United States	USA/1261	01/24/2017	04/17/2017	Pipes, fittings, fixtures (HS 3917)
 United States	USA/1262	01/24/2017	03/20/2017	Organic food
 United States	USA/493/Add.5	01/19/2017	Not given	Combination products (HS 3004, 9018.11-90)
 United States	USA/552/Rev.1/ Add.2	01/12/2017	Not given	Air conditioners, heat pumps (HS 8415.10, 8418.61)
 United States	USA/621/Add.5	01/12/2017	Not given	Food (HS 2101-2106)
 United States	USA/874/Add.8	01/25/2017	Not given	General service lamps (HS 8512.90)
 United States	USA/874/Add.9	01/25/2017	Not given	General service lamps (HS 8512.90)
 United States	USA/919/Add.1	01/19/2017	Not given	Motor vehicles
 United States	USA/935/Add.1	01/16/2017	Not given	Orthopaedic Devices
 United States	USA/935/Add.1/ Corr.1	01/23/2017	Not given	Orthopaedic Devices
 United States	USA/938/Add.1	01/05/2017	Not given	Food labeling
 United States	USA/983/Add.3	01/19/2017	Not given	Certain chemical substances
 United States	USA/987/Add.3	01/12/2017	Not given	Commercial water heaters (HS 84191, 841911, 8516, 851610)
 United States	USA/1263	01/24/2017	05/08/2017	Dedicated-purpose pool pumps
 Viet Nam	VNM/93	01/09/2017	03/10/2017	Textile products
 Viet Nam	VNM/94	01/20/2017	03/20/2017	Gasoline
 Yemen	YEM/63	01/10/2017	03/11/2017	Prepared Basbosa powder
 Yemen	YEM/64	01/12/2017	03/13/2017	Food products in general
 Yemen	YEM/65	01/12/2017	03/13/2017	Fresh Okra
 Yemen	YEM/66	01/12/2017	03/13/2017	Peanut Butter
 Yemen	YEM/67	01/13/2017	03/14/2017	Ginseng products offered for direct consumption
 Yemen	YEM/68	01/13/2017	03/14/2017	Canned corned beef and mutton meat
 Yemen	YEM/69	01/17/2017	03/18/2017	Canned fruits

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
12-17-15	272769	Universal Power Bank Battery Charger (item #Power Disc; also known as the Power Disc Universal Battery)	8504.40.90.91 [GIR 1, 6; EN 85.04]
02-11-16	273595	2.2V .61A replacement bulb for a 5309-700 headlight	8539.29.10.00 [GIR 1, 6]
02-11-16	273598	Portobello Mushroom Swiss Sauce	2103.90.90.90 [GIR 1, 6, D10-14-35]
02-19-16	273689	3-in1 Breakfast Station	8516.79.90.00 [GIR 1, 3(c) and 6]
03-04-16	273948	Various Metal Workbench/Tool Cabinets	9403.20.00.99 [GIR 1, 6; Chap 94 N.2]
03-10-16	273137	After Baby Belly Belt	6212.90.00.00 [GIR 1, 6 Chap 90 Note 1b]
03-10-16	273142	Maternity Support Belt T20-57307F	6212.90.00.00 [GIR 1, 6; Chap 90 N 1b], EN]
03-10-16	273147	Knitted Maternity Waistband "Bella Band" T20-59311S	6212.90.00.00 [GIR 1,6]
03-10-16	273148	Ladies knitted upper garment, B21-74145S	6109.90.00.90 [GIR 1, 6; EN]
03-10-16	273434	"Galvanized Gi Sheets"	9403.20.00.60 [GIR 1, 2(a), 6 and Can. Rule 1. LN 1(k) to Sec.XV]
03-10-16	273714	"Lantern Lithium Ion Puck light 250 C004, P/N 2000013863"	8513.10.90.00 [GIR 1, 6; EN 85.13]
03-10-16	273841	Submarine Power Cables	8544.60.10.00 [GIR 1, 6; EN 85.44]
03-10-16	273843	"Coleman Cooler Cushion, P/N 702-200"	9404.90.90.29 [GIR 1, 6]
03-10-16	273896	Rectified Grape Must Concentrate	1702.90.89.90 [GIR 1, 6]
03-18-16	272827	Human hair extensions (for product Geewig)	670[GIR 4.20.00.00 [GIR 1, 6]
03-18-16	273323	Ladies Knitted Upper Garment A03-67042F	6110.30.00.92 [GIR 1, 6]
03-18-16	273337	Assassin's Creed 2 – Ezio Auditore Busts	3926.40.10.00 [GIR 1, 6]
03-18-16	273400	Enzadent Oral Care Chews (#09V479E.060)	2309.90.33.49 [GIR 1, 6, Can. R.1]
03-18-16	273440	"Decorated Halloween Fabric with Bats Item #HDHK31966"	9505.90.00.90 [GIR 1, 6]
03-23-16	273936	Plastic Butterfly with LED Light on plastic stake Item #J54398	3926.40.90.00 [GIR 1, 3(b)]

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 Classifi- cation or Po- sition	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
(P) 01-18-17	Application of the coast- wise laws to certain mer- chandise and vessel equipment that are trans- ported between coastwise points	HQ 101925 (M) HQ 108223 (R) HQ 108442 (R) HQ 113838 (R) HQ 115185 (R) HQ 115218 (R) HQ 115311 (R) HQ 115522 (R) HQ 115771 (R) HQ 105644 (R) HQ 110402 (R) HQ 111889 (R) HQ 112218 (R) HQ 113841 (R) HQ 114305 (R) HQ 114435 (R) HQ 115333 (R) HQ 115487 (R) HQ 115938 (R) HQ H004242 (R) HQ 111892 (R) HQ 115381 (R) HQ 116078 (R) HQ H029417 (R) HQ H032757 (R)	Broad mean- ing of "vessel equipment" included items "used in furtherance of the mission" and "neces- sary for the accomplish- ment of the mission"	HQ H082215	Amendments to 46 U.S.C. § 55102 (formerly 46 U.S.C. App. 883), 43 U.S.C. § 1333. Follows TD 49815(4) which says "equipment" "includes portable arti- cles necessary and ap- propriate for the naviga- tion, operation or maintenance of the ves- sel and for the comfort and safety of the per- sons on board." Definition of "Vessel Equipment" does not include articles such as pipe (for laying pipe), anodes, connectors, repair materials (for the pipe), pipeline tools, goods of <i>de minimus</i> value – all are merchan- dise.	(C) 02-17-17

Section 337 Actions

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

Inv. №	Commodity	Action
337-TA-890 (Remand)	Treatment Systems and Components Thereof	Commission Determination to Review In-Part a Final Initial Determination on Remand, and on Remand To Affirm With Modification; Vacatur of Suspended Remedial Orders; and Termination of the Investigation
337-TA-947	Certain Light-Emitting Diode Products and Components Thereof	Commission Determination to Grant a Joint Motion to Terminate the Investigation on the Basis of a Settlement and License Agreement; Termination of the Investigation in its Entirety
337-TA-967	Certain Document Cameras and Software for Use Therewith	Commission Decision To Rescind a Limited Exclusion Order and Cease and Desist Order
337-TA-968	Certain Radiotherapy Systems and Treatment Planning Software, and Components Thereof	Commission Determination to Review a Final Initial Determination in Part and, on Review, to Affirm in Part, Vacate in Part and Remand Some Issues to the Administrative Law Judge, and Maintain Certain Issues under Review
337-TA-971	Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same	Commission Determination To Review in Part a Final Initial Determination; Schedule for Filing Written Submissions on the Issues Under Review and on Remedy, the Public Interest, and Bonding

Inv. №	Commodity	Action
337-TA-995	Certain Electrical Conductor Composite Cores and Components Thereof	Notice of Commission Determination Not To Review an Initial Determination Granting Unopposed Motion To Terminate the Investigation as to Remaining Respondent; Termination of the Investigation
337-TA-1013	Certain Potassium Chloride Powder Products	Commission Determination Not To Review an Initial Determination Granting Joint Motion To Terminate the Investigation Based Upon Settlement; Termination of the Investigation
337-TA-1018	Certain Athletic Footwear	Commission's Determination Not To Review an Initial Determination Terminating the Investigation; Issuance of Consent Order; Termination of the Investigation
337-TA-1020	Certain Industrial Control System Software, Systems Using Same and Components Thereof	Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on a Settlement Agreement; Termination of the Investigation
337-TA-1027	Certain Food Supplements and Vitamins, Including Ocular Antioxidants and Components Thereof and Products Containing the Same	Commission Determination Not To Review an Initial Determination Terminating the Investigation Based on Settlement; Termination of the Investigation
337-TA-1033	Certain Arrowheads with Arcuate Blades and Components Thereof	Institution of an investigation based upon a complaint filed on behalf of Flying Arrow Archery, LLC alleging patent infringement
337-TA-1034	Certain Flash Memory Devices and Components Thereof	Institution of an investigation based upon a complaint filed on behalf of Memory Technologies, LLC alleging patent infringement
337-TA-1035	Certain Liquid Crystal E-writers and Components Thereof	Institution of an investigation based upon a complaint filed on behalf of Kent Displays, Inc. alleging patent infringement
337-TA-1036	Certain Magnetic Tape Cartridges and Components Thereof	Institution of an investigation based upon a complaint filed on behalf of Sony Corporation of Japan; Sony Storage Media and Devices Corporation of Japan; Sony DADC US Inc.; and Sony Latin America Inc.
337-TA-1037	Certain Graphics Processors, DDR Memory Controllers, and Products Containing the Same	Institution of an investigation based upon a complaint filed on behalf of ZiiLabs Inc., Ltd. alleging patent infringement
337-TA-1038	Certain Electronic Devices, Including Mobile Phones, Tablet Computers, and Components Thereof	Institution of an investigation based upon a complaint filed on behalf of Nokia Technologies Oy 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. Number	Commodity	Complaint filed on behalf of:
DN 3191	Certain Basketball Backboard Components and Products Containing the Same	Lifetime Products, Inc.
DN 3194	Certain Graphics Systems, Components Thereof, and Consumer Products Containing the Same	Advanced Micro Devices, Inc. and ATI Technologies ULC

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-570-831	Fresh Garlic From China	Initiation of ADD New Shipper Review; 2015-2016
C-570-009	Calcium Hypochlorite From China	Preliminary Intent To Rescind the New Shipper Review of Haixing Jingmei Chemical Products Sales Co., Ltd.
A-588-873	Certain Cold-Rolled Steel Flat Products from Japan	Initiation and Preliminary Results of Changed Circumstances Review, and Intent to Revoke Order in Part
C-475-819	Certain Pasta from Italy	Partial Rescission of CVD Administrative Review; 2015
A-821-809	Certain Hot-Rolled Carbon Steel Flat Products From Russian Federation	Preliminary Results of ADD Administrative Review; 2014-2015
A-570-851	Certain Preserved Mushrooms From China	Final Rescission of ADD New Shipper Review; 2015
A-570-888	Floor-Standing, Metal-Top Ironing Tables and Certain Parts Thereof From china	Notice of Amended Final Results of ADD Administrative Reviews Pursuant to Settlement; 2004-2005 and 2006-2007
A-533-806 A-570-815	Sulfanilic Acid From India and China	Final Results of Expedited Fourth Sunset Reviews of ADD Orders
A-560-823 C-560-824 A-570-958 C-570-959	Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From Indonesia and China	Continuation of AD and CVD Orders
A-533-820	Certain Hot-Rolled Carbon Steel Flat Products From India	Final Results of ADD Administrative Review; 2014 – 2015
A-570-932	Certain Steel Threaded Rod From china	Amended Final Results of ADD Administrative Review; 2014-2015
A-570-803	Heavy Forged Hand Tools, Finished or Unfinished, With or Without Handles From China	Continuation of ADD Orders
A-122-503 A-351-503 A-570-502 C-351-504	Iron Construction Castings From Brazil, Canada, and China	Continuation of ADD Orders and CVD Order
A-570-954	Magnesia Carbon Bricks From China	Final Results and Partial Rescission of the ADD Administrative Review; 2014-2015
A-570-896	Magnesium Metal From China	Preliminary Results of ADD Administrative Review, 2015-2016
C-533-807	Sulfanilic Acid From India	Final Results of Expedited Sunset Review of CVD Order
C-570-913	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China	Preliminary Results of the CVD Administrative Review and Preliminary Intent To Rescind, in Part; 2014
C-570-971	Multilayered Wood Flooring From China	Preliminary Results of CVD Administrative Review, Rescission of Review, in Part, and Intent To Rescind the Review in Part; 2014
A-423-808 A-791-805 A-583-830 C-791-806	Stainless Steel Plate in Coils From Belgium, South Africa, and Taiwan	Continuation of ADD Orders and CVD Order
C-533-870	Certain New Pneumatic Off-the-Road Tires	CVD Investigation: : Final Affirmative Determination, and Final


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

Case №	Merchandise/Country	Action
	From India	Affirmative Critical Circumstances Determination, in Part
C-542-801	Certain New Pneumatic Off-the-Road Tires From Sri Lanka	Final Affirmative CVD, and Final Determination of Critical Circumstances
C-570-037	Certain Biaxial Integral Geogrid Products From China	CVD Investigation: Final Affirmative Determination and Final Determination of Critical Circumstances, in Part
A-570-036	Certain Biaxial Integral Geogrid Products From China	Final Determination of Sales at LTFV
C-570-955	Certain Magnesite Carbon Bricks From China	Rescission of CVD Administrative Review; 2014
A-475-818 C-475-819	Certain Pasta From Italy	Final Results of AD and CCVD Changed Circumstances Reviews
A-570-910	Circular Welded Carbon Quality Steel Pipe From China	Rescission of ADD Administrative Review; 2015-2016
A-475-703	Granular Polytetrafluoroethylene Resin From Italy	Rescission of ADD Administrative Review; 2015 – 2016
A-570-918	Steel Wire Garment Hangers From China	2015-2016; Partial Rescission of the Eighth ADD Administrative Review
A-570-601	Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From China	Rescission, in Part, of ADD Administrative Review; 2015 - 2016
C-570-050	Ammonium Sulfate From China	Final Affirmative CVD Determination
A-580-816	Certain Corrosion-Resistant Steel Flat Products From S. Korea	Notice of Court Decision Not in Harmony With Final Results and Notice of Amended Final Results
A-570-898	Chlorinated Isocyanurates From China	Final Results of ADD Administrative Review; 2014–2015
A-570-601	Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From China	Final Results of ADD Administrative Review, and Rescission of New Shipper Review; 2014–2015
A-570-601	Tapered From China Roller Bearings and Parts Thereof, Finished and Unfinished,	Final Results of Changed Circumstances Review and Reinstatement of Shanghai General Bearing Co., Ltd. , in the ADD Order
A-533-869	Certain New Pneumatic Off-the-Road Tires From India	Final Negative Determination of Sales at LTFV and Final Determination of Critical Circumstances
A-570-943 C-570-944	Certain Oil Country Tubular Goods From China	Notice of Court Decision Not in Harmony With Final Scope Ruling and Notice of Amended Final Scope Ruling Pursuant to Court Decision
C-580-879	Certain Corrosion-Resistant Steel Products from S. Korea	Rescission of CVD Expedited Review; 2014
A-570-049	Ammonium Sulfate From China	Final Affirmative Determination of Sales at LTFV
C-570-039	Certain Amorphous Silica From China	CVD Investigation: Final Affirmative Determination
A-570-038	Certain Amorphous Silica From China	Final Affirmative Determination of Sales at LTFV, and Final Affirmative Determination of Critical Circumstances
A-475-818	Certain Pasta From Italy	Amended Final Results of ADD Administrative Review; 2014-2015
C-570-048	Certain Carbon and Alloy Steel Cut-to-Length Plate From China	Final Affirmative CVD Determination
A-570-047	Certain Carbon and Alloy Steel Cut-to-Length Plate From China	Final Affirmative Determination of Sales at LTFV
A-570-040	Truck and Bus Tires From China	Final Affirmative Determinations of Sales at LTFV and Critical Circumstances
C-570-041	Truck and Bus Tires From China	Final Affirmative CVD, Final Affirmative Critical Circumstances Determination, in Part
C-570-052	Certain Hardwood Plywood Products From China	CVD Investigation - Postponement of Preliminary Determination
A-570-832	Pure Magnesium From China	Preliminary Results of ADD Administrative Review; 2015–2016
A-122-853	Citric Acid and Certain Citrate Salts From Canada	Preliminary Results of ADD Administrative Review; 2015-2016


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

Case №	Merchandise/Country	Action
A-570-899	Certain Artist Canvas From China	Final Results of the Expedited Second Sunset Review of the ADD Order
A-552-802	Certain Frozen Warmwater Shrimp From Vietnam	Final Results of the Second Five-Year Sunset Review of the ADD Order
A-570-016	Passenger Vehicle and Light Truck Tires from China	Preliminary Rescission of 2015-2016 ADD New Shipper Review
C-570-017	Passenger Vehicle and Light Truck Tires from China	Preliminary Rescission of 2014-2016 CVD New Shipper Review


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
731-TA-410	Light-Walled Rectangular Pipe and Tube From Taiwan	(Fourth Review) Institution of a Five-Year Review
731-TA-703	Furfuryl Alcohol From China	(Fourth Review) Institution of a Five-Year Review
701-TA-379 731-TA-788,792,793	Stainless Steel Plate From Belgium, South Africa, and Taiwan	(Third Review) Determinations that revocation of the ADD orders and revocation of the CVD order (South Africa) would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.
701-TA-565 731-TA-1341	Hardwood Plywood From China	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by imports that are alleged to be sold in the US at 'LTFV and to be subsidized by the government of China.
701-TA-566 731-TA-1342	Softwood Lumber Products from Canada	(Preliminary) Determinations that there is a reasonable indication that an industry in the United States is materially injured by reason of imports that are allegedly subsidized and sold in the United States at LTFV
731-TA-340-E and 340-H	Solid Urea From Russia and Ukraine	(Fourth Review) Termination of Five-Year Reviews on 01-09-17
731-TA-1091	Artists' Canvas From China	(Second Review) Scheduling of an Expedited Five-Year Review
731-TA-1319, 1326, and 1328	Carbon and Alloy Steel Cut-to-Length Plate from Brazil, South Africa, and Turkey	(Final) Determination that an industry in the US is materially injured by reason of imports of subject merchandise that have been found by Commerce to be sold in the US at LTFV. The Commission also finds that imports subject to Commerce's affirmative critical circumstances determinations are not likely to undermine seriously the remedial effect of the ADD


Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
NQ-2016-002	Certain Gypsum Board Originating In or Exported From the USA	Finding issued that the dumping of the subject goods, has caused injury to the domestic industry.
GC-2016-001	Certain Gypsum Board Originating In or Exported From the USA	CITT concludes that the imposition of provisional duties or duties in its full amount, is contrary to Canada's economic, trade or commercial interests, and specifically that such an imposition has or will substantially reduce competition in those markets, or cause significant harm to consumers of those goods or to businesses who use them – recommendations



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
NQ-2016-003	Certain Concrete Reinforcing Bar Originating in or Exported From Belarus, Chinese Taipei, the Hong Kong SAR, Japan, Portugal and Spain	Notice of Commencement of Inquiry (to determine whether the dumping of the above-mentioned goods has caused injury or retardation or is threatening to cause injury)
NQ-2016-004	<i>Dumping</i> : Certain fabricated structural steel and plate-work components of buildings, etc. originating in or exported from China, S. Korea, and Spain; <i>Subsidizing</i> of the subject goods originating in or exported from China	Notice of Commencement of Inquiry (to determine whether the dumping and subsidizing of the above-mentioned goods have caused injury or retardation or are threatening to cause injury)



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
RB2 2016 IN	Certain Concrete Reinforcing Bar Originating in or Exported From Belarus, Chinese Taipei, the Hong Kong SAR, Japan, Portugal and Spain	Notice of Preliminary Determination; Provisional duties are now payable on the subject goods that are released from customs on or after January 3, 2017. Statement of Reasons
FISC 2016 IN	Certain Fabricated Industrial Steel Components Originating in or Exported From China, S. Korea, and Spain	Notice of Preliminary Determinations of dumping (all three countries) and subsidizing (China); Terminated the dumping investigation for such goods originating in or exported from UAE and the UK



NAFTA Panels

Ref. Number	Merchandise/Country	Action
None		



Mexico - Ministry of Economy

Ref. Number	Merchandise/Country	Action
None		



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2017/5	Certain hot-rolled flat steel products originating in Brazil, Iran, Russia, Serbia and Ukraine	Commission Implementing Regulation making imports of certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in Russia and Brazil subject to registration
2017/C 5/02	Certain stainless steel fasteners and parts thereof, originating in or exported from, China, Philippines and Taiwan	Notice of the expiry of certain AD measures. Date of expiry: 08-01-17
(EU) 2017/94	Sodium gluconate originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review
(EU) 2017/109	Certain aluminium road wheels originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2017/141	Certain stainless steel tube and pipe butt-welding fittings, whether or not finished, originating in China and Taiwan	Commission Implementing Regulation imposing definitive ADD



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2017/01	Hot Rolled Coil Steel From Japan, Korea, Taiwan and Malaysia	Expiry of AD Measures
2017/02	Alloy Round Steel Bar From China	Initiation of an Investigation into Alleged Dumping
2017/03	Aluminium Extrusions From China	Initiation of an Accelerated Review
2017/04	Various	Status Report as at 31 December 2016
2017/05	Cooling Tower Water Treatment Controllers From USA	Initiation of an Investigation into Alleged Dumping
2017/06	Resealable Can Ends Closures From India, Malaysia, Philippines and Singapore	Extension of Time Granted to Issue the Final Report
2017/07	A4 Copy Paper From Brazil, China, Indonesia and Thailand	Extension of Time Granted to Provide Final Report
2017/08	Zinc Coated (Galvanised) Steel From India, Malaysia and Vietnam	Extension of Time Granted to Issue the Statement of Essential Facts
2017/09	Aluminium Zinc Coated Steel and Zinc Coated (Galvanised) Steel From China and Taiwan	Extension of Time Granted to Issue the Statement of Essential Facts and Final Report
2017/10		Operational Improvements to the Anti-Dumping Commission
2017/12	Aluminium Road Wheels From China	Extension of Time Granted to Issue the Statement of Essential Facts and Final Report
2017/14	Aluminium Extrusions From Malaysia and Vietnam	Extension of Time Granted to Issue the Statement of Essential Facts and Final Report
2017/15	Grinding Balls From China	Initiation of an Exemption Inquiry



China Ministry of Commerce (MOFCOM)

Ref. Number	Merchandise/Country	Action
MOFCOM № 72	Potato Starch originating in the EU	Application of Anti-dumping and Countervailing Duty Rates for Netherlands Ivibet Cooperative
MOFCOM № 79	Certain dry corn from the USA	Final determination of dumping and injury; imposition of ADD
MOFCOM № 80	Certain dry corn from the USA	Final determination of subsidy and injury; imposition of CVD



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
01/2017-Cus (ADD)	'Jute Products' viz. Jute Yarn/Twine (multiple folded/cabled and single), Hessian fabric and Jute sacking bags from Bangladesh or Nepal	Levies definitive ADD for a period of five years (unless revoked, superseded or amended earlier)
02/2017-Cus (ADD)	'Colour coated/pre-painted flat products of alloy or non-alloy steel' originating in or exported from China and EU	Levies provisional ADD for a period of six months (unless revoked, superseded or amended earlier).



Government of India Ministry of Finance (Department of Revenue)

Notification No	Merchandise/Country	Action
03/2017-Cus (ADD)	Saccharine originating in or exported from China PR	Extends the levy of ADD, under notification No. 07/2012-Customs (ADD), dated 13.01.2012, for a further period of one year.
04/2017-Cus (ADD)	Nylon Filament yarn originating in or exported from China PR, Chinese Taipei, Malaysia, Indonesia, Thailand and Korea R.P	Extends the levy of ADD, under notification No. 03/2012-Customs (ADD), dated 13.01.2012, for a further period of one year i.e. upto and inclusive of 12.01.2018.



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
SECEX Cir No 73	Seamless pipe line pipe used for oil and gas pipelines up to five inches in diameter (NCM 7304.19.00), originating in China	Discloses the deadlines that will serve as a parameter for the remainder of the ADD review
SECEX Cir No 74	Seamless pipe line pipe used for oil and gas pipelines up to five inches in diameter (NCM 7304.19.00), originating in Romania	Discloses the deadlines that will serve as a parameter for the remainder of the ADD review applied to Brazilian imports of
SECEX Cir No 1	Low-carbon and low-alloy flat-rolled products from conventional or continuous castings originating in China	It extends the deadline for the conclusion of the anti-circumvention review to investigate the existence of commercial practices aimed at thwarting the effectiveness of an AD measure in force,
SECEX Cir No 3	Acetic esters originating in the United States of America and Mexico	It states that a preliminary affirmative determination of dumping has been concluded.
SECEX Cir No 4	Ceramic tableware from China	Updates the price commitment to support imports manufactured by the companies associated with the China Ceramic Industrial Association (CCIA), either directly or through their respective trading companies.
SECEX Cir No 5	Viscose fabrics originating in China	Extends the deadline for the conclusion of the end-of-period review of the dumping duty

Opportunity to Request Administrative Review

In a January 10, 2017 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with January anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Prestressed Concrete Steel Wire Strand	A-351-837	1/1/16-12/31/16
India: Prestressed Concrete Steel Wire Strand	A-533-828	1/1/16-12/31/16
Mexico: Prestressed Concrete Steel Wire Strand	A-201-831	1/1/16-12/31/16
R. of Korea: Prestressed Concrete Steel Wire Strand	A-580-852	1/1/16-12/31/16
South Africa: Ferrovandium	A-791-815	1/1/16-12/31/16
Thailand: Prestressed Concrete Steel Wire Strand	A-549-820	1/1/16-12/31/16
The PR of China: Calcium Hypochlorite	A-570-008	1/1/16-12/31/16
Carbon and Certain Alloy Steel Wire Rod	A-570-012	1/1/16-12/31/16
Crepe Paper Products	A-570-895	1/1/16-12/31/16
Ferrovandium	A-570-873	1/1/16-12/31/16
Folding Gift Boxes	A-570-866	1/1/16-12/31/16

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AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Potassium Permanganate	A-570-863	1/1/16-12/31/16
Wooden Bedroom Furniture	A-570-890	1/1/16-12/31/16
Countervailing Duty Proceedings		
The PR of China: Calcium Hypochlorite	C-570-009	1/1/16-12/31/16
Carbon and Certain Alloy Steel Wire Rod	C-570-013	1/1/16-12/31/16
Certain Oil Country Tubular Goods	C-570-944	1/1/16-12/31/16
Circular Welded Carbon Quality Steel Line Pipe	C-570-936	1/1/16-12/31/16
Suspension Agreements		
Mexico: Fresh Tomatoes	A-201-820	1/1/16-12/31/16
Russia: Certain Cut-to-Length Carbon Steel	A-821-808	1/1/16-12/31/16

Requested Reviews

In a January 13, 2017 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with November anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Indonesia: Monosodium Glutamate	A-560-826	11/1/15 - 10/31/16
Mexico: Certain Circular Welded Non-Alloy Steel Pipe	A-201-805	11/1/15 - 10/31/16
Steel Concrete Reinforcing Bar	A-201-844	11/1/15 - 10/31/16
S. Korea: Certain Circular Welded Non-Alloy Steel Pipe	A-580-809	11/1/15 - 10/31/16
PR of China: Diamond Sawblades and Parts Thereof	A-570-900	11/1/15 - 10/31/16
Fresh Garlic	A-570-831	11/1/15 - 10/31/16
Lightweight Thermal Paper	A-570-920	11/1/15 - 10/31/16
Monosodium Glutamate	A-570-992	11/1/15 - 10/31/16
Passenger Vehicle and Light Truck Tires	A-570-016	1/27/15 - 7/31/16
Polyethylene Terephthalate Film, and Strip	A-570-924	11/1/15 - 10/31/16
Seamless Refined Copper Pipe and Tube	A-570-964	11/1/15 - 10/31/16
UAE: Polyethylene Terephthalate (PET) Film, Sheet and Strip	A-520-803	11/1/15 - 10/31/16
Countervailing Duty Proceedings		
PR of China: Aluminum Extrusions	C-570-968	1/1/15 - 12/31/15
Certain Magnesite Carbon Bricks	C-570-955	1/1/15 - 12/31/15
Chlorinated Isocyanates	C-570-991	1/1/15 - 12/31/15
Lightweight Thermal Paper	C-570-921	1/1/15 - 12/31/15
Turkey: Steel Concrete Reinforcing Bar	C-489-819	1/1/15 - 12/31/15
Suspension Agreements		
None		

Initiation of Sunset Reviews

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

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-835	731-TA-703	China	Furfuryl Alcohol (4 th Review)
A-583-803	731-TA-410	Taiwan	Light-Walled rectangular Welded Carbon Steel Pipe and Tube (4 th Review)

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