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Editor, *International Trade Compliance Update*

Stuart P. Seidel

Washington, D.C.

+1 202 452 7088

stuart.seidel@bakermckenzie.com

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United Nations (UN)

UN Security Council unanimously approves new sanctions against North Korea

On 30 November 2016, the UN Security Council unanimously approved [Resolution 2321 \(2016\)](#), imposing new sanctions on the Democratic People's Republic of Korea ("DPRK") in response to its nuclear test on 9 September 2016.

The new measures are aimed at cutting off funding for the DPRK's nuclear and banned weapons programmes, in particular targeting the DPRK mining sector, as well as extending existing restrictions on strategic and luxury goods. The Resolution also expands the list of designated individuals and entities.

The main new restrictions include:

- requirements for states to impose asset freezes and travel bans on 11 individuals and 10 entities (linked to the DPRK's nuclear and ballistic missile programmes, including by raising funds and procuring equipment);
- extension of the UN embargo on strategic goods to cover a variety of items usable for nuclear, ballistic missile, chemical and biological weapons purposes, as well as a new UN conventional arms dual-use list, to be adopted within 15 days of this Resolution;
- clarification of the UN embargo on luxury goods to include rugs and tapestries valued over USD 500, and porcelain and bone china tableware valued over USD 100;
- extension of the restrictions on providing services in relation to DPRK-flagged vessels;
- a cap on exports of DPRK-origin coal;
- an extension of the restrictions of exports of iron and iron ore;
- prohibitions on the purchase from the DPRK of copper, nickel, silver and zinc;
- prohibitions on the export of statues from the DPRK; and
- prohibitions on the supply of new helicopters and vessels to the DPRK.

UN Security Council Resolutions are binding on all UN Member States. Individual states may also implement their own measures in addition to those imposed by the UN Security Council.

For additional information, contact [Ross Denton](#) or any of our attorneys with whom you normally consult regarding sanctions. Please check our [Sanctions and Export Control Update blog](#) for future developments.

World Trade Organization (WTO)

WTO members initiate membership talks for Somalia and Timor-Leste

The WTO [announced](#) that its members initiated membership talks for the Federal Republic of Somalia and the Democratic Republic of Timor-Leste at a meeting of the organization's General Council on 7 December. Members agreed to establish working parties to negotiate membership terms for the two countries and to welcome them as observers to the WTO.

Gabon, Kyrgyz Republic, Canada ratify Trade Facilitation Agreement

On 6 December 2016, the WTO [announced](#) that Gabon and the Kyrgyz Republic have ratified the Trade Facilitation Agreement (TFA). The WTO [announced](#) that Canada deposited its instrument of acceptance on 16 December, putting the total number of ratifications from members at 103. Only 7 more ratifications are needed to bring the TFA into force.

Members agree on reforms to trade policy reviews and monitoring

On December 21, 2016, the WTO [announced](#) that WTO members have agreed on reforms to further improve the review of members' trade policies and practices and the monitoring of the global trading environment. The decision to implement changes, such as adjusting the frequency of Trade Policy Reviews (TPRs), was taken at a meeting of the Trade Policy Review Body on 21 December following completion of the sixth appraisal of the Trade Policy Review Mechanism (TPRM).

One important decision emerging from the appraisal process is to adjust the cycle of TPRs to ensure their continued effectiveness amid the rising number of WTO members. The current review cycle which have members undergoing a TPR every 2, 4 or 6 years depending on the size of their economy will be changed to frequencies of 3, 5, or 7 respectively. The new arrangement will be phased in starting from 2019.

Besides the decision to amend the TPR cycles, members also agreed to revise the timeline for the question-and-answer process of the TPRs, so that members under review who opt to provide early written answers to other members' questions will have one more week to prepare the answers. Members also noted efforts by the Secretariat to develop an information technology system to better manage this question-and-answer process. Furthermore, to enhance the transparency of trade policies, there was agreement to establish a regular practice for members to provide brief reports on significant changes in their policies during trade monitoring meetings.

Trade Policy Review: Solomon Islands, United States

The third review of the trade policies and practices of the Solomon Islands took place on 13 and 15 December 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of the Solomon Islands](#).

The thirteenth review of the trade policies and practices of the United States of America took place on 19 and 21 December 2016. The basis for the review is a report by the [WTO Secretariat](#) and a report by [Government of the United States of America](#).

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
DS515	United States - Measures Related to Price Comparison Methodologies (Complainant: China) request for consultations	12-12-16
DS516	European Union - Measures Related to Price Comparison Methodologies (Complainant: China) request for consultations	
DS517	China - Tariff-rate Quotas for Certain Agricultural Products (Complainant: US) request for consultations	15-12-16
DS518	India – Certain Measures on Imports of Iron and Steel Products (Complainant: Japan) request for consultations	20-12-16

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
DS487	United States — Conditional Tax Incentives for Large Civil Aircraft (Complainant: EU)	US files appeal	16-12-16
DS442	European Union — Anti-Dumping Measures on Imports of Certain Fatty Alcohols from Indonesia (Complainant: Indonesia)	Panel report issued	
DS494	European Union — Cost Adjustment Methodologies and Certain Anti-Dumping Measures on Imports from Russia (Complainant: Russia)	Panel established	
DS499	Russia — Measures Affecting the Importation of Railway Equipment and Parts thereof (Complainant: Ukraine)	Panel established	
DS511	China — Domestic Support for Agricultural Producers (Complainant: US)	China refuses first request for panel	
DS461	Colombia — Measures Relating to the Importation of Textiles, Apparel and Footwear (Panama)	Implementation of DSB recommendation	
DS482	Canada — Anti-Dumping Measures on Imports of Certain Carbon Steel Welded Pipe from The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Complainant: Chinese Taipei)	Panel report issued	21-12-16
DS477 DS478	“Indonesia — Importation of Horticultural Products, Animals and Animal Products” (Complainants: New Zealand and US)	Panel reports issued	22-12-16

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)

51st Session of the Harmonized System Review Sub-Committee concludes

On 19 December 2016, the WCO [announced](#) that from 12 to 16 December 2016, the Harmonized System (HS) Review Sub-Committee (HSRSC) met at WCO Headquarters in Brussels and considered a wide range of HS amendments for the next edition of the HS (scheduled for implementation in 2022) submitted by HS Contracting Parties and international organizations. [The 2017 edition of the Harmonized System enters into force on 1 January 2017.] The agreed amendments to HS 2022 will be compiled over the next two years and submitted to the WCO Council for adoption in June 2019. The announcement also said:

Half a day was devoted to a special session titled “HS 2022 - Dialogue with stakeholders”. During this session, representatives from the industry, Customs brokers and WCO Member administrations made presentations on various topics related to the up-

dating of the HS Nomenclature. Representatives from the automotive and semiconductor industries explained trends in technology and future developments and the impact those may have on tariff classification in the future. A representative from the International Federation of Customs Brokers Associations explained the impact of HS changes on the business community, in particular the preparation for implementation, the challenges in relation to updating of internal systems and the importance of partnership with the national Customs administrations. Representatives from two WCO Members explained how they cooperate with industry with an attempt to update the HS Nomenclature in accordance with the needs of industry.

The Sub-Committee welcomed the presentations that provided good inspiration for its further work and for better interaction with the private sector.

Announcements and news releases [dd-mm-yy]

Date	Title
01-12-16	Reforms of the Ethiopian Revenues and Customs Authority under the WCO Mercator Programme
	Regional training seminar marks first step to implement the UNODC-WCO Container Control Programme in Peru, Argentina and Brazil
02-12-16	WCO support mission for the Europe Region on E-Commerce and Digital Customs
	WCO supports initiatives for Intra-African Trade during the Africa Trade Week
	WCO workshop on Customs Valuation and Transfer Pricing for the Customs department of Thailand
06-12-16	WCO welcomes Abu Dhabi Declaration on the protection of endangered cultural heritage
	WCO expands its pool of experts as a result of a refresher workshop at ROCB Europe in Baku
	Sub-Regional Workshop on Rules of Origin for CARICOM Member countries
	Management in South Africa benefit from the WCO LMD Workshop
07-12-16	Customs Administrations in East Africa welcome more involvement by the WCO in their Trade Facilitation Project
	Countries in West Africa that were affected by the Ebola virus disease (EVD) discuss customs facilitation procedures for the clearance and release of humanitarian relief goods
08-12-16	WCO participates at 2016 International Conference on Green Trade in Beijing, China
09-12-16	WCO highlights the opportunities and challenges of E-commerce
	WCO technical assistance to Burkina Faso Directorate General of Customs for resumption of its Customs valuation of imported goods function
	Strategic Planning Support to Palestinian Customs
12-12-16	WCO strengthens its support for regional integration in Central America
	WCO – INAMA Project conducts Wildlife trafficking investigation training in Togo
	WCO successfully facilitates at the WTO Advanced Course for Chairs of National Committees on Trade Facilitation (NCTFs)
	WCO – INAMA Project conducts training on Advanced Intelligence in Burkina Faso
14-12-16	WCO Supports Libyan Customs for post-conflict Customs modernization
	Burundi Revenue Authority – E-learning training for trainers and officials
15-12-16	WCO organized an AMS Regional Workshop on Mercator Programme in Panama
15-12-16	The WCO supports the Rwanda Revenue Authority with the implementation of its Integrity Strategy
16-12-16	Tunisia joined the UNODC-WCO Container Control Programme
	Regional Workshop on the Authorized Economic Operator (AEO) programmes in Libreville (Gabon) from 5 to 8 December 2016
19-12-16	WCO Regional Workshop on Post Clearance Audit for the East and Southern Africa Region
	51st Session of the Harmonized System Review Sub-Committee concludes
20-12-16	WCO explores International cooperation to strengthen Customs laboratories
21-12-16	Sri Lanka Customs hosts Risk Assessment and Selectivity Workshop
22-12-16	The end of 2016 brings a new tool to Philippines Customs to support enforce-

Date	Title
	ment activities SAFE - AEO Programme Assessment Workshop

Other International Matters

CITES

New CITES requirements for rosewoods takes effect January 2

On December 28, 2016, the Animal and Plant Health Inspection Service (APHIS) [announced](#) that beginning January 2, 2017, wood and wood products of rosewoods and palisanders (*Dalbergia spp*), bubingas (*Guibourtia spp*), and kosso or African rosewood (*Pterocarpus erinaceus*) must be accompanied by a *Convention on the International Trade of Endangered Species* (CITES) permit issued by the [CITES Management Authority](#) of the country of export or re-export. Shipments arriving in the destination country on or after January 2, 2017, without the required CITES documents may be held and seized or refused clearance.

Shippers who have CITES-listed rosewood shipments that are already in route and will arrive in the destination country on or after January 2, 2017, should contact their [CITES Management Authority](#) (the [U.S. Fish and Wildlife Service](#) in the United States) to determine whether retrospectively issued documents may be issued by the exporting/re-exporting country and accepted by the importing country.

As a reminder, shipments that contain only CITES-listed plants and plant material must be imported and exported through a [designated port](#).

For further information, please view the [question and answer document](#) posted on the FWS web site on December 21, 2016, explaining the new CITES requirements. Additional resources are also available including recently recorded webinars that provide guidance for [commercial timber and wood product traders](#) and [traveling musicians](#).

For additional information on APHIS' role in CITES enforcement, please visit the [APHIS web site](#).

Decisions from CoP17 are posted

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) recently posted [Decisions of the Conference of the Parties to CITES in effect after its 17th meeting](#). It contains the Decisions (other than Resolutions) adopted at the 17th meeting of the Conference of the Parties to CITES (CoP17, Johannesburg, 2016) as well as the Decisions adopted at previous meetings that remain in effect after the 17th meeting. The Decisions are grouped by subject.

On December 21, 2016, the U.S. Fish and Wildlife Service (FWS) issued a [Notice to the Wildlife Import/Export Community](#) summarizing the changes to CITES species listings and explaining that except as noted, the amendments to CITES Appendices I and II that were adopted at CoP 17, will be effective on January 2, 2017. Any specimens of these species imported into, or exported from, the United States on or after January 2, 2017 will require CITES documentation as specified under the amended listings. The import, export, or re-export of shipments of these species that are accompanied by CITES documents reflecting a pre-January 2

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

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

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

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

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listing status or that lack CITES documents because no listing was previously in effect must be completed by midnight (local time at the point of import/export) on January 1, 2017.

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	No. and Title
12-12-16	2016/065 - Zambia Security Stamps
13-12-16	2016/066 - Format for legislative timetables – National laws for the implementation of the Convention
14-12-16	2016/067 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes
16-12-16	2016/068 - Results of the 17th meeting of the Conference of the Parties and reissue of new Appendices <ul style="list-style-type: none"> • Annex: Appendices I, II and III valid from 2 January 2017

The Americas - Central America

Central American ministers complete FTA negotiations with S. Korea

The Costa Rican Ministry of Foreign Commerce (COMEX) [reported that](#) on November 16, 2016, the signing ceremony on the conclusion of the negotiations of the *Free Trade Agreement between the Republics of Central America and the Republic of Korea (Tratado de Libre Comercio entre las Repúblicas de Centroamérica y la República de Corea)* took place. This activity was attended by Ministers and Deputy Ministers of the governing bodies on Trade and Economy of Central America (Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama) and the hierarchy of the Ministry of Commerce, Industry and Energy of Korea, Mr. Joo Hyung-hwan. During this meeting, the chief negotiators and process leaders exchanged their views on the results and urged the technical teams to accelerate work for the effective implementation of the treaty. They also discussed the prospects that this agreement opens for relations between the region and South Korea. The negotiation of the Free Trade Agreement between the Republics of Central America and the Republic of Korea was launched in June 2015 as an agreement between seven countries.

The Americas - North America

Canada

Customs Tariff revised

On December 28, 2016, the *Canada Gazette* published the [Order Amending the Schedule to the Customs Tariff, 2016-2 \(Agri-food Inputs\)](#). (SOR/2016-313, December 16, 2016) pursuant to the *Customs Tariff*, which reduces the Most-Favoured Nation (MFN) rate of customs duty to “Free” on certain imported ingredients that are used in the agri-food processing industry, including certain fruits and vegetables, cereals and grains, spices, fats and oils, food preparations, and chocolate products.

Benefits are expected to be widely distributed across Canada's agri-food processing industry. The Order will reduce their production costs by reducing the cost of imported ingredients, thereby improving their competitiveness.

In certain instances (e.g. where the affected tariff items include both inputs and goods for retail sale), new tariff classifications are created to afford duty-free status only to goods used in processing.

In addition, the Order also makes revenue-neutral technical changes to the Schedule to the *Customs Tariff* in order to simplify its structure. Specifically, when the measure creates a duty-free item in a subheading where there are already other duty-free items, one new tariff classification has been created to replace all of the duty-free items of that subheading, which facilitates the classification of goods.

These changes will be effective as of January 16, 2017.

Global Affairs Canada seeks input on trade in pharma products

On December 24, 2016, the *Canada Gazette* published a [notice](#) by Global Affairs Canada indicating that the Government of Canada is seeking the views of Canadians on a proposed fifth review of the *1994 Record of Discussion on Trade in Pharmaceutical Products* (the "arrangement") concluded among the following World Trade Organization (WTO) members: Canada, the European Union (EU), Japan, Macao (China), Norway, Switzerland, and the United States.

Pursuant to the 1994 arrangement, participating WTO members have eliminated their duties, on a Most Favoured Nation basis, for specified pharmaceutical ingredients and intermediates.

The Record of Discussion was notified by the participating WTO members on March 25, 1994, and covered over 6 000 pharmaceutical-related products. To expand the coverage of tariff elimination to new pharmaceutical-related products developed after 1994, the Record of Discussion provides for the periodic review of the product coverage. Four earlier reviews occurred in 1996, 1998, 2007 and 2010. As a result of the reviews, the arrangement currently covers nearly 9 000 pharmaceutical-related products.

With respect to a fifth review of the arrangement, it has been suggested that the coverage of the arrangement be expanded to include additional compounds published by the World Health Organization (WHO) as Proposed International Nonproprietary Names (lists are available at www.who.int/medicines/publications/druginformation/innlists/en/).

The Government of Canada is seeking to identify the interests of Canadians in terms of product coverage as well as any concerns with the proposed elimination of Canadian tariffs for these products. To help inform this process, the Government is embarking on a public consultation process to give all interested stakeholders an opportunity to provide input. Interested parties wishing to contribute to this process are invited to provide responses to three questions set forth in the notice.

Questions and contributions may be sent by mail or email to WTO Pharmaceutical Initiative, [Tariffs and Goods Market Access Division](#) (TPG), Global Affairs Canada, 111 Sussex Drive, Ottawa, Ontario K1A 0G2. The deadline for receiving input and comments is March 10, 2017.

Canada finalizes changes to the Nutrition Facts table and list of ingredients on packaged foods

On December 14, 2016, the Minister of Health [announced amendments to the Food and Drug Regulations](#) to make the Nutrition Facts table and list of ingredients on packaged foods easier to use and understand.

Included in the [labelling amendments](#) are changes to the regulation of serving sizes to make comparing similar food products easier. A simple rule of thumb, 5% is a little, 15% is a lot, has also been added to the Nutrition Facts Table to help Canadians use the percent daily value (% DV) to better understand the nutritional composition of a single product or to better compare two food products. More information on sugars will also be made available, including a % DV for total sugars in the Nutrition Facts table, and the grouping together of sugar-based ingredients under the name “sugars” in the list of ingredients.

In addition, all food colours will be declared by their common name rather than the generic term “colour” and the list of ingredients and allergen information will be easier to read. A new health claim will also be allowed on fruits and vegetables, informing Canadians about the health benefits of these foods. The food industry has until 2021 to make these changes. This timeline for implementation will align with other labelling changes proposed under the Healthy Eating Strategy including front of pack labelling as well as some label modernization measures being proposed by the Canadian Food Inspection Agency.

Canada names additional Crimean individuals as designated persons

On November 28, 2016, the Government of Canada further expanded its sanctions against the Crimea region of Ukraine, which are contained in the *Special Economic Measures (Ukraine) Regulations* (the “Regulations”) made pursuant to the *Special Economic Measures Act*.

The amendments add 15 additional individuals to the list of designated persons in Schedule 1 of the Regulations. The newly designated persons include six members of Russia’s State Duma from Crimea. According to a Global Affairs Canada [media release](#), the amendments have been made in response to the September 18, 2016 election of those officials residing in Crimea to Russia’s State Duma, as the Government of Canada does not support the legitimacy or outcome of those elections.

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

An unofficial copy of the amendments can be found [here](#).

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

Miscellaneous regulations and proposals

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

Publication Date	Title
12-03-16	Environment: Notice of intent to amend the Domestic Substances List under subsection 87(3) of the Canadian Environmental Protection Act, 1999 to indicate that subsection 81(3) of that Act applies to 54 substances (N)
	Canadian Food Inspection Agency: Proposed Regulations Amending the Health of Animals Regulations pursuant to the Health of Animals Act (PR)
	Health: Proposed Children's Jewellery Regulations pursuant to the Canada Consumer Product Safety Act (PR)
	Health: Proposed Consumer Products Containing Lead Regulations pursuant to the Canada Consumer Product Safety Act (PR)
12-10-16	Environment/Health: Publication after screening assessment of four substances (three alkyl sulfates and α-olefin sulfonate) specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Publication after screening assessment of 14 substituted diphenylamines (SDPAs) specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Health: Publication of results of investigations for 17 substances specified on the Domestic Substances List (paragraph 68(b) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Proposed Order Adding a Toxic Substance to Schedule 1 to the Canadian Environmental Protection Act, 1999 (PR)
	Health: Proposed Regulations Amending the Pest Control Products Regulations (Statement, Notice and Conditional Registration) (PR)
12-14-16	Environment: Order 2016-87-12-01 Amending the Domestic Substances List (SOR/2016-310, Dec. 2, 2016) pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Health: Regulations Amending the Food and Drug Regulations (Nutrition Labelling, Other Labelling Provisions and Food Colours) (SOR/2016-305, Dec. 2, 2016) pursuant to the Food and Drugs Act (R)
	Environment: Order Adding Toxic Substances to Schedule 1 to the Canadian Environmental Protection Act, 1999 (SOR/2016-308, Dec. 2, 2016) (O)
	Health: Regulations Amending the Toys Regulations (SOR/2016-302, Nov. 25, 2016) pursuant to the Canada Consumer Product Safety Act (R)
12-17-16	Environment: Notice with respect to asbestos pursuant to paragraph 71(1)(b) of the Canadian Environmental Protection Act, 1999 (N)
	Environment: Order 2016-87-12-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (N)
	Environment/Health: Notice of intent to develop regulations respecting asbestos pursuant to the Canadian Environmental Protection Act, 1999 (N)
	Environment/Health: Publication after screening assessment of a substance — 1,1-ethanediol, 2,2,2-trichloro- (chloral hydrate), CAS RN 302-17-0 — specified on the Domestic Substances List (subsection 77(1) of the Canadian Environmental Protection Act, 1999) (N)
	Environment/Health: Hazardous Materials Information Review Act Decisions, undertakings and orders on claims for exemption (N)
12-24-16	Environment: Ministerial Condition No. 18685 pursuant to Paragraph 84(1)(a) of 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
	Health: Notice to interested parties — Proposed order amending Schedule III to the Controlled Drugs and Substances Act and proposed regulations amending the schedule to Part G of the Food and Drug Regulations to expand the scheduling entry for aminorex and its salts pursuant to the Controlled Drugs and Substances Act (N)
12-28-16	Natural Resources: Energy Efficiency Regulations, 2016 (SOR/2016-311, December 9, 2016) pursuant to the Energy Efficiency Act (R)
	Transport: Regulations Amending Motor Vehicle Safety Regulations (Standards 207, 208, 209, 301.1, 301.2, 1106, 1201 and 1202) (SOR/2016-318, December 16, 2016) pursuant to the Motor Vehicle Safety Act (R)

Publication Date	Title
	Finance: Order Amending the Schedule to the Customs Tariff, 2016-2 (Agriculture Inputs) . (SOR/2016-313, December 16, 2016) pursuant to the Customs Tariff (O)
12-31-16	Environment/Health: Publication after screening assessment of formic acid and three formates specified on the Domestic Substances List — formic acid (CAS RN 11 64-18-6), formic acid, ethyl ester (ethyl formate) [CAS RN 109-94-4], formic acid, sodium salt (sodium formate) [CAS RN 141-53-7] (subsection 77(1) of the Canadian Environmental Protection Act, 1999), and formic acid, methyl ester (methyl formate) [CAS RN 107-31-3] (paragraphs 68(b) and (c) of the Act) (N)
	Environment/Health: Publication of final decision after screening assessment of natural gas condensates, including those specified on the Domestic Substances List (paragraphs 68(b) and 68(c) or subsection 77(6) of the Canadian Environmental Protection Act, 1999) (N)

Restrictive measures

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

Publication Date	Title
12-14-16	Foreign Affairs: Regulations Amending the Special Economic Measures (Ukraine) Regulations (SOR/2016, Nov. 28, 2016) pursuant to the Special Economic Measures Act (R)
12-28-16	Public Safety and Emergency Preparedness: Regulations Amending the Regulations Establishing a List of Entities (SOR/2016-320, December 23, 2016) pursuant to the Criminal Code (R)

CBSA advance rulings

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

No advance rulings were posted by the CBSA during December 2016.

D-Memoranda and CNs revised or cancelled

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

Date	Reference	Action	Title
12-02-16	CN 16-27	New	Highway Sufferance Warehouse Closure (Ottawa, Ontario)
12-05-16	CN 16-28	Update	Updated - Mandatory Electronic House Bills
12-07-16	D17-1-3	Revised	Casual Importations
12-06-16	CN 16-29	New	Changes to the Requirements to Apply for a Bonded Freight Forwarder Carrier Code
12-14-16	CN 16-30	New	Fee Increase - Registrar of Imported Vehicles (RIV) Program
12-16-16	D19-11-1	Revised	Canadian Economic Sanctions
12-20-16	CN 16-31	New	Canadian Automated Export Declaration (CAED) Program 2017 Version Release
12-21-16	CN 16-32	Replaces	Application of Sections 32.2 and 74 of the <i>Customs</i>

Date	Reference	Action	Title
		CN 16-04	Act to amend Tariff Treatment from Most Favoured Nation (MFN) to NAFTA
12-29-16	CN 16-33	New	Affirmation of Advance Rulings and National Customs Rulings (NCR) Under the January 1, 2017 Version of the Departmental Consolidation of the <i>Customs Tariff</i>
12-30-16	CN 16-34	New	Import and Export of Ozone-depleting Substances and Halocarbon Alternatives

Antidumping and countervailing duty cases

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

Mexico

Government procurement thresholds pursuant to FTAs published

On December 27, 2016, the Secretariat of the Public Function published in the *Diario Oficial* an [Office Circular](#) setting forth two tables. The first table lists the trade agreements and where the listing of agencies covered may be found in that agreement. The second table shows the threshold amounts (in national currency) for the first six months of 2017 for government purchases by agencies and administrative bodies that are subject to the terms of various free trade agreements.

LOCATION OF UNITS AND ENTITIES SUBJECT TO THE COVERAGE OF GOVERNMENT PROCUREMENT CHAPTERS OR TITLES OF FREE TRADE AGREEMENTS		
Annex	Number of the Chapter or Title	Name of the FTA
Annexes 1001.1a-1 and 1001.1a- 2 to Article 1001	Chapter X	North American Free Trade Agreement (NAFTA)
Sections 1 and 2 of Part A of Annex I to Article 01.06	Chapter VI	Free Trade Agreement between the United Mexican States and the State of Israel (Mexico - Israel FTA)
Sections 1 and 2 of Part A of Annex XII Article 56	Chapter V	Free Trade Agreement between the United Mexican States and the States of the European Free Trade Association (Mexico EFTA FTA)
Sections 1 and 2 of Part A of Annex VI to Article 25 of Decision No. 2/2000 of the Joint Council EC-Mexico	Title III	Economic Partnership, Political Coordination and Cooperation Agreement between the United Mexican States and the European Community and its Member States, and specifically the Decision 2/2000 of the EC-Mexico. (EC FTA)
Sections 1 and 2 of Part B of Annex 11 to Article 119	Chapter 11	Agreement to Strengthen Economic Partnership between the United Mexican States and Japan (Mexico- Japan FTA)
Annex 15bis-01, Section B List Mexico	Chapter 15 bis	Free Trade Agreement between the United Mexican States and the Republic of Chile (Mexico Chile FTA)
Annex 8.2, Section H, called Thresholds, last paragraph	Chapter 8	Additional Protocol to the Pacific Alliance (Pacific Alliance)

FEDERAL AGENCIES LISTED IN THE CHAPTERS TITLES OR GOVERNMENT PROCUREMENT	
TYPE OF CONTRACT	NATIONAL CURRENCY THRESHOLD AMOUNT BY FTA
Procurement contracts, leases of personal property and services, including those related to public works	\$ 1,608,717 (One million, six hundred and eight thousand, seven hundred and seventeen pesos)

Public works contracts	\$ 209,134,729 (Two hundred and nine million, one hundred thirty four thousand, seven hundred twenty - nine pesos)
PARASTATAL ENTITIES OF THE FEDERAL PUBLIC ADMINISTRATION LISTED IN THE CHAPTERS OR TITLES GOVERNMENT PROCUREMENT	
TYPE OF CONTRACT	NATIONAL CURRENCY THRESHOLD AMOUNT BY TREATY
	NAFTA, Mexico - Israel FTA, Mexico - EFTA FTA, EC FTA, Mexico - Japan FTA, Mexico - Chile FTA, Pacific Alliance
Procurement contracts, leases of personal property and services, including those related to public works	\$ 8,043,625 (Eight million, forty-three thousand, six hundred twenty-five pesos)
Public works contracts	\$ 257, 408,617 (Two Hundred fifty seven million, four hundred eight thousand, six hundred seventeen pesos)

On the same day, another [Office Circular](#) was published in the *Diario Oficial* that showed similar information for procurements (from January 1, 2017 through December 31, 2018) subject to the "G3" FTA (between Mexico, Colombia and Venezuela), which now only applies to Mexico and Colombia. The amounts are given in U.S. dollars.

LOCATION OF UNITS AND ENTITIES SUBJECT TO THE COVERAGE OF CHAPTERS OR TITLES OF GOVERNMENT PROCUREMENT OF FREE TRADE AGREEMENTS		
Annexed	Number of the Chapter or Title	Name of the Treaty
Annex 1 and 2 of Article 15-02	Chapter XV	FTA between the United Mexican States and the governments of Colombia and Venezuela (Mexico - G3 FTA) Valid only between Mexico and Colombia from November 19, 2006, according to a decree published in the Official Journal of the Federation on 17 November 2006 .

FEDERAL AGENCIES LISTED IN THE CHAPTERS OR TITLES GOVERNMENT PROCUREMENT	
TYPE OF CONTRACT	THRESHOLD AMOUNT IN US DOLLARS BY FTA
	Mexico FTA G3 Applying only to Colombia from 19 November 2016
Procurement contracts, leases of personal property and services, including those related to public works	\$ 74,595 (Seventy-four thousand, five hundred and ninety-five USD)
Public works contracts	\$ 9,697,379 (Nine million, six hundred ninety seven thousand, three hundred seventy nine USD)
PARASTATAL ENTITIES OF THE FEDERAL PUBLIC ADMINISTRATION LISTED IN THE GOVERNMENT PROCUREMENT CHAPTERS OR TITLES	
TYPE OF CONTRACT	THRESHOLD AMOUNT IN US DOLLARS BY FTA
	Mexico FTA G3 Applying only to Colombia from 19 November 2016
Procurement contracts, leases of personal property and services, including those related to public works	\$ 372,976 (Three hundred seventy-two thousand nine hundred seventy-six USD.)
Public works contracts	\$ 11 ' 935.235 (Eleven million nine hundred and thirty five thousand two hundred thirty five USD.)

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
12-05-16	Energy: Draft Mexican Official Standard NOM-029-ENER-2016, Energy efficiency of sources of external power. Limits test methods and marking.
12-06-16	Economy: Declaration of validity of Mexican Standard NMX-R-026-SCFI-2016. [Customs Service-Quality of Services Provided by the Customs Agent (Quality of Customs Agent) - Requirements. (Cancels NMX-R-026-SCFI-2009)].
12-07-16	Environment and Natural Resources: Acuerdo on the List of Invasive Alien Species for Mexico
12-09-16	Economy: Acuerdo setting forth Decision No. 85 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on August 19, 2016 [grants a temporary waiver for for one year to allow the use of materials produced or obtained outside the free trade area for certain textile and apparel goods to receive preferential tariff treatment]
12-12-16	Economy: Acuerdo amending the Acuerdo by which the Ministry of Economy issues rules and criteria of a character General on Foreign Trade
	Economy: Draft Mexican Official Standard NOM-212-SCFI-2016, Primary Batteries-limits maximum allowable mercury and cadmium-specifications, test methods and labeling.
12-14-16	Energy: Notice setting forth the format for presenting the quarterly reports by holders of prior import permit or export of hydrocarbons and petroleum for a period of twenty years.
12-15-16	Environment: Draft Amendment of the Official Mexican Standard NOM-013-SEMARNAT-2010, which regulates sanitarly the importation of natural Christmas trees species of the genera <i>Pinus</i> and <i>Abies</i> ; and the species <i>Pseudotsuga menziesii</i>, to read as Draft Mexican Official Standard NOM-013-SEMARNAT-2016, which establishes specifications and phytosanitary requirements for the importation of trees natural christmas species genera <i>Pinus</i> and <i>Abies</i> and species <i>Pseudotsuga menziesii</i>
	Energy: Response to comments received on the Draft Mexican Official Standard NOM-030-ENER-2016, luminous efficiency lamps light emitting diodes (LED) integrated for general lighting. Limits and test methods, published on July 21, 2014.
12-20-16	Decree promulgating the Agreement between the Government of the United Mexican States and the Government of the Italian Republic on Mutual Administrative Assistance in Customs Matters, signed in Rome, Italy, on 24 October 2011
12-26-16	Energy: Draft Mexican Official Standard NOM-021-ENER / SCFI-2016, Energy Efficiency and requirements user safety in air conditioners room type. Boundaries, testing and labeling methods.
	Agriculture, etc.: Acuerdo declaring the United Mexican States free of African Horse Sickness
	Agriculture, etc.: Acuerdo declaring the United Mexican States free of Bovine Contagious Perineumonia
	Agriculture, etc.: Acuerdo declaring the United Mexican States free of Bovine Spongiform Encephalopathy (BSE)
	Agriculture, etc.: Acuerdo declaring the United Mexican States free of Small Ruminant Plague
	Economy: Decree extending the rules regulating the importation of used motor vehicles
	Economy: Acuerdo amending the Acuerdo by which the Ministry of Economy issues rules and criteria character General on Foreign Trade
Economy: Notice announcing the amount as of December 2016, the maximum quota to export sugar to the United States during the period from 1 October	

Publication Date	Title
	2016 to 30 September 2017.
12-27-16	Public Function: Office Circular to agencies and administrative bodies, to the entities of the Parastatal Public Administration and the Attorney General of the Republic, subject to the coverage of the Treaty of Free Trade indicated, updating the thresholds under procurement chapter that will be effective from 1 January 2017 to 31 December 2018.
	Public Function: Office Circular to agencies and administrative bodies, to the entities of the Parastatal Public Administration and the Attorney General of the Republic, subject to the coverage of the Treaties of Free Trade indicated, conversion into national currency for the first half of 2017, effective from January 1 to June 30, 2017, according to the chapters of respective purchases.
12-28-16	Economy: Acuerdo which discloses the Sixth Additional Protocol to Appendix II on Trade in Sector Automotive between Brazil and Mexico Economic Complement Agreement No. 55, held between MERCOSUR and the United Mexican States.

Antidumping and countervailing duty cases

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

United States

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

Presidential documents

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

Date	Subject
12-02-16	Proclamation 9549 of December 1, 2016 - To Modify the Harmonized Tariff Schedule of the United States and for Other Purposes
12-07-16	Order of December 2, 2016 - Regarding the Proposed Acquisition of a Controlling Interest in Aixtron SE by Grand Chip Investment GmbH
12-08-16	Executive Order 13751 of December 5, 2016 - Safeguarding the Nation From the Impacts of Invasive Species
12-13-16	Presidential Determination No. 2017-05 of December 8, 2016 - Presidential Determination and Waiver Pursuant to Section 2249a of Title 10, United States Code, and Sections 40 and 40A of the Arms Export Control Act to Support U.S. Special Operations to Combat Terrorism in Syria
12-20-16	Proclamation 9555 of December 2016 - To Implement the Nepal Preference Program and for Other Purposes
12-23-16	Presidential Determination No. 2017-04 of December 2, 2016 – oPresidential Determination Pursuant to Section 570(a) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997
12-29-16	Executive Order Taking Additional Steps to Address the National Emergency With Respect to Significant Malicious-Enabled Activities

US sanctions Russian Intelligence and Security Services in response to alleged election-related hacking

On December 29, 2016, the US government [announced](#) several measures in response to the Russian government's alleged "aggressive harassment of U.S. officials and cyber operations aimed at the U.S. election." The measures impose sanctions against nine Russian parties, including the Russian Federal Security Service ("FSS" or "FSB"). In addition, the US government announced the expulsion of 35 Russian diplomats from the United States and the closing of two US properties for their alleged intelligence operations. As a result of the sanctions, US companies will now likely require US government authorization prior to dealing with the FSB, which can include submissions to, or the receipt of, approvals from the FSB to market or distribute certain encryption products in Russia or participation in certain other regulatory actions before the FSB.

New US Sanctions

The sanctions were imposed under a new [Executive Order](#) ("Cyber EO 2") issued by President Obama to expand the sanctions authorities previously available under [Executive Order 13694](#) (April 1, 2015), the so-called "Cyber EO" that targets certain "malicious cyber-enabled activities." Cyber EO 2 additionally allows sanctions against:

- any persons listed in an [Annex](#) to the amended Cyber EO; and
- any persons found to be involved in certain cyber-enabled activities originating or directed from outside the United States that have purpose or effect of "tampering with, altering, or causing a misappropriation of information with the purpose or effect of interfering with or undermining election processes or institutions."

The nine Russian entities and individuals listed in the Annex of the amended Cyber EO have been added to the List of Specially Designated Nationals and Blocked Persons ("SDN List") maintained by the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC"). As a result, "US Persons" (*i.e.*, (i) US citizens and permanent residents, (ii) entities organized under the laws of the United States and their foreign branches, and (iii) any individual or entity located in the United States) are now barred from dealing with the SDNs in almost all circumstances. Any property of such SDNs must be blocked (or "frozen") if it comes within the United States or the possession/control of a US Person.

In addition to the FSB, the Russian Main Intelligence Directorate ("GRU"), and four of their high-ranking officials, three entities were sanctioned that provided "material support" to the GRU:

- The Special Technology Center (a.k.a. STLC, Ltd. Special Technology Center St. Petersburg);
- Zorsecurity (a.k.a. Esage Lab); and
- The Autonomous Noncommercial Organization "Professional Association of Designers of Data Processing Systems" (a.k.a. ANO PO KSI).

Furthermore, two additional Russian individuals were sanctioned under a pre-existing portion of the Cyber EO for using cyber-enabled means to cause misappropriation of funds and personal identifying information. No persons had previously been sanctioned under the prior version of the Cyber EO.

Complete identifying information for all of the sanctioned entities and individuals may be [found here](#). A White House [Statement](#) and [Fact Sheet](#) are also available,

which outline additional actions taken by the US government in response to the Russian government's alleged activities.

Potential Regulatory Burdens

Because the FSB performs certain administrative functions, such as review and approval of commercial encryption products for import and distribution in Russia, the effect on certain US companies and individuals doing business in Russia could be significant. Given the broad prohibitions on US Person involvement with the FSB, US technology companies may be required to obtain an OFAC authorization prior to making submissions to and requesting approval from the FSB to market and sell new encryption products in Russia. In addition, given that the FSB can play a wide range of roles opposite companies, other regulatory interactions by US Persons with the FSB may also require OFAC authorization.

A similar situation resulted when OFAC imposed sanctions under the Crimea program on FAU Glavgosexpertiza Rossii ("GGE"), a Russian state-owned-entity responsible for issuing certain project design reviews and permits required by Russian law. The designation of GGE prevented US Persons from obtaining the required reviews and permits for a wide variety of projects, until OFAC issued a [general license](#) authorizing US Persons to obtain the necessary approvals from GGE for projects in Russia without further authorization by OFAC. To date, the US Commerce Department has not issued any similar authorization for companies requesting permits from GGE. As a result, those that wish to provide goods, software, or technology (including technical data) that are of US origin or otherwise subject to the Export Administration Regulations in connection with the permitting process through GGE are still required to obtain US Commerce Department approval before doing so.

Looking Forward

Companies doing business in or with Russia should be prepared for potentially fast-moving developments that could include:

- [Changes by the US Commerce Department's Bureau of Industry and Security under the Export Administration Regulations](#): As of the date and time of the posting of this blog, there has been no formal action by this agency to implement Cyber EO 2, but corresponding additions of the SDNs to the various lists maintained by the Bureau of Industry and Security are anticipated. Such action would expand the reach of Cyber EO 2 beyond US Persons by prohibiting non-US Persons from supplying the SDNs with certain US-origin items or non-US made items with controlled US content exceeding 25%.
- [Changes by incoming Trump administration](#): The incoming administration has indicated an interest in improving relations with Russia and will have the legal authority to reverse these new sanctions without delay or input from the US Congress.
- [Congressional action](#): News reports suggest that some Senate Republicans may push for even stricter sanctions against Russia or enact legislation to constrain the Trump administration's authority to reverse the new sanction.
- [Retaliation by Russia](#): Russia may decide to take retaliatory measures against the United States in response to these actions. On December 30, President Putin rejected recommendations to expel US diplomats from Russia, while "reserving the right" to impose such measures in the future, depending upon the incoming administration's approach.
- [Increasing focus on cybersecurity issues](#): In connection with Thursday's announcements, the Department of Homeland Security and FBI issued a [Joint Analysis Report](#) ("JAR"), which details the cyber operation tactics used by Russian in-

telligence actors and recommends several actions that organizations can take to mitigate cybersecurity risks.

For additional information, please contact [Alexander Bychkov](#), [Vladimir Efremov](#), [Lloyd Grove](#), [Janet K. Kim](#) and [Maria H. van Wagenberg](#) and check our [Sanctions and Export Control Update blog](#) for future developments.

President implements Nepal Preference Program, restores AGOA benefits to the Central African Republic. and revises certain FTA rules of origin

On December 20, 2016, the *Federal Register* published [Proclamation 9555 of December 2016 - To Implement the Nepal Preference Program and for Other Purposes](#). Some of the modifications are needed to update the rules of origin in FTAs due to changes in the Harmonized System. The Proclamation modifies the Harmonized Tariff Schedule of the US (HTS) as follows:

- Implements the Nepal Preference Program authorized by the *Trade Facilitation and Trade Enforcement Act of 2015* by adding a new subdivision (e) to General Note (GN) 4 and a Special Program Indicator (SPI) “NP” for certain articles of Nepalese origin that are the growth, product or manufacture of Nepal imported directly into the customs territory of the U.S. and meet the requirements (35% direct cost of processing in Nepal, of which 15% may be U.S., other than simple combining or packaging operations or mere dilution that does not materially alter the characteristics). For textiles and apparel, Nepal must be the origin pursuant to 19 C.F.R. 102.21. The modifications to the HTS set forth above shall continue in effect through December 31, 2025;
- Modifies GN 16(a) and U.S. notes 1 and 2(d) to subchapter XIX of chapter 98, HTS to add “Central African Republic” as a beneficiary and lesser developed beneficiary sub-Saharan African country;
- Extends the Israel agriculture provisions in subchapter VIII of chapter 99, HTS to December 31, 2017 and adds the 2017 quantities to the U.S. Notes to subchapter VIII, pursuant to section 4(b) of the U.S.-Israel FTA Act - shall be effective with respect to eligible agricultural products of Israel that are entered, or withdrawn from warehouse for consumption, on or after January 1, 2017.;
- Modifies the U.S.-Oman FTA rules of origin (GN 31, HTS). effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of (i) February 1, 2017, or (ii) the thirtieth day after the date of publication of this proclamation in the *Federal Register*;
- Modifies the U.S.-Panama TPA rules of origin (GN 35, HTS) – to enter into effect on the date, as announced by the United States Trade Representative in the *Federal Register*, that the conditions set forth in the Agreement have been fulfilled, and shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after that date; and
- Modifies the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR FTA) rules of origin (GN 29, HTS) – to enter into effect on the date, as announced by the United States Trade Representative in the *Federal Register*, that the applicable conditions set forth in the CAFTA-DR have been fulfilled, and shall be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after that date.

President waives AECA to authorize defense articles and services for friendly forces in Syria

On December 13, 2016, the *Federal Register* published [Presidential Determination No. 2017-05 of December 8, 2016 - Presidential Determination and Waiver Pursuant to Section 2249a of Title 10, United States Code, and Sections 40 and 40A of the Arms Export Control Act to Support U.S. Special Operations to Combat Terrorism in Syria](#). In the document, the President:

- determines that the transaction, encompassing the provision of defense articles and services to foreign forces, irregular forces, groups, or individuals engaged in supporting or facilitating ongoing U.S. military operations to counter terrorism in Syria, is essential to the national security interests of the United States;
- waives the prohibitions in sections 40 and 40A of the AECA related to such a transaction;
- delegates to the Secretary of State the responsibility under section 40(g)(2) of the AECA to consult with and submit reports to the Congress for proposed exports, 15 days prior to authorizing them to proceed, that are necessary for and within the scope of this waiver determination and the transaction referred to herein;
- waives the prohibitions in section 2249a of title 10, United States Code, to the extent necessary to allow the Department of Defense to carry out such support; and
- delegates to the Secretary of Defense the responsibility under section 2249a(b)(2) of title 10, United States Code, to notify the appropriate congressional committees at least 15 days before this waiver takes effect.

President prohibits proposed acquisition of Aixtron US

On December 7, 2016, the *Federal Register* published the President's [Order of December 2, 2016 - Regarding the Proposed Acquisition of a Controlling Interest in Aixtron SE by Grand Chip Investment GmbH](#) (the Order). In the Order, the President, primarily pursuant to section 721 of the *Defense Production Act of 1950*, as amended (section 721), 50 U.S.C. 4565, found that the proposed purchase through Chinese investors of a German company of the U.S. business of Aixtron SE., a company organized under the laws of the Federal Republic of Germany (Aixtron), might take action that threatens to impair the national security of the United States. The U.S. business of Aixtron consists of Aixtron, Inc., a California corporation, the equity interests of Aixtron, Inc., and any asset of Aixtron or Aixtron, Inc. used in, or owned for the use in or benefit of, the activities in interstate commerce in the United States of Aixtron, Inc., including without limitation any interest in any patents issued by, and any interest in any patent applications pending with, the United States Patent and Trademark Office (collectively, Aixtron US). On the basis of the above findings the President ordered that: (a) The proposed acquisition of Aixtron US by the Purchasers is hereby prohibited, and any substantially equivalent transaction, whether effected directly or indirectly through the Purchasers' shareholders, partners, subsidiaries, or affiliates is prohibited.

The Order required the Purchasers and Aixtron to take all steps necessary to fully and permanently abandon the proposed acquisition of Aixtron US not later than 30 days after the date of the order, unless such date is extended by the Committee on Foreign Investment in the United States (CFIUS) for a period not to exceed 90 days, on such written conditions as CFIUS may require. Immediately upon completion of all steps necessary to terminate the proposed acquisition of Aixtron US, the Purchasers and Aixtron are required to certify in writing to CFIUS that such termination has been effected in accordance with this order and that all steps necessary to fully and permanently abandon the proposed acquisition of Aixtron US have been completed. Until this termination certification is made, the Order requires Purchasers and Aixtron to certify to CFIUS on a weekly basis that they are in compliance with this order and include a description of efforts to permanently abandon the proposed acquisition of Aixtron US and a timeline for projected completion of remaining actions.

President proclaims 2017 HTS and FTA staging rates

On December 2, 2016, the *Federal Register* published [Proclamation 9549 of December 1, 2016 - To Modify the Harmonized Tariff Schedule of the United States and for Other Purposes](#). The Proclamation modifies the *Harmonized Tariff*

Schedule of the United States (HTS) to implement the 2017 *Harmonized System* revisions adopted by the WCO. The actual modifications are incorporated by reference from Annex I of [U.S. International Trade Commission Publication 4653](#) titled, “*Modifications to the Harmonized Tariff Schedule of the United States Under Section 1206 of the Omnibus Trade and Competitiveness Act of 1988.*” In addition, the proclamation implements the staged duty reductions in the following Free Trade Agreements (FTA) and Trade Promotion Agreements (TPA) by making the necessary revisions to the HTS for originating goods, as indicated in Annex II to [Publication 4653](#):

- U.S.-Morocco FTA (USMFTA, using indicator “MA”)
- U.S.-Australia FTA (USAFTA, using indicator “AU”)
- Dominican Republic-Central America-United States FTA (CAFTA-DR, using indicators “P,” or “P+”)
- U.S.-Oman FTA (USOFTA) using indicator “OM”)
- U.S.-Peru TPA (USPTPA using indicator “PE”)
- U.S.-Korea Free Trade Agreement (USKFTA using indicator “KR”)
- U.S.-Panama TPA (PTPA using indicator “PA”)

In addition, the HTS is modified as set forth in Annex III of Publication 4653 to implement the WTO *Declaration on the Expansion of Trade in Information Technology Products* as well to make certain technical corrections to the original implementing proclamation. Revisions and/or technical corrections are also made to the HTS provisions implementing the *African Growth and Opportunity Act* (AGOA). Furthermore U.S. Note 4 to Chapter 71 is deleted because the ban on Burmese jadeite or rubies has been revoked.

The modifications and technical rectifications to the HTS set forth in Annex I of Publication 4653 will be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the later of (i) January 1, 2017, or (ii) the thirtieth day after the date of publication of this proclamation in the *Federal Register*.

The modifications to the HTS set forth in Annexes II and III of Publication 4653 will be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after the respective dates specified in each section of such Annex for the goods described therein.

Download: [USITC Publication 4653](#).

USTR seeks input regarding request to reinstate action taken in connection with the EU’s measures concerning meat and meat products

On December 28, 2016, the Office of the United States Trade Representative (USTR) published in the *Federal Register* a [notice of public hearing and request for comments](#) [Docket No. USTR-2016-0025] by the interagency Section 301 Committee to assist USTR in connection with the request of representatives of the U.S. beef industry to reinstate action against the European Union (EU) pursuant to Section 306(c) of the *Trade Act of 1974*, as amended (19 U.S.C. 2416(c)). Prior to reinstating trade action, USTR will conduct a review of the effectiveness of such an action, and of other actions that could be taken (including actions against other products), in achieving the objectives of Section 301 of this title (19 U.S.C. 2411); and the effects of such actions on the United States economy, in-

cluding consumers. See the *Federal Register* notice for the schedule and deadlines for submitting requests to testify and written comments and well as post-hearing rebuttal comments.

USTR has prepared a list of products under consideration for the imposition of increased duties, which may be found in Annex I to the *Federal Register* notice. A list of products initially subject to increased duties starting in 1999 and in effect in whole or part until 2011, may be found in Annex II.

The hearing will be held on February 15, 2017.

USTR seeks input for the 2017 Special 301 Review: identification of countries that deny adequate and effective IPR protection

On December 28, 2016, USTR published in the *Federal Register* a [request for comments and notice of public hearing](#) [Docket No. USTR–2016–0026] to identify countries, pursuant to Section 182 of the *Trade Act of 1974*, that deny adequate and effective protection of intellectual property rights (IPR) or deny fair and equitable market access to U.S. persons who rely on intellectual property protection.

The provisions of Section 182 are commonly referred to as the “Special 301” provisions of the Trade Act and requires USTR to determine which, if any, of these countries to identify as Priority Foreign Countries. USTR requests written comments that identify acts, policies, or practices that may form the basis of a country’s identification as a Priority Foreign Country or placement on the Priority Watch List or Watch List. USTR also requests notices of intent to appear at the public hearing. See the *Federal Register* notice for the schedule and deadlines for submitting requests to testify, written comments and post-hearing comments. The hearing will be held on February 28, 2017.

USTR report on implementation of Russia’s WTO commitments

In December 2016, USTR issued a report, [“2016 Report on the Implementation and Enforcement of Russia’s WTO Commitment”](#) (the 2016 Russia WTO Report). The report provides an assessment of the extent to which Russia is implementing its WTO commitments, an enumeration of the steps USTR has taken over the past year to enforce those commitments, and a description of the actions USTR plans to take in the coming year to press Russia to comply with its WTO obligations.

USTR proposes updating Privacy Act systems and procedures

On December 22, 2016, USTR published in the *Federal Register* a [proposed rule](#) [Docket No. USTR-2016-0027] that would describe how individuals can find out if a USTR system of records contains information about them and, if so, how to access or amend a record. The proposed rule would move the Privacy Act regulation from part 2005 into a new subpart C to part 2004. USTR previously renamed and reorganized part 2004 to include all of the rules governing disclosure of USTR records and information. USTR is also publishing a notice concerning updates to its Privacy Act systems of records. Comments are due on or before January 23, 2017.

Also on December 22, 2016, USTR published in the *Federal Register* a [notice](#) [Docket No. USTR-2016-0028] concerning updates to its Privacy Act systems of records. As part of a comprehensive review of agency practices related to the disclosure of records and information, the USTR is updating both its systems of records and implementing rule under the Privacy Act of 1974 (Privacy Act). This

notice concerns updates to USTR's Privacy Act system of records notices (SORNs).

USTR issues sugar determinations

On December 23, 2016, USTR published in the *Federal Register* a [notice](#) of its determination of the trade surplus in certain sugar and syrup goods and sugar-containing products of Chile, Morocco, Costa Rica, the Dominican Republic, El Salvador, Guatemala, Honduras, Nicaragua, Peru, Colombia and Panama. As described in the *Federal Register* notice, the level of a country's trade surplus in these goods relates to the quantity of sugar and syrup goods and sugar-containing products for which the United States grants preferential tariff treatment under (i) the *United States-Chile Free Trade Agreement*; (ii) the *United States-Morocco Free Trade Agreement*; (iii) the *Dominican Republic-Central America-United States Free Trade Agreement*; (iv) the *United States-Peru Trade Promotion Agreement*; (v) the *United States-Colombia Trade Promotion Agreement*, and (vi) the *United States-Panama Trade Promotion Agreement*. Effective date is January 1, 2017.

USTR issues final rule on FOIA policies and procedures

On December 15, 2016, USTR published in the *Federal Register* a [final rule](#) [Docket Number USTR-2016-0015] amends USTR's regulations under the *Freedom of Information Act* (FOIA). The final rule is a comprehensive update of the prior USTR implementing rule and describes in plain language how to make a FOIA request to USTR and how the FOIA Office processes requests for records. The FOIA rule appears in subpart B to part 2004.

USTR issues final rule on production or disclosure of records and employee testimony

On December 13, 2016, USTR published in the *Federal Register* a [final rule](#) [Docket Number USTR-2016-0016] that adds subparts A and D to part 2004 of the USTR regulations. Subpart A contains definitions used throughout part 2004. Subpart D governs how USTR responds to official demands and informal requests for records, information or employee testimony in connection with legal proceedings in which neither the United States nor USTR is a party. It includes the requirements and procedures for demanding or requesting parties to submit demands or requests, and factors for USTR to consider in determining whether USTR employees will provide records, information or testimony relating to their official duties. The final rule was effective on publication.

ITC adopts FOIA Improvement Act rules

On December 1, 2016, the U.S. International Trade Commission (ITC) published in the *Federal Register* a [final rule](#) amending its Rules of Practice and Procedure concerning rules of general application to reflect amendments to the *Freedom of Information Act* (FOIA) made by the *FOIA Improvement Act of 2016* (the Improvement Act). Among other things, the Improvement Act requires the ITC to amend its FOIA regulations to extend the deadline for administrative appeals for FOIA decisions, to add information on dispute resolution services, and to amend the way the ITC charges fees for FOIA requests. This regulation is effective January 3, 2017.

DEA revises import/export requirements; authorizes use of ITDS/ACE

On December 30, 2016, the Drug Enforcement Administration (DEA) published in the *Federal Register* a [final rule](#) [Docket No. DEA-403] updating its regulations for the import and export of tableting and encapsulating machines, controlled substances, and listed chemicals, and its regulations relating to reports required for domestic transactions in listed chemicals, gamma-hydroxybutyric acid, and tableting and encapsulating machines. In accordance with Executive Order 13563, DEA has reviewed its import and export regulations and reporting requirements for domestic transactions in listed chemicals (and gamma-hydroxybutyric acid) and tableting and encapsulating machines, and evaluated them for clarity, consistency, continued accuracy, and effectiveness. The amendments clarify certain policies and reflect current procedures and technological advancements.

The amendments also allow for the implementation, as applicable to tableting and encapsulating machines, controlled substances, and listed chemicals, of the President's Executive Order 13659 on streamlining the export/import process and requiring the government-wide utilization of the International Trade Data System (ITDS). Within the ITDS, businesses are able to transmit their import and export data using through an Electronic Data Interchange (EDI), an electronic communication framework providing standards for exchanging data via any electronic means. U.S. Customs and Border Protection (CBP) has identified the Automated Commercial Environment (ACE), and any successor system to ACE, to serve as an authorized EDI for purposes of import and export data required by CBP and participating agencies. This rule additionally contains amendments that implement recent changes to the *Controlled Substances Import and Export Act* (CSIEA) for reexportation of controlled substances among members of the European Economic Area made by the *Improving Regulatory Transparency for New Medical Therapies Act*. The rule also includes additional substantive and technical and stylistic amendments.

A pilot program that commenced on August 1, 2016 to test the use of electronic transmission through CBP's ACE system, of data, forms and documents required by the DEA using the Partner Government Agency (PGA) Message Set and the Document Image System (DIS) was successful and, as a result, will be ended when the final rule becomes effective. At that time, all importers, exporters, and brokers will be able to use ACE to electronically file required data and documentation associated with the importation and exportation of controlled substances and listed chemicals.

The final rule is effective January 30, 2017. However, compliance with the revisions to DEA regulations made by this rule is not required until June 28, 2017.

CDC to permit e-filings through ITDS/ACE DIS

On December 30, 2016, the Centers for Disease Control and Prevention (CDC), Department of Health and Human Services, published in the *Federal Register* a [notice](#) announcing a new policy and guidance for the electronic submission of data related to the importation of CDC-regulated items in the International Trade Data System (ITDS). Certain data, forms, and documents required to be submitted to HHS/CDC will be submitted through the U.S. Customs and Border Protection (CBP)'s Automated Commercial Environment (ACE) system, using the Document Image System (DIS). This electronic process will replace certain paper-based processes in keeping with Federal policy and improve operations to further

assist HHS/CDC's mission to protect public health. This action is effective December 30, 2016.

TTB issues final rule on use of ITDS/ACE for alcohol and tobacco imports

On December 22, 2016, the Alcohol and Tobacco Tax and Trade Bureau (TTB) published in the *Federal Register* a [final rule](#) [Docket No. TTB–2016–0004; T.D. TTB–145; Ref: Notice No. 159] amending the TTB regulations governing the importation of distilled spirits, wine, beer and malt beverages, tobacco products, processed tobacco, and cigarette papers and tubes. The amendments in the document clarify and streamline import procedures, and support the implementation of the International Trade Data System and the filing of import information electronically. The amendments include providing the option for importers to file import-related data electronically when filing entry or entry summary data electronically with U.S. Customs and Border Protection (CBP), as an alternative to current TTB requirements that importers submit paper documents to CBP upon importation.

The rule primarily addresses amendments to the TTB regulations to facilitate the electronic filing of information with CBP, and, as a result, distilled spirits, wine, and beer brought into the United States from Puerto Rico are not addressed in the document, because shipments of such products from Puerto Rico (which is part of the Customs Territory of the United States) do not pass through customs custody. The final rule is effective December 31, 2016.

NMFS/NOAA establishes permitting, reporting and recordkeeping procedures (using ITDS/ACE) relating to the importation of certain fish and fish products

On December 9, 2016, the National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA) published in the *Federal Register* a [final rule](#) [Docket No. 150507434–6638–02], pursuant to the *Magnuson-Stevens Fishery Conservation and Management Act* (MSA), that establishes permitting, reporting and recordkeeping procedures relating to the importation of certain fish and fish products, identified as being at particular risk of illegal, unreported, and unregulated (IUU) fishing or seafood fraud, in order to implement the MSA's prohibition on the import and trade, in interstate or foreign commerce, of fish taken, possessed, transported or sold in violation of any foreign law or regulation or in contravention of a treaty or a binding conservation measure of a regional fishery organization to which the United States is a party.

Collection of catch and landing documentation for certain fish and fish products will be accomplished through the government-wide International Trade Data System (ITDS) by electronic submission of data through the Automated Commercial Environment (ACE) maintained by the Department of Homeland Security, Customs and Border Protection (CBP). The information will be collected through the ITDS electronic single window consistent with the *Safety and Accountability for Every (SAFE) Port Act of 2006* and other applicable statutes. Specifically, the rule revises an existing NMFS requirement for the importer of record to file electronically through ACE data prescribed under certain existing NMFS programs (and to retain records supporting such filings) to also cover the data required to be reported under the rule. The rule requires data to be reported on the harvest of fish and fish products.

In addition, the rule requires retention of additional supply chain data by the importer of record and extends an existing NMFS requirement to obtain an annually renewable International Fisheries Trade Permit (IFTP) to the fish and fish products regulated under the rule. The information to be reported and retained, as applicable, under the rule will help authorities verify that the fish or fish products were lawfully acquired by providing information to trace each import shipment back to the initial harvest event(s). The rule will also decrease the incidence of seafood fraud by requiring the reporting of this information to the U.S. Government at import and requiring retention of documentation so that the information reported (e.g., regarding species and harvest location) can be verified.

The final rule is effective January 9, 2017. Title 50 C.F.R. 300.324(a)(3), which covers abalone and shrimp, is stayed indefinitely. NMFS will publish a document in the Federal Register lifting the stay and announcing the effective date of 50 C.F.R. 300.324(a)(3). The compliance date for the rule for the species included at 50 C.F.R. 300.324(a)(2) is January 1, 2018.

US/Mexico announce outbound unified cargo processing pilot

On December 13, 2016, U.S. and Mexican government officials [announced](#) the expansion of an innovative concept in which Customs and Border Protection and the Servicio de Administracion Tributaria (SAT) will perform outbound joint cargo clearance and examinations at Arizona's Port of Nogales. The announcement said -

The Mariposa commercial inspection facility in Nogales has served as home to the initial proof-of-concept, which began on July 25, 2016. "The first phase has proven to work, and we don't want to lose momentum in this joint venture," said CBP's Tucson Director of Field Operations William K. Brooks. "Both countries and the trade communities are benefiting from this innovative process. It only makes sense to enhance the pilot program by adding the outbound component."

It is anticipated that by conducting joint outbound cargo processing, CBP and SAT will reduce cargo inspections and wait times at the border. This will in turn lower the cost of doing business in the region and enhance national security for both countries.

New CBP-ICE enforcement effort targets dangerous electronics

On December 14, 2016, U.S. Immigration and Customs Enforcement (ICE) [announced](#) that ICE and U.S. Customs and Border Protection (CBP) – with support from the U.S. Department of Justice (DOJ) – have launched an initiative targeting the illegal importation and distribution of counterfeit consumer electronics known to present health and safety hazards by overheating, igniting, and causing severe injuries and extensive property damage. The announcement said:

The operation, named "Surge Protector", will focus on electronics vulnerable to counterfeiting, including phony digital media devices, power adapters and consumer technology powered by lithium ion batteries. Counterfeit electronics are routinely the second most seized commodity during the course of intellectual property enforcement conducted by ICE and CBP. From Fiscal Year 2013 to FY 2015, homeland security personnel made over 17,000 seizures related to counterfeit consumer electronics, and the new effort will provide additional resources to agents and allow investigators to more effectively track arrests, indictments and convictions surrounding the illicit sale of these items.

"Our collaboration with industry and external law-enforcement agencies has revealed that counterfeit electronics are a serious threat to public safety on par with fake pharmaceuticals and bogus automotive parts," said ICE – Homeland Security Investigations (HSI) Executive Associate Director Peter Edge. "We are committed to conducting aggressive investigations and targeting individuals who would violate consumer trust by recklessly selling dangerous imitation products."

Operation Surge Protector is being coordinated by the ICE-led National Intellectual Property Rights Coordination Center (IPR Center), which houses both the FBI and HSI intellectual property units. HSI's IP section has been active in the area of counterfeit consumer electronics by providing support to agents investigating organized fraud and counterfeiting schemes targeting multinational technology companies. There are several dozen active investigations into the illegal sale of fake consumer electronics, as well as multiple pending federal criminal prosecutions brought by DOJ.

"The malfunction or failure of counterfeit consumer electronics could have dangerous consequences to U.S. consumers," said Assistant Attorney General Leslie R. Caldwell of DOJ's Criminal Division. "The Justice Department will continue to prosecute traffickers and manufacturers of these counterfeit electronics who choose profit over public health and safety."

In FY 2016, CBP seized nearly 108,000 hoverboards worth an estimated \$46.4 million at 54 different ports of entry for copyright violations, and recent increased enforcement actions focused on fake electronics resulted in hundreds of seizures, which prompted the IPR Center to review its operational portfolio and initiate a new effort dedicated to consumer electronics. Consumers planning to purchase technology, powered by lithium ion batteries, from brick-and-mortar retailers or online from independent sellers and third-party marketplaces can protect themselves by confirming the presence of an authentic Underwriters' Laboratories (UL) certification seal on the product.

"Working for a safer world is UL's mission and we take that responsibility very seriously," said UL's Chief Security Officer Brian Monks. "We will continue to do our part in helping protect people, products and places from counterfeit UL marked products and support law enforcement efforts to take unsafe products out of the hands of criminals and prevent them from reaching the hands of consumers."

Founded in 2000, the IPR Center – formally codified in the *Trade Facilitation and Trade Enforcement Act of 2015* – is one of the U.S. government's key weapons in the fight against criminal counterfeiting and piracy. The center uses the expertise of its 23 member agencies to share information, develop initiatives, coordinate enforcement actions, and conduct investigations related to IP theft. Through this strategic interagency partnership, the IPR Center protects the public's health and safety, the U.S. economy and the war fighters.

CBP issues revisions to TSCA Certification regulations

On December 27, 2016, CBP published in the *Federal Register* a [final rule](#) [USCBP–2016–0056; CBP Dec. No. 16–28] that amends the 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. This document amends the regulations to establish an electronic option for importers to file the required U.S. Environmental Protection Agency (EPA) TSCA certifications, consistent with the *Security and Accountability for Every Port Act of 2006*. This document further amends the regulations to clarify and add certain definitions, and to eliminate the paper-based blanket certification process.

The document was prepared in consultation with EPA, the agency with primary responsibility for implementing TSCA. The final rule is effective January 26, 2017.

CBP issues regulations on vehicle importations subject to CAA

On December 27, 2016, CBP published in the *Federal Register* a [final rule](#) [USCBP–2016–0011; CBP Dec. 16–29] that amends the 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. This document further amends the regulations to permit importers to file the required U.S. Environmental Protection Agency (EPA) Declaration Forms with CBP electronically, and amends non-substantive provisions to

update regulatory citations and delete obsolete provisions. The final rule is effective January 26, 2017.

CBP publishes regulations for Centers of Excellence and Expertise

On December 20, 2016, CBP published in the *Federal Register* an [interim final rule](#) [USCBP-2016 – 0075; CBP Dec. No. 16-26] that amends the CBP regulations to implement an organizational change by: defining the Centers of Excellence and Expertise (Centers) and the Center directors; amending the definition for port directors to distinguish their functions from those of the Center directors; identifying the Center management offices; explaining the process by which importers will be assigned to Centers; providing the importer with an appeals process for its Center assignment; identifying the regulatory functions that will be transitioned from the port directors to the Center directors and those that will be jointly carried out by the port directors and the Center directors; and providing clarification in applicable regulations that payments and documents may continue to be submitted at the ports of entry or electronically.

At this time, CBP is prepared to end the test developed in 2012, to incrementally transition the operational trade functions that traditionally reside with port directors to the Centers. The purpose of the test was to broaden the ability of the Centers to make decisions by waiving certain identified regulations to the extent necessary to provide the Center directors, who manage the Centers, with the authority to make the decisions normally reserved for the port directors. and establish the Centers as a permanent organizational component of the agency and to transition certain additional trade functions to the Centers.

Section 110 of the [Trade Facilitation and Trade Enforcement Act of 2015](#) (Pub. L. 114–125, 130 Stat. 122, February 24, 2016) required that the Centers be developed and implemented. Therefore, at this time, CBP is prepared to end the Centers' test and establish the Centers as a permanent organizational component of the agency and to transition certain additional trade functions to the Centers, such as the processing of quota entry summaries (see 19 C.F.R. part 132) and determining whether to provide importers with a reasonable opportunity to label products (see 19 C.F.R. part 11). To accomplish this goal, CBP is realigning and shifting certain staff positions from the port director chain of command to the Center director chain of command. The staff that is handling the trade functions under the port director will continue to handle those same functions under the Center directors, but they will be reallocated by industry specialization and will report to one of the ten Centers. The staff who will report to the Centers includes: Import Specialists, Entry Specialists, and Liquidation Specialists. This realignment is virtual, in that Center personnel will remain at their current location, primarily at ports of entry, to stay accessible to the trade community and to continue to assist with enforcement and compliance issues that arise. The staff who will continue to report to the port directors includes: CBP Officers, Agriculture Specialists, FPF Officers, and Seized Property Specialists.

CBP notes that certain authorities and responsibilities that were provided to the Center directors by waiving certain regulatory sections in the test notices will not be transitioned to the Centers under the regulations. CBP has made the decision to maintain the current regulatory authorities for: the control, movement, examination and release of cargo; export; drawback; and Fines, Penalties & Forfeitures. The sections that will not be transitioned to the Centers under the regulations that were transitioned in the test notices are listed here along with parenthetical explanations: § 10.66 (exportation of goods); § 10.67 (exportation of goods); § 12.3 (condition of release); § 12.73(k) (detention of motor vehicle); § 12.80 (condition

of release); § 134.3(b)(2) (location of examination); § 141.58(c) (request to ship merchandise separately); § 142.13 (condition of release); § 144.34(a) (physical transport of goods from warehouse); § 141.57 (incremental release of split shipments); § 146.63 (Foreign Trade Zone release); § 162.79b (involves Fines, Penalties & Forfeitures officers); § 181.13 (involves Fines, Penalties & Forfeitures officers); and § 191.61 (drawback). The interim regulation also amends certain regulations to jointly authorize the port directors and Center directors to implement certain functions, such as the authority to accept certain documentation (see, e.g., 19 C.F.R. 10.41a(e)) and collect payments (see, e.g., 19 C.F.R. 24.2). This interim rule is effective January 19, 2017.

CBP publishes quarterly IRS interest rates

On December 14, 2016, CBP published in the *Federal Register* a [general notice](#) advising the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning October 1, 2016, the interest rates for overpayments will be 3 percent for corporations and 4 percent for non-corporations, and the interest rate for underpayments will be 4 percent for both corporations and non-corporations.

CBP issues final rule on the Electronic Notice of Liquidation

On December 12, 2016, CBP published in the *Federal Register* a [final rule](#) [USCBP–2016–0065; CBP Dec. No. 16–25] that adopts as a final rule, with changes, proposed amendments to the CBP regulations (see 81 Fed. Reg. 71019, October 14, 2016) reflecting that official notice of liquidation, suspension of liquidation, and extension of liquidation will be posted electronically on the CBP Web site. The regulatory revisions reflect that official notice of liquidation will no longer be posted at the customhouses or stations and that official notices of suspension of liquidation and extension of liquidation will no longer be mailed. Additionally, the rule makes certain technical corrections to the CBP regulations to reflect statutory amendments. The major modifications to the proposed rule are as follows:

- CBP has designed the functionality so that entries that are set for auto-liquidation, that is, liquidations that occur on the standard 314-day cycle without CBP intervention will continue to be made on Fridays. However, for manual liquidations where CBP action is required, liquidations will generally post to the Web site within 90 minutes after CBP processes the liquidation.
- CBP has added language to 19 C.F.R. §§ 159.9(c)(1), 159.12(b), and 159.12(c) stating that notices of liquidation, extension, and suspension, respectively, will be maintained on the CBP Web site for a minimum of 15 months.
- CBP has amended the regulation at 19 C.F.R. §159.9(c)(2)(i) to state that CBP will post information on when a liquidation by operation of law occurred when it has determined that an entry has liquidated by operation of law.
- CBP has amended the regulation at 19 C.F.R. §159.9(d) to state that courtesy notices of the extension will be sent to the entry filer or its agent and the surety on an entry. CBP has amended the regulation at 19 C.F.R. §§159.12(b), (c), and (d)(2), to state that courtesy notices of the extension or suspension will be sent to the entry filer or its agent and the surety on an entry through a CBP-authorized electronic data interchange.

The final rule is effective on January 14, 2017.

CBP modifies NCAP test re: reconciliation and transition from ACS to ACE

On December 12, 2016, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify 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 the notice eliminate several requirements for participation in the test, impose new data requirements, and establish the requirement that reconciliation entries be filed in ACE beginning January 14, 2017, regardless of whether the underlying entry was filed in ACS or ACE. The other major changes are as follows:

- CBP is eliminating the requirement that reconciliation entries be filed at specified reconciliation processing ports. Beginning on January 14, 2017, reconciliation entries may be filed in ACE at any CBP port.
- Except for suspended parties wishing to be reinstated into the test, CBP is removing the requirement that interested importers apply to participate in this test.
- CBP is streamlining the process for blanket flagging underlying entries for reconciliation. effective January 14, 2017, importers no longer will submit requests asking that CBP apply a blanket flag on their behalf. Instead, importers may input and apply a blanket flag themselves. Importers who use blanket flagging must continue to identify the issue(s) they are flagging.
- All test participants may request that CBP retroactively flag underlying entries on their behalf. A request may be made by sending [an email](#). The request must be made at least 60 days before the scheduled liquidation date of the underlying entry the importer wishes to have CBP flag retroactively. CBP's decision to grant or deny such a request is entirely discretionary and solely within CBP's province. CBP's decision is final and cannot be appealed.
- Reconciliation entries filed in ACE will be fully automated and all required data and information must be transmitted electronically on the reconciliation entry. Reconciliation entries must continue to be filed using the Automated Broker Interface (ABI). Paper and compact disc spreadsheets will no longer be accepted as part of the filing of reconciliation entries.
- Reconciliation entries with no changes to flagged entries must only report the flagged underlying entry numbers (no line item data) and must be filed as an aggregate reconciliation entry, i.e., no entry-by-entry reconciliation entry will be allowed when there are no changes to declare.
- Reconciliation entries with changes to the flagged entry will no longer have to include original transaction values, or original duties, fees and taxes amounts declared in the flagged entry.
 - Reconciliation entries with changes will only have to report the newly determined transaction value and the newly reconciled duties, fees and taxes.
 - Reconciliation entries claiming preferential tariff treatment pursuant to a free trade agreement post-importation claim must include electronic certifications of the statements and declarations required by regulation.
 - Reconciliation entries reconciling classification issues must provide information indicating the protest, administrative ruling or court action which necessitates reconciling the classification of the underlying flagged entry.
 - Reconciliation entries flagged only for a value change must indicate by checking a checkbox if the value change results in a classification change as well.
- Reconciliation entry filers must check a checkbox indicating if a prior disclosure has been made on any of the flagged underlying entries. If no prior disclosure was made, the checkbox should not be checked. Additionally, the reconciliation entry line item data must include the line number of the underlying flagged entry being reconciled.

- The Masterfile Extract and Liquidation Extract Reports that CBP provided upon request, for a fee, will be discontinued in both paper and diskette form as soon as that information is available in an ACE report.

Except to the extent expressly announced or modified by the document, all aspects, rules, terms and conditions announced in previous notices regarding the reconciliation test remain in effect. The changes made by the notice are effective January 14, 2017.

CBP modifies/clarifies NCAP tests regarding PSCs and PMS

On December 12, 2016, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify and clarify the National Customs Automation Program (NCAP) test pertaining to the processing of 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 modifications made by the notice eliminate some requirements and liberalize certain requirements needed for the filing of a PSC making it easier for importers to file a PSC for additional entry types, and allowing for additional time to make a deposit for duties, fees and taxes owed. With regard to the PMS test program, the notice announces the time at which CBP considers a PMS as paid when filers use the Automated Clearing House (ACH) debit process. Except to the extent expressly announced or modified by the *Federal Register* document, all aspects, rules, terms and conditions announced in previous notices regarding the tests remain in effect. The modifications and clarifications are as follows:

1. In addition to Entry types 01 (Consumption—Free and Dutiable) and 03 (Consumption—Antidumping/Countervailing Duty (AD/CVD)), PSCs may be filed for the following additional entry types:
 - 02—Consumption—Quota/Visa
 - 06—Consumption—Foreign Trade Zone (FTZ)
 - 07—Consumption—AD/CVD and Quota/Visa Combination
 - 21—Warehouse
 - 22—Re-Warehouse
 - 23—Temporary Importation Bond (TIB)
 - 31—Warehouse Withdrawal—Consumption
 - 32—Warehouse Withdrawal—Quota
 - 34—Warehouse Withdrawal—AD/CVD
 - 38—Warehouse Withdrawal—AD/CVD & Quota/Visa Combination
 - 51—Defense Contract Administration Service Region (DCASR)
 - 52—Government—Dutiable
2. When filing a PSC for an entry of merchandise subject to quota, the date and time of submission will be considered the date and time of presentation of the merchandise to CBP. If a PSC is filed on an entry with merchandise subject to quota, and the quota is full or nearly full at threshold, the PSC filer must:
 - The filer must follow the *Entry Summary Business Rules and Process Document*; and
 - Within 24 hours of making the correction, contact [Headquarters Quota Branch](#), regardless of whether the correction concerns merchandise subject to quota.
3. If a PSC is filed that increases the importer's liability for duties, fees or taxes, the importer must deposit those additional duties, fees and taxes within three business days of submitting the PSC. No additional PSCs can be filed until those duties, fees and taxes are deposited.

4. Previously, a filer under the PSC test could not change a type 03 entry to a type 01 entry. The new document announces that a PSC may declare that a previously filed entry which stated that merchandise covered by that entry was subject to antidumping and/or countervailing duties is not, in fact, subject to such duties. For instance, a PSC may declare that a previously filed 03 entry type is corrected to indicate it is a 01 entry type.
5. The notice also announces a change in CBP policy which will allow an importer to deposit new or additional AD/CVD within three business days of submitting the PSC. However, no additional PSCs can be filed until the duties are deposited. Previously, when a PSC declared that an entry was corrected to indicate it was subject to AD/CVD, or a greater amount of AD/CVD was owed, and those duties were not deposited at the time of submitting the PSC, CBP would reject the PSC.
6. On June 24, 2011, CBP announced in the *Federal Register* (76 Fed. Reg. 37136) that one of the data elements that may not be modified via a PSC is the NAFTA indicator. The notice clarifies that such prohibition applies not only to a post-importation NAFTA claim under 19 U.S.C. 1520(d), but also to a claim made under other free trade agreements covered by 19 U.S.C. 1520(d).
7. On November 19, 2013, CBP published a notice in the *Federal Register* (78 Fed. Reg. 69434) that stated that a PSC cannot be filed when any merchandise covered by the original entry has been conditionally released and its right to admission has not been determined. This restriction was overly broad and prevented importers from filing a PSC because all goods are conditionally released and their admissibility is not legally determined until liquidation. This notice announces that this restriction does not prevent the filing of a PSC within the time periods allowed as long as all other requirements and limitations are met.
8. Finally, the notice announces that CBP will consider a PMS as paid, in the event the importer uses the Automated Clearing House (ACH) debit process, when CBP receives confirmation from the Treasury Department that funds are available and transferred to CBP from the financial institution designated by the importer for payment of the ACH debit authorization. Prior to this modification, CBP considered a PMS as paid when CBP transmitted the debit authorization to the designated financial institution. See 69 Fed. Reg. 5362 (February 4, 2004). This change will result in a delay of approximately two working days in the time that CBP uses to consider a PMS as paid. It is important to note that this modification applies only to importers who participate in the test program. For all other importers, the current regulation, 19 C.F.R. 24.25(c)(4), still applies which means CBP will consider a statement as paid upon acceptance of the ACH debit authorization.

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

CBP establishes new effective date for sole use of ACE in processing drawback and duty deferral entry and entry summary filings

On December 12, 2016, CBP published in the *Federal Register* a [general notice](#) announcing the revised effective date for the Automated Commercial Environment (ACE) becoming the sole electronic data interchange (EDI) system authorized by the Commissioner of CBP for processing electronic drawback and duty deferral entry and entry summary filings. On August 30, 2016, CBP published a notice in the *Federal Register* announcing plans to make ACE the sole authorized EDI system for processing electronic drawback and duty deferral entry and entry summary filings. 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. This notice announces that the effective date for the transition will be January 14, 2017 and ACS will no longer be a CBP-authorized EDI system for purposes of processing these filings.

CBP imposes import restrictions on certain Egyptian archaeological materials

On December 6, 2016, CBP published in the *Federal Register* a [final rule](#) [CBP Dec. 16-23] that amends the CBP regulations to reflect the imposition of import restrictions on certain archaeological material from the Arab Republic of Egypt (Egypt). These restrictions are being imposed pursuant to an agreement between the United States and Egypt that has been entered into under the authority of the *Convention on Cultural Property Implementation Act* in accordance with the *1970 United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. The final rule amends CBP regulations by adding Egypt to the list of countries for which a bilateral agreement has been entered into for imposing cultural property import restrictions. The final rule also contains the designated list that describes the types of archaeological material to which the restrictions apply.

CBP extends import restrictions on certain Bolivian archaeological and ethnological materials

On December 6, 2016, CBP published in the *Federal Register* a [final rule](#) [CBP Dec. 16-24] that amends the CBP regulations to reflect an extension of import restrictions on certain archaeological and ethnological materials from the Plurinational State of Bolivia (Bolivia). The restrictions, which were originally imposed by Treasury Decision (T.D.) 01-86 and last extended by CBP Dec. 11-24, are due to expire on December 4, 2016. The Assistant Secretary for Educational and Cultural Affairs, United States Department of State, has determined that conditions continue to warrant the imposition of import restrictions. Accordingly, these import restrictions will remain in effect for an additional five years, and the CBP regulations are being amended to reflect this extension through December 4, 2021. These restrictions are being extended pursuant to determinations of the United States Department of State made under the terms of the *Convention on Cultural Property Implementation Act* in accordance with the *United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. T.D. 01-86 contains the Designated List of archaeological and ethnological materials from Bolivia to which the restrictions apply.

Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
12-02-16	Agency Information Collection Activities: Vessel Entrance or Clearance Statement [CBP Form 1300] (N)
12-06-16	Accreditation and Approval of AMSPEC SERVICES, LLC, as a Commercial Gauger and Laboratory [Pasadena, TX] (N)
	Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory [Pasadena, TX] (N)
	Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory [Fort Lauderdale, FL] (N)
	Accreditation and Approval of Chem Gas International LLC as a Commercial Gauger and Laboratory [Houston, TX] (N)
	Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory [Port Canaveral, FL] (N)

F.R. Date	Subject
12-08-16	Approval of Petrospect, Inc., as a Commercial Gauger [Honolulu, HI] (N)
12-09-16	Accreditation and Approval of Uaybolt LP as a Commercial Gauger and Laboratory [West Mifflin, PA] (N)
12-13-16	Privacy Act of 1974: Department of Homeland Security/U.S. Customs and Border Protection-007 Border Crossing Information (BCI) System of Records [Docket No. DHS-2016-0088] (N)
12-15-16	Accreditation and Approval of Amspec Services, LLC, as a Commercial Gauger and Laboratory [Avenel, NJ] (N)
	Approval of Intertek USA, Inc., as a Commercial Gauger [Freeport, TX] (N)
	Approval of Intertek USA, Inc., as a Commercial Gauger [Kapolei, HI] (N)
	Accreditation and Approval of Intertek USA, Inc., as a Commercial Gauger and Laboratory [Cushing, OK] (N)
12-16-16	Accreditation and Approval of Intertek USA, Inc., as a Commercial Gauger and Laboratory [St. Louis, MO] (N)
	Accreditation of Sea, LTD., as a Commercial Laboratory [Columbus, OH] (N)
12-19-16	DHS: Definition of Form I-94 to Include Electronic Format [Docket No. USCBP-0091] (FR)
12-20-16	DHS: Privacy Act of 1974: Implementation of Exemptions; Department of Homeland Security DHS/U.S. Customs and Border Protection (CBP)-023 Border Patrol Enforcement Records (BPER) System of Records [Docket No. DHS-2016-0091] (FR)
	Agency Information Collection Activities: Electronic Visa Update System (N)
12-21-16	Accreditation and Approval of Intertek USA, Inc., as a Commercial Gauger and Laboratory [Chickasaw, AL] (N)

CBP issues year-end Immediate Delivery procedures

On December 14, 2016, CBP issued [CSMS# 16-001021](#), setting forth the Immediate Delivery (ID) procedures for year-end. The Office of Trade is issuing a blanket authorization for ID procedures for merchandise to be released on or after December 16, 2016 through December 31, 2016, in accordance with 19 C.F.R. § 142.21(i). The authorization is offered to filers who may elect to take advantage of the interim *Harmonized Tariff Schedule* changes, which take effect on or after January 1, 2017.

This blanket authorization does not apply to absolute quota merchandise and merchandise moved under an immediate transportation entry (type 61). Tariff rate quota merchandise previously authorized for ID release under 19 C.F.R. § 142.21 (e) may still be released; however, the entry summary shall be presented within the time specified in 19 C.F.R. § 142.23 or within the quota period, whichever expires first.

ABI entry transmissions, including the “paperless” provisional messages, will establish the desired entry date by using the estimated entry date in the summary transmission (“AE” transmissions). This will identify the change from “Entry” to “Immediate Delivery” and will allow filers to elect a date of entry in order to take advantage of tariff changes or special programs. Under ID procedures, the entry/entry summary must be filed within 10 working days after release. This blanket authority only extends to shipments released December 16, 2016 through December 31, 2016. No grace period will be granted for the purpose of timely filing ID entry summaries under this one-time allowance.

Questions regarding this policy should be addressed to [Commercial Operations Revenue and Entry \(CORE\) Division](#).

CBP FAQs, ICPs and other publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised FAQs, Informed Compliance Publications (ICPs) in the, “*What Every*

Member of the Trade Community Should Know About:..." series, other publications and fact sheets:

- [Ace Filing Instructions for ITAR-Related Commodities \(DDTC\) ver 1.6](#)
- [ACEopedia \(December 2016\)](#)
- [ACE Drawback Frequently Asked Questions](#)
- [ACE Reconciliation Frequently Asked Questions](#)
- [CBP Trade Enforcement Bulletin 2016 Quarter 4](#)
- [ACE Monthly Trade Update November 2016](#)
- [ACE Development and Deployment Schedule](#)
- [CATAIR Appendix R intended Use Codes for ACE](#)

Revocations or modifications of CBP rulings

During the past month, the weekly [Customs Bulletin and Decisions](#) did not publish any proposals or actions 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.

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
12-01-16	16-000984	FDA Food Facility Registration Renewal U.S. Agent Action Required for Foreign Food
	16-000985	Reminder: Warehouse Withdrawal Indicator
12-02-16	16-000989	Reconciliation Webinar Series Dec 8, 15 and 22
12-05-16	16-000990	Input Transmissions Receiving "Run Has Been Terminated" - 12/4/16
	16-000991	Food and Drug Administration Final Rule
	16-000992	Guidance to Correct an Issue Concerning the EEI Filing Printout in AESDirect
	16-000993	Updated DDTC Implementation Guide V1.6, October 2016
	16-000994	ACE CERTIFICATION ES deployment, Tues Dec. 6,2016 @0700ET,impact ACE CargoRel & EntrySumm
12-06-16	16-000995	ACE PRODUCTION CR deployment Tues Dec. 6,2016 @0545-0630ET,impact CargoRelease & EntrySumm
	16-000996	Updated ACE Air Import CAMIR Technical Documentation
12-06-16	16-000997	Guidance for USDA/APHIS Lacey Act data filing
12-07-16	16-000998	ACE CERTIFICATION Recon deployment, Thurs 12/8/2016 @0700ET,impact CargoRel & EntrySummry
	16-000999	ACE PRODUCTION PGA deployment, Thurs Dec. 8,2016 @0600ET,impact ACE CargoRel & EntrySumm
12-08-16	16-001000	Reminder: FDA ITACS Not Receiving All Arrival Information
	16-001001	Food & Drug Administration (FDA) Guide 2.5 Review Webinar
	16-001002	ACE deployment items now in CERTIFICATION, Thursday, Dec. 8, 2016
12-09-16	16-001003	Reminder/Correction: FDA ITACS Not Receiving All Arrival Information
	16-001005	Update: ACE January 2017 Transition
12-13-16	16-001006	Publication of Four FRNs Concerning ACE
	16-001009	Food & Drug Administration (FDA) Supplemental Guide 2.5 Review Webinar
	16-001010	ACE items Deployed to PRODUCTION, Tuesday, December 13,

Date	CSMS#	Title
		2016
	16-001012	ACE CERTIFICATION CQ Deployed today, Tuesday Dec. 13, 2016
	16-001013	Extension of FCC Form 740 Waiver
	16-001014	ACE CERTIFICATION FQ fix Deployed today, Tuesday Dec. 13, 2016
12-14-16	16-001019	ACE PRODUCTION Deployment, Thurs Dec. 15, 2016 @0545ET, impact ACE CargoRel & EntrySummary
	16-001021	Immediate Delivery Procedures at Year-End
	16-001022	ACE Portal Reminder: Use of the Internet Browser's AutoComplete Feature
	16-001023	Recordatorio del Portal de ACE: Uso de la Configuración Auto-completar en su Navegador
	16-001024	Recordatorio del Portal de ACE: Uso de la Configuración Auto-completar en su Navegador
12-15-16	16-001025	Buffalo Port Office early closure - 12/14/2016
	16-001026	2017 Federal Holidays
	16-001027	FDA New Product Codes for CDER, CDRH, CTP
12-16-16	16-001030	Harmonized System Update (HSU) 1614 created December 15, 2016
	16-001032	FDA Import System Scheduled maintenance, Saturday, December 17, 2016, 3:00 AM-6:00 AM EDT
	16-001033	CBP/FDA Supplemental Guide Version 2.5 Deployment Schedule
	16-001034	ACE PROD Cargo/Manifest/Entry Release (CQ) Query Deploy, Sat. 12/17/2016 2200ET
12-19-16	16-001035	Initiations of AD/CVD Investigations: Certain Hardwood Plywood Products from the PRC
12-20-16	16-001037	ACE PRODUCTION PGA deployed, Tuesday morning, December 20, 2016
12-21-16	16-001041	FDA IG 2.5 Changes for Jan 5th Deployment Available in CERT
	16-001042	Regulatory Implementation of the Centers of Excellence and Expertise
	16-001043	New ACE Reports Dictionary for Trade Now Available
	16-001044	PMS and Daily Final Statements not generated to Trade
	16-001046	ACE CERTIFICATION CQ Maintenance Thursday, Dec. 22, 2016 at 0700-0715 ET
12-22-16	16-001048	Harmonized System Update (HSU) 1615 created December 21, 2016
	16-001050	November 2016 ACE Monthly Trade Update
	16-001052	Food Facility Registration Renewal U.S. Agent Action Required for Foreign Food
	16-001053	Updated ACE AESTIR Documentation Posted on CBP.gov
12-27-16	16-001054	Publication of two FRNs Concerning Vehicles & Engines and TSCA
	16-001055	Tuna Quota Opening Moment - Procedures for Trade
12-28-16	16-001056	ACE Drawback Webinar, January 4th from 11am-12pm EST
12-30-16	16-001058	Updated ACE CATAIR Documentation Posted on CBP.gov
	16-001059	Updated Appendix R Intended Use Codes (IUC), December 2016

Foreign Trade Zones

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

F.R. Date	Document
12-01-16	Foreign-Trade Zone (FTZ) 279— Terrebonne Parish, Louisiana; Authorization of Production Activity; Thoma-Sea Marine Constructors, L.L.C. (Shipbuilding); Houma and Lockport, Louisiana [B-49-2016]
12-07-16	Foreign-Trade Zone (FTZ) 24 – Pittston, Pennsylvania - Notification of Proposed Production Activity - Brake Parts Inc (Automotive Parts Kitting) Hazleton, Pennsylvania [B-83-2016]

F.R. Date	Document
	Foreign-Trade Zone (FTZ) 226 – Merced County, California - Notification of Proposed Production Activity - Brake Parts Inc (Automotive Parts Kitting) Patterson, California [B-82-2016]
	Foreign-Trade Zone (FTZ) 134 – Chattanooga, Tennessee - Notification of Proposed Production Activity - Volkswagen Group of America – Chattanooga Operations, LLC (Passenger Motor Vehicles) Chattanooga, Tennessee [B-81-2016]
	Reorganization of Foreign-Trade Zone 17 (Expansion of Service Area) under Alternative Site Framework, Kansas City, Kansas [Order No. 2019]
	Reorganization of Foreign-Trade Zone 20 (Expansion of Service Area) under Alternative Site Framework, Norfolk, Virginia [Order 2020]
	Reorganization of Foreign-Trade Zone 93 (Expansion of Service Area) under Alternative Site Framework, Raleigh-Durham, North Carolina [Order 2021]
	Reorganization of Foreign-Trade Zone 244 (Expansion of Service Area) under Alternative Site Framework, Riverside, California [Order 2022]
	Foreign-Trade Zone 24 – Pittston, Pennsylvania - Application for Subzone Brake Parts Inc., Hazleton, Pennsylvania [S-169-2016]
	Foreign-Trade Zone 92 -- Gulfport, Mississippi - Application for Subzone TopShip, LLC, Gulfport, Mississippi [S-171-2016]
	Approval of Expansion of Subzone 124D - LOOP LLC, Lafourche and St. James Parishes, Louisiana [Order 2023]
	Approval of Expansion of Subzone 122J - Valero Refining Company, Nueces County, Texas [Order 2024]
12-08-16	Production Activity Not Authorized Foreign-Trade Zone (FTZ) 134— Chattanooga, Tennessee, Wacker Polysilicon North America LLC, (Polysilicon), Charleston, Tennessee [B-52-2016]
12-12-16	Foreign-Trade Zone (FTZ) 281—Miami, Florida; Authorization of Production Activity; Carrier InterAmerica Corporation (Heating, Ventilating and Air Conditioning Systems); Miami, Florida [B-55-2016]
	Approval of Subzone Status; Romark Global Pharma, LLC Manatí, Puerto Rico [S-139-2016]
12-12-16	Foreign-Trade Zone (FTZ) 21 – Dorchester County, South Carolina - Notification of Proposed Production Activity - AGRU America Charleston, LLC (Industrial Pipes) North Charleston, South Carolina [B-84-2016]
12-28-16	Foreign-Trade Zone (FTZ) 279 – Terrebonne Parish, Louisiana - Authorization of Production Activity - Gulf Island Shipyards, LLC (Shipbuilding) Houma, Louisiana [B-56-2016]
12-29-16	Foreign-Trade Zone (FTZ) 38 – Spartanburg County, South Carolina - Notification of Proposed Production Activity - Black & Decker (U.S.) Inc. Subzone 38E (Power Tools) Fort Mill, South Carolina [B-86-2016]

Treasury lists countries cooperating in an international boycott

On December 2, 2016, the Department of the Treasury published in the *Federal Register* a [current list of countries](#) which require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the Internal Revenue Code of 1986). On the basis of the best information currently available to the Department of the Treasury, the following countries require or may require participation in, or cooperation with, an international boycott (within the meaning of section 999(b)(3) of the *Internal Revenue Code of 1986*): Iraq, Kuwait, Lebanon, Libya, Qatar, Saudi Arabia, Syria, United Arab Emirates, and Yemen.

FinCEN supplements 5th Special Measure against FBME Bank

On December 1, 2016, the Financial Crimes Enforcement Network (FinCEN) published in the *Federal Register* a [supplement to the final rule](#) imposing a prohibition on covered financial institutions from opening or maintaining correspondent accounts for, or on behalf of, FBME Bank, Ltd. On September 20, 2016, the U.S. District Court for the District of Columbia issued an order remanding to FinCEN

the final rule imposing a prohibition on covered financial institutions from opening or maintaining correspondent accounts for, or on behalf of, FBME Bank, Ltd. In its memorandum opinion accompanying that order, the Court stated that the agency had not responded meaningfully to FBME's comments regarding the agency's treatment of aggregate Suspicious Activity Report (SAR) data. The Court found that those comments challenged FinCEN's interpretation of SAR data on at least four distinct grounds. In the supplement to the final rule, FinCEN provides further explanation addressing FBME's comments.

OFAC revises Iranian Transactions and Sanctions Regulations

On December 23, 2016, the Office of Foreign Assets Control (OFAC) published in the *Federal Register* a [final rule](#) amending the *Iranian Transactions and Sanctions Regulations* (ITSR) to reflect OFAC's licensing policies and address inquiries from the regulated public. This final rule makes changes relating to authorized sales of agricultural commodities, medicine, and medical devices to Iran pursuant to the *Trade Sanctions Reform and Export Enhancement Act of 2000* (TSRA), as amended, and clarifies the definition of the terms *goods of Iranian origin* and *Iranian-origin goods*.

[31 C.F.R. § 560.530](#) sets forth the favorable Ag/Med licensing regime for the export/reexport of agricultural commodities, medicine, and medical devices to Iran (i.e., "Ag/Med" licenses). Specifically, the final rule (1) expands the scope of medical devices and agricultural commodities generally authorized for export or reexport to Iran and, to improve patient safety, also provides new or expanded authorizations for (2) training; (3) replacement parts; (4) software and services related to the operation, maintenance, and repair of medical devices; and (5) imports into the United States of agricultural commodities, medicine, and medical devices previously exported under Ag/Med licenses that are broken or connected to product recalls, adverse events, or other safety concerns. In addition, the final rule (6) revises the definition of the terms "goods of Iranian origin" and "Iranian-origin goods" at ITSR section [560.306](#) to clarify that the definition does not include certain specified categories of goods.

The key regulatory changes implemented pursuant to the final rule are described below. OFAC has also published certain [new](#) and [updated](#) Frequently Asked Questions (FAQs) related to the below-described changes.

Additional medical devices and agricultural commodities generally authorized for export/reexport

The general license in ITSR section 560.530(a)(3) (the "Ag/Med General License for Medicine and Medical Devices") previously authorized exports/reexports of certain medical devices specified on OFAC's "List of Medical Supplies" published on the OFAC website. The Final Rule expands this general license to generally authorize the export/reexport to Iran of all items meeting the ITSR definition of the term "medical device," except for those that are explicitly excluded. Such specifically excluded medical devices are identified in a new "[List of Medical Devices Requiring Specific Authorization](#)" maintained on OFAC's website (which has replaced the "List of Medical Supplies"). The export/reexport of these excluded medical devices to Iran requires specific authorization from OFAC.

OFAC has also removed shrimp and shrimp eggs from the list of excluded agricultural commodities not covered by the general license in ITSR section 560.530(a)(2) (i.e., the "Ag/Med General License for Agricultural Commodities").

The export/reexport to Iran of shrimp and shrimp eggs previously required specific OFAC authorization.

Provision of training necessary and ordinarily incident to safe and effective use

OFAC has added new provisions to the Ag/Med General Licenses for Agricultural Commodities, Medicine, and Medical Devices generally authorizing the provision of training “necessary and ordinarily incident” to the safe and effective use of agricultural commodities, medicine, and medical devices exported/reexported pursuant to an Ag/Med general license.

OFAC’s new [FAQ 484](#) provides additional guidance on the types of training considered by OFAC to be “necessary and ordinarily incident” to the safe and effective use of medicine and medical devices. According to the FAQ, “OFAC considers training activities including the dissemination of product information on the intended use of a device; comparisons of other devices and options; and the manufacturer’s instructions for use, labeling, warning, contraindications, storage, and maintenance of the medicine or device to be necessary and ordinarily incident to the safe and effective use of medicines and medical devices.” Other examples noted in the FAQ include “training health care professionals to use medical devices safely in order to achieve the desired patient outcome, training on procedures for cleaning and inspecting devices regularly to ensure they are functioning correctly, ongoing training and periodic testing to ensure users stay competent, and training on procedures for adverse events or device failure.”

Supply of medical device replacement parts

OFAC has expanded the scope of the existing general authorization for replacement parts. This general license previously authorized the export/reexport of replacement parts only on a one-for-one basis of exchange. The amended general license does not require a one-for-one basis of exchange but rather authorizes the export/reexport of replacement parts for storage within Iran for future use provided that:

- (i) the replacement parts are classified as EAR99 or, in the case of replacement parts that are not subject to the EAR, would be EAR99 if they were located in the United States;
- (ii) the replacement parts are intended to replace a broken or nonoperational component of a medical device previously exported/reexported to Iran pursuant to an Ag/Med license or the exportation/reexportation of the replacement part is ordinarily incident and necessary to the proper preventative maintenance of such a medical device;
- (iii) the number of replacement parts that are exported or reexported to and stored in Iran does not exceed the number of corresponding parts in use in relevant medical devices in Iran; and
- (iv) the parts being replaced are promptly provided to a non-Iranian entity located outside of Iran selected by the supplier of the replacement parts

Provision of software and services related to the operation, maintenance, and repair of medical devices

OFAC has added a new general license to authorize the export/reexport to Iran of software and services related to the operation, maintenance, and repair of medical devices previously exported/reexported to Iran pursuant to an Ag/Med license, subject to certain conditions. A key condition is that the software must be designated EAR99, or in the case of software not subject to the EAR, would be designated EAR99 if located in the United States. Specifically, this general license authorizes the export/reexport to Iran of:

- a. software necessary for the installation and operation of medical devices or replacement parts authorized for export/reexport under an Ag/Med license, and the conduct of related transactions;
- b. software updates for those devices, and the conduct of related transactions; and
- c. repair services for medical devices authorized for export/reexport to Iran by OFAC, including inspection, testing, calibration, and diagnostic services to ensure patient safety or effective operation of such medical devices, provided such services do not substantively alter the functional capabilities of the medical device as originally exported/reexported.

Imports into the United States of broken or defective items

OFAC has adding a new general license to authorize the importation into the United States of certain U.S.-origin agricultural commodities, medicine, and medical devices. Specifically, the new general license authorizes the import into the United States of items, which were previously exported/reexported to Iran under Ag/Med licenses, that are broken, defective, or nonoperational or connected to product recalls, adverse events, or other safety concerns.

Amendment to definition of “Goods of Iranian Origin” and “Iranian-Origin Goods”

Finally, OFAC has amended the definition in ITSR section 560.306 of the terms “goods of Iranian origin” and “Iranian-origin goods” to clarify that this definition does not include the following categories of goods, provided that such goods were not grown, produced, manufactured, extracted, or processed in Iran:

- Goods exported/reexported to Iran under an OFAC general or specific license (such as an Ag/Med license or General License D-1 for certain services, software, and hardware incident to personal communications) that have subsequently been reexported from and are located outside of Iran; and
- Goods transported on a vessel or aircraft, as well as the underlying vessel or aircraft itself, that passed through Iranian territorial waters or stopped at a port or place in Iran *en route* to a destination outside of Iran that have not otherwise come into contact with Iran.

For additional information, please contact [Kathryn J. Anderson](#), [Lise S. Test](#), [Kerry B. Contini](#) or [Sylvia A. Lis](#) or any member of the U.S. Outbound Trade group from whom you normally seek advice. Check our [Sanctions and Export Control Update blog](#) for future updates.

OFAC adds names to Russia/Ukraine list; publishes Russia/Ukraine related general license

On December 20, 2016, the Office of Foreign Assets Control (OFAC) [posted](#) an update to the Specially Designated Nationals List and the Sectoral Sanctions Identifications List to target sanctions evasion and other activities related to the conflict in Ukraine. Concurrent with that action, OFAC also published Russia/Ukraine-related [General License 11](#), “Authorizing Certain Transactions With FAU Glavgosekspertiza Rossii.” This general license authorizes certain transactions that are ordinarily incident and necessary to requesting, contracting for, paying for, receiving, or utilizing a project design review or permit from FAU Glavgosekspertiza Rossii’s office(s) in the Russian Federation.

OFAC publishes updated North Korea-related general license

On December 20, 2016, the Office of Foreign Assets Control (OFAC) [posted](#) an announcement stating that it had amended General License 1 pursuant to E.O. 13722 of March 15, 2016, “Blocking Property of the Government of North Korea

and the Workers' Party of Korea, and Prohibiting Certain Transactions With Respect to North Korea." [General License 1-A](#) no longer authorizes U.S. financial institutions to open and operate accounts for the diplomatic mission of North Korea and its employees and their families. It now requires that funds transfers to or from the mission or its employees be conducted through an account at a U.S. financial institution that has been specifically licensed by OFAC.

Iran Sanctions Act extended for ten years; OFAC updates Iran FAQs and issues General License J-1

Extension of the Iran Sanctions Act

On December 15, 2016, the [Iran Sanctions Extension Act](#) (H.R. 6297; P. L. 114-277) went into effect and extended the *Iran Sanctions Act of 1996* for 10 years through December 31, 2026. H.R. 6297 was approved by the House of Representatives in a 419-1 vote and by the Senate in a 99-0 vote. It became law without President Obama's signature.

The *Iran Sanctions Act* ("ISA") is one of the primary U.S. statutes that provides legal authority for U.S. secondary sanctions (i.e., sanctions primarily targeting non-U.S. companies engaging in certain Iran-related activities) targeting Iran. Most of its provisions have been suspended under the Joint Comprehensive Plan of Action ("JCPOA"). H.R. 6297 does not impose new sanctions targeting Iran and does not affect other U.S. sanctions measures such as those under the *Iranian Transactions and Sanctions Regulations* and the *Export Administration Regulations*. The extension of the ISA's terms does not change the state of current U.S. primary or secondary sanctions targeting Iran.

The White House issued a [statement](#) on December 15, 2016 that affirms this understanding, stating in relevant part that an extension of the ISA, while unnecessary, is consistent with the U.S. Government's commitments under the JCPOA. The Obama Administration emphasized that it has used, and continues to use, necessary authorities to waive relevant sanctions, enforce those sanctions that are outside of the scope of the JCPOA, and re-impose sanctions if necessary in the event that Iran should fail to meet its commitments under the JCPOA. In this regard, Secretary of State Kerry issued a [statement](#) on the same day as the White House to announce that the U.S. State Department will renew ISA-related waivers under the JCPOA.

Update to Joint Comprehensive Plan of Action FAQs

On December 15, 2016, the U.S. Treasury Department's Office of Foreign Assets Control ("OFAC") [updated](#) the [Frequently Asked Questions Relating to the Lifting of Certain U.S. Sanctions Under the Joint Comprehensive Plan of Action](#). OFAC updated FAQs M.4 and M.5 to provide additional clarity in the event sanctions "snap back" into place under the JCPOA.

FAQ M.4 provides that, in the event of snap back, U.S. sanctions will not be imposed retroactively to target legitimate activity undertaken between "Implementation Day" of the JCPOA (i.e., after January 16, 2016) and the snap-back date. However, transactions conducted after snap back occurs could be sanctionable to the extent they implicate activity for which sanctions have been re-imposed.

Under FAQ M.5, OFAC explained that the U.S. Government will provide non-U.S. and non-Iranian persons a wind-down period of 180 days in the event of snap back to resolve any commitments such parties may have agreed to pursuant to a

written agreement or contract in an effort to minimize the impact of re-imposed sanctions on legitimate Iran-related activities by parties prior to snap back. This would include payment or goods or services owed to Iranian parties, payment of debts and obligations owed to non-U.S. parties, etc. However, any such payments would need to be consistent with U.S. sanctions (e.g., may not involve the U.S. financial system or U.S. persons).

To the extent that snap back results in the revocation of general or specific licenses issued by OFAC (e.g., [General License H](#)), OFAC states in FAQ M.5 that the U.S. Government would also provide U.S. persons and owned or controlled non-U.S. entities with a similar 180-day period to wind down operations in, or business involving, Iran conducted pursuant to an OFAC authorization, as well as receive payments owed under contracts entered into prior to snap back for goods or services fully provided or delivered. With the exception of goods or services necessary for a wind-down of operations during the 180-day period, providing other goods or services or loans or credits to Iranian counterparties after snap back could result in penalties unless such activities are otherwise authorized. There is a risk that the next U.S. administration could take a different approach from that outlined in these FAQs in the event of snap back under the JCPOA.

Issuance of General License J-1

Lastly, OFAC issued General License J-1 [“Authorizing the Reexportation of Certain Civil Aircraft to Iran on Temporary Sojourn and Related Transactions”](#) on December 15, 2016. The only change made by General License J-1 is that it now authorizes non-U.S. airlines using “Eligible Aircraft” on Iranian routes to enter into code sharing arrangements with Iranian airlines that are not Specially Designated Nationals. Such code sharing arrangements were not permitted under General License J. General License J-1 took effect on December 15, 2016, and replaces and supersedes General License J in its entirety.

For additional information, please contact [Kerry B. Contini](#), [Alexandre \(Alex\) Lamy](#) or [Meghan Hamilton](#), or any member of the U.S. Outbound practice from whom you normally seek export control and trade sanctions advice. Check our [Sanctions and Export Control Update blog](#) for future updates.

Understanding Routed Export Transactions

On December 22, 2016, the U.S. Census Bureau posted on its [Global Reach blog](#) an article written by Heather Brown entitled [“Understanding Routed Export Transactions.”](#) which we reproduce in full below:

Routed export transactions are a much discussed topic. Therefore, we are revisiting this blog topic to give some helpful tips on remaining compliant if you’re involved in a routed export transaction. We’ll also take a look at an example. For those not familiar with routed export transactions, it is when the Foreign Principal Party in Interest (FPPI) directs the movement of the goods out of the U.S. and authorizes a U.S. agent to file the Electronic Export Information (EEI) on their behalf.

Below are some helpful tips to keep in mind:

- Communication is key! Having conversations with all parties involved before the transaction occurs will make a difference in understanding roles and responsibilities to prevent filing errors in the Automated Export System (AES).
- Refer to Sections 30.3(e), (e)(1) and (e)(2) of the Foreign Trade Regulations (FTR) for the definition and more information on the responsibilities of the parties involved in a routed transaction.

- Utilize the Census Bureau resources at:
- <http://www.census.gov/foreign-trade/regulations/index.html>
- View sample templates for the power of attorney and written authorization on our website at: <http://www.census.gov/foreign-trade/regulations/power-of-attorney-sample.pdf> or <http://www.census.gov/foreign-trade/regulations/written-authorization-sample.pdf>

Routed Export Transaction Example:

A U.S. Principal Party in Interest (USPPI) sells two paintings to a FPPI located in Italy. Keep in mind, the USPPI is defined as the person or legal entity in the U.S. that receives the primary benefit, monetary or otherwise, from the transaction. The FPPI instructs the USPPI to send the paintings to an agent located in Florida. The FPPI authorizes the agent to file the EEI in the AES on their behalf and ship the goods to Italy. In this example, each party has important responsibilities that are outlined below.

FPPI

Provides the agent, who is authorized to file the EEI, with a power of attorney or written authorization, the authorization comes after the FPPI provides the POA or written authorization.

USPPI

- Provides the agent with the data elements, such as Schedule B number, value, quantity, etc., specified in Section 30.3(e)(1) of the FTR.
- Retains documentation to support the information provided to the authorized agent for five years from the date of export.
- Requests a copy of the data elements that were filed in the AES and the power of attorney or written authorization.

Authorized Agent

- Ensures that a power of attorney or written authorization is received from the FPPI.
- Files the EEI in the AES.
- Provides the Internal Transaction Number or exemption code if filing is not required to the carrier.
- Retains documentation pertaining to the shipment for 5 years.
- If requested, provides the USPPI with a copy of the USPPI data elements that were filed in the AES and the power of attorney or written authorization from the FPPI. For further questions, please contact the Trade Regulations Branch (TRB) at 1-800-549-0595, option 3 or email us at itmd.askregs@census.gov

Commerce issues rule to adjust civil penalties for inflation

On December 28, 2016, the Department of Commerce published in the *Federal Register* a [final rule](#) [Docket No. 161220999—6999—01] to adjust for inflation each civil monetary penalty (CMP) provided by law within the jurisdiction of the United States Department of Commerce (Commerce). The *Federal Civil Penalties Inflation Adjustment Act of 1990*, as amended by the *Debt Collection Improvement Act of 1996* and the *Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015*, requires the head of each agency to adjust for inflation its CMP levels in effect as of November 2, 2015, under a revised methodology that was effective for 2016 which provided for initial catch up adjustments for inflation in 2016, and under a revised methodology for each year thereafter. The initial catch up adjustments for inflation to CMPs to Commerce's CMPs were published in the *Federal Register* on June 7, 2016 and became effective July 7, 2016, and, as required, did not exceed 150 percent of the amount of the CMP on the date of enactment of the *Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015* (November 2, 2015). The revised methodology for agencies for 2017

and each year thereafter provides for the improvement of the effectiveness of CMPs and to maintain their deterrent effect. Effective 2017, agencies' annual adjustments for inflation to CMPs shall take effect not later than January 15. Commerce's 2017 adjustments for inflation to CMPs apply only to CMPs with a dollar amount, and will not apply to CMPs written as functions of violations. Commerce's 2017 adjustments for inflation to CMPs apply only to those CMPs, including those whose associated violation predated such adjustment, which are assessed by Commerce after the effective date of the new CMP level.

The CMPs adjusted in this final rule are the responsibility of the following Commerce organizations: the Department, the Bureau of Industry and Security (BIS), the Census Bureau (Census), the Economics and Statistics Administration, the International Trade Administration (ITA), and the National Oceanic and Atmospheric Administration (NOAA). The final rule is effective January 15, 2017.

BIS amends Entity List and clarifies license review policy re: Russian sanctions

On December 27, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 161206999–6999–01] that amends the *Export Administration Regulations* (EAR) by adding twenty-three entities to the Entity List. The twenty-three entities who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy taking this action to ensure the efficacy of existing sanctions on the Russian Federation (Russia) for violating international law and fueling the conflict in eastern Ukraine. These entities will be listed on the Entity List under the destinations of Russia and the Crimea region of Ukraine.

In addition to the Entity List changes described above, this final rule revises the licensing policy in three sections of the Commerce Control List (CCL)-based controls in the EAR to clarify that BIS's review of license applications for exports, reexports and transfers (in-country) to Russia will take into account and protect U.S. national security interests. The rule is effective on publication.

BIS amends EAR to reflect end of Burma sanctions

On December 27, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 161005929–6929–01] that amends the EAR consistent with Executive Order 13742 of October 7, 2016. That Executive Order terminated the national emergency with respect to the actions and policies of the Government of Burma (Burma) and revoked several Burma-related Executive Orders in recognition of Burma's substantial advances to promote democracy, including historic elections held in November 2015 that resulted in the formation of a democratically elected, civilian-led government. Specifically, in this rule, BIS removes license requirements and other restrictions on exports, reexports or transfers (in country) of items subject to the EAR made to persons whose property and interests in property were blocked pursuant to three Burma-related Executive Orders that were revoked on October 7, 2016. Consistent with the revised U.S. policy toward Burma, this rule also moves Burma from Country Group D:1 to Country Group B, a less restrictive country group placement under the EAR. The rule is effective on publication.

BIS updates CCL based on Nuclear Suppliers Group meetings

On December 27, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 161102999–6999–01] to amend the EAR to reflect the understandings reached at the June 2015 Nuclear Suppliers Group (NSG) Plenary meeting held

in Bariloche, Argentina, and certain understandings reached at the 2016 NSG Plenary meeting held in Seoul, Republic of Korea. The amendments to the EAR based on the 2015 meeting address the nuclear nonproliferation (NP) controls that apply to certain centrifugal multiplane balancing machines described on the Commerce Control List (CCL). The amendments to the EAR based on the 2016 meeting address the NP controls that apply to certain linear displacement measuring systems identified on the CCL. The rule also makes additional changes to the description of these systems on the CCL to fully conform to their description on the NSG Annex. In addition, this rule corrects an error in the technical parameters of the CCL entry that describes certain radiation-hardened TV cameras (including lenses therefor) that are subject to NP controls. The rule is effective on publication.

BIS implements February 2016 Australia Group (AG) Intersessional Decisions and June 2016 AG Plenary Understandings

On December 16, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160922876-6876-01] that amends the EAR to implement the recommendations presented at the February 2016 Australia Group (AG) Intersessional Implementation Meeting, and later adopted pursuant to the AG silent approval procedure, and the understandings reached at the June 2016 AG Plenary Implementation Meeting. The rule amends two Commerce Control List (CCL) entries to reflect the February 2016 Intersessional Implementation Meeting recommendations that were adopted by the AG. Specifically, the rule amends the CCL entry that controls certain human and zoonotic pathogens and toxins to reflect the AG updates to the nomenclature for certain bacteria and toxins identified on the AG “List of Human and Animal Pathogens and Toxins for Export Control.” In addition, the rule amends the CCL entry that controls equipment capable of handling biological materials to reflect the AG updates to the controls on cross (tangential) flow filtration equipment described on the AG “Control List of Dual-Use Biological Equipment and Related Technology and Software.”

Consistent with the understandings adopted at the June 2016 AG Plenary Implementation Meeting that updated the AG “List of Human and Animal Pathogens and Toxins for Export Control,” the rule amends the CCL entry that controls certain human and zoonotic pathogens and toxins by removing dengue fever virus, updating the nomenclature of the listing for conotoxin, and consolidating the controls for Shiga toxin and Verotoxin (and other Shiga-like ribosome inactivating proteins) under a single listing. The rule also amends the CCL entry that controls equipment capable of handling biological materials by updating the controls on biological containment facilities and related equipment and the controls on fermenters, consistent with the AG Plenary Implementation Meeting updates to the AG “Control List of Dual-Use Biological Equipment and Related Technology and Software.”

BIS adds to Entity List

On December 15, 2016, BIS published in the *Federal Register* a [final rule](#) that amends the EAR by adding seven persons to the Entity List. The seven persons who are added to the Entity List have been determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the United States. These seven persons will be listed on the Entity List under the destination of Pakistan.

BIS amends EAR to remove Special Iraq Reconstruction License

On December 5, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 160303182-6999-02] that amends the EAR by removing the Special Iraq Reconstruction License (SIRL) from the EAR. This action furthers the objectives of the Retrospective Regulatory Review Initiative that directs BIS and other federal agencies to streamline regulations and reduce unnecessary regulatory burdens on the public. Specifically, the SIRL is outdated and seldom used by exporters, who now have more efficient options for exports and reexports to Iraq and transfers (in-country) in Iraq. The rule, which is effective January 4, 2107, also makes conforming changes.

BIS removes Semiconductor Manufacturing International Corporation from the VEU List

On December 5, 2016, BIS published in the *Federal Register* a [final rule](#) [Docket No. 161005927-6927-01] that amends the EAR to remove one end-user from the list of validated end-users in the People's Republic of China (PRC). Specifically, BIS amends Supplement Number 7 to part 748 of the EAR to remove the Semiconductor Manufacturing International Corporation (SMIC) as a validated end-user in the PRC. BIS makes this change at the company's request, and not in response to activities of concern.

BIS issues rule aligning license exception TMP with Mexican IMMEX program

On December 1, 2016, the BIS published in the *Federal Register* a [final rule](#) [160519443-6999-02] that aligns the time limit of License Exception Temporary Imports, Exports, Reexports, and Transfers (in-country) (TMP), which authorizes, among other things, certain temporary exports to Mexico, with the time limit of Mexico's *Decree for the Promotion of Manufacturing, Maquiladora and Export Services* (IMMEX) program. Currently, TMP allows for the temporary export and reexport of various items subject to the EAR, as long as the items are returned no later than one year after export, reexport, or transfer if not consumed or destroyed during the period of authorized use. Other than a four-year period for certain personal protective equipment, the one-year limit extends to all items shipped under license exception TMP. However, the one-year period does not align with the time constraints of Mexico's IMMEX program, which allows imports of items for manufacturing operations on a time limit that may exceed 18 months. This rule amends TMP to complement the timeline of the IMMEX program. Under this amendment, items temporarily exported or reexported under license exception TMP and imported under the provisions of the IMMEX program would be authorized to remain in Mexico for up to four years from the date of export or reexport. The rule is effective January 3, 2017.

DDTC posts Industry Notice on new forms and batch common schema

On December 16, 2016, the Directorate of Defense Trade Control (DDTC) [posted an Industry Notice](#) which stated:

Industry Notice: New Forms and Batch Common Schema (12.16.16)

In support of Federal Register Notices [81 FR 83126](#), [81 FR 870340](#) and [81 FR 49531](#) licensing forms DSP-5, -61, -73, and -85, and the batch Common Schema have been upgraded to accommodate the additions and revisions to USML Categories VIII, XII, XIII, XIV, XV, XVIII, and XIX. Beginning January 3, 2017, DTrade users must use version 9.3 for the DSP-5, DSP-61 and DSP-73 forms, version 3.2 for the DSP-85, and version 7.6 for the Common Schema to submit license applications.

Earlier versions of these forms and schema will automatically be rejected by the system beginning on January 3, 2017.

The DTrade application will be unavailable to industry from 6:00PM December 30, 2016 until 7:00AM January 3, 2017 for scheduled system maintenance.

State modifies Iran, North Korea, and Syria Nonproliferation Act measures against a Russian Entity

On December 15, 2016, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 9818] that a decision has been made, pursuant to the *Iran, North Korea, and Syria Nonproliferation Act* (the Act), to modify nonproliferation measures pursuant to the Act on a Russian foreign person, Rosoboronexport (ROE) so that the measures imposed on Sept. 2, 2015 and July 5, 2016, shall not apply to United States Government procurement of goods, technology, and services for the purchase, maintenance or sustainment of the Digital Electro Optical Sensor OSDCAM4060, to improve the U.S. ability to monitor and verify Russia's Open Skies Treaty compliance. The modification does not apply to any other measures imposed pursuant to the Act and announced in Public Notice 9251 published on September 2, 2015 (80 Fed. Reg. 53222) or Public Notice 9624 published on July 5, 2016 (81 Fed. Reg. 43696).

State clarifies and corrects ITAR revisions under the ECR

On December 2, 2016, the Department of State published in the *Federal Register* a [final rule](#) (with a request for comments) [Public Notice: 9757] amending the *International Traffic in Arms Regulations* (ITAR) to clarify recent revisions made pursuant to the President's Export Control Reform (ECR) initiative. The rule clarifies the scope of disclosure of information submitted to the Directorate of Defense Trade Controls (DDTC), clarifies the policies and procedures regarding statutory debarments, and corrects administrative and typographical errors.

DSCA revises SAMM regarding Foreign Military Sales-only designations

On December 5, 2016, the Defense Security Cooperation Agency (DSCA) issued a [revision to its Security Assistance Management Manual \(SAMM\) Chapter 4, Section 3.5](#).

The Department of State, working closely with the DSCA, Defense Technology Security Administration (DTSA), and U.S. Military Services, has developed a formalized list of U.S. defense articles which must be generally sold via the Foreign Military Sales (FMS) system. The objective is to provide greater clarity and consistency on such determinations for the U.S. Government, U.S. industry, and foreign partner stakeholders. While the detailed FMS-Only List itself is classified, relevant unclassified information identifying categories of defense articles that are most likely to be on the FMS-Only List are being added to SAMM Chapter 4, Section 3.5.

The FMS-Only list is not designed to limit transfers of defense articles and services executed under Direct Commercial Sales contracts. Renewed rigor is being placed on the process of authenticating defense articles being considered as available FMS-Only. This will provide more opportunities for DSCA's partners to purchase items as Direct Commercial Sales, but does not prohibit them from pursuing a sale via FMS if it meets their overall capability requirements. The FMS-Only list appropriately balances the need to protect the U.S. most sensitive defense technology with remaining responsive to DSCA's partners' needs. The U.S. Military Services, DSCA, DTSA, and the Department of State all have roles in es-

establishing, maintaining, and reviewing the list. DSCA will maintain the list and update it as required with Department of State approval. Formally establishing the FMS-Only list and being more transparent about its development and maintenance will inform critical conversations that may otherwise take significant time.

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
12-07-16	OFAC: Sanctions Actions Pursuant to Executive Orders (E.O.s) 13722, 13687, and 13382 [EO 13722: 14 entities, 16 aircraft; EO 13687: 4 individuals and 1 entity; EO 13382: three individuals and one entity] (N)
12-14-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 [2 individuals and 1 entity] (N)
12-15-16	OFAC: Sanctions Actions Pursuant to Executive Order 13413 [two individuals]
	BIS: Addition of Certain Persons to the Entity List [Docket No. 161110999-6999-01] (FR)
12-19-16	OFAC: Sanctions Actions Pursuant to Executive Order 13224 [1 individual and 2 entities]
12-27-16	OFAC: Sanctions Actions Pursuant to Executive Orders 13661, 13662, and 13685 [15 persons and two vessels] (N)
	State: Executive Order (E.O.) 13224 Designation of Saleck Ould Cheikh Mohamedou aka Saleck Ould Cheikh as a Specially Designated Global Terrorist [Public Notice: 9829] (N)
12-30-16	State: In the Matter of the Amendment of the Designation of Lashkar-e-Tayyiba (and other aliases) as a Foreign Terrorist Organization pursuant to Section 219 of the Immigration and Nationality Act [Public Notice: 9835] (N)

Treasury, Commerce and State meetings and notices related to trade

AGENCIES: BIS = BUREAU OF INDUSTRY AND SECURITY; FINCEN = FINANCIAL CRIMES ENFORCEMENT NETWORK; ITA: INTERNATIONAL TRADE ADMINISTRATION; OFAC= OFFICE OF FOREIGN ASSETS CONTROL.

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

F.R. Date	Subject
12-14-16	ITA: Advisory Committee on Supply Chain Competitiveness: Notice of Public Meetings (N/H) [January 25 and 26, 2017]
	ITA: Environmental Technologies Trade Advisory Committee (ETTAC) Public Meeting (N/H) [January 10 and 11, 2017]
12-20-16	ITA: Civil Nuclear Trade Advisory Committee: Cancellation of the Meeting of the Civil Nuclear Trade Advisory Committee (N) [Cancellation: Dec. 21, 2016]
12-21-16	ITA: Revisions to User Fees for Export and Investment Promotion Services/Events [Docket No. 161020988-6988-01] (N)
12-27-16	BIS: Proposed Information Collection; Comment Request; Five-Year Records Retention Requirement for Export Transactions and Boycott Actions (N)
	BIS: Proposed Information Collection; Comment Request; Technical Data Letter of Explanation (N)
	ITA: Meeting of the Civil Nuclear Trade Advisory Committee (N) [January 26, 2017]
12-28-16	Commerce: Civil Monetary Penalty Adjustments for Inflation [Docket No. 161220999—6999—01] (FR)
	FinCEN: Financial Crimes Enforcement Network; Bank Secrecy Act Advisory

F.R. Date	Subject
	Group; Solicitation of Application for Membership (N)
12-29-16	ITA: International Trade Administration U.S.-Nigeria Commercial and Investment Dialogue (N)
	State: Regional Meeting of the Binational Bridges and Border Crossings Group in Fort Worth, Texas [January 25, 2017] (N)

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
12-02-16	CPSC: CPSC Litigation Guidance and Recommended Best Practices for Protective Orders and Settlement Agreements in Private Civil Litigation
	FTC: Automotive Fuel Ratings, Certification and Posting [grant of partial exemption]
12-07-16	FTC: Contact Lens Rule (PR/RFC)
12-13-16	CPSC: Safety Standard for Portable Generators; Notice of Extension of Comment Period (PR/E)
	FTC: Enforcement Policy Statement on Marketing Claims for OTC Homeopathic Drugs
12-19-16	CPSC: Notice of Availability of Regulatory Flexibility Act Section 610 Review of the Standard for the Flammability (Open Flame) of Mattress Sets [Docket No. CPSC-2006-0011] (N)
12-22-16	FTC: Freedom of Information Act; Miscellaneous Rules (PR)
	FTC: Freedom of Information Act; Miscellaneous Rules (FR)

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
12-22-16	TTB: Amendments to Streamline Importation of Distilled Spirits, Wine, Beer, Malt Beverages, Tobacco Products, Processed Tobacco, and Cigarette Papers and Tubes and Facilitate Use of the International Trade Data System [Docket No. TTB-2016-0004; T.D. TTB-145; Ref: Notice No. 159] (FR) [<i>See article above</i>]

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
12-05-16	Health Document Submission Requirements for Tobacco Products; Guidance for Industry; Availability [Docket No. FDA-2009-D-0600] (N)
12-07-16	Third-Party Certification Body Accreditation for Food Safety Audits: Model Accreditation Standards; Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2011-N-0146] (N)
12-09-16	Drug Supply Chain Security Act Implementation: Identification of Suspect Product and Notification; Guidance for Industry; Availability [Docket No. FDA-2014-D-0609]
12-13-16	Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs Regulated under Biologics License Applica-

F.R. Date	Subject
	tion, and Animal Drugs; Correction [Docket No. FDA-2005-N-0464 (formerly Docket No. 2005N-0403)] (FR/C)
12-14-16	Amendments to Accreditation of Third-Party Certification Bodies to Conduct Food Safety Audits and to Issue Certifications to Provide for the User Fee Program [Docket No. FDA-2011-N-0146] (FR)
	Fruit Juice and Vegetable Juice as Color Additives in Food; Draft Guidance for Industry; Availability [Docket No. FDA-2016-D-4120] (N)
	Food Safety Modernization Act Third-Party Certification Program User Fee Rate for Fiscal Year 2017 [Docket No. FDA-2016-N-4119] (N)
12-16-16	Gifts to the Food and Drug Administration: Evaluation and Acceptance; Guidance for the Public and Food and Drug Administration; Availability [Docket No. FDA-2015-D-4361] (N)
	International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products; Bioequivalence: Blood Level Bioequivalence Study; Guidance for Industry; Availability [Docket No. FDA-2014-D-1352] (N)
12-19-16	Banned Devices; Powdered Surgeon's Gloves, Powdered Patient Examination Gloves, and Absorbable Powder for Lubricating a Surgeon's Glove [Docket No. FDA-2015-N-5017] (FR)
	Food Labeling: Health Claims; Dietary Saturated Fat and Cholesterol and Risk of Coronary Heart Disease [Docket No. FDA-2013-P-0047] (IR/RFC)
12-20-16	Postmarketing Safety Reporting for Combination Products [Docket No. FDA-2008-N-0424] (FR)
12-22-16	Lead in Cosmetic Lip Products and Externally Applied Cosmetics: Recommended Maximum Level; Draft Guidance for Industry; Availability [Docket No. FDA-2014-D-2275] (N)
12-23-16	Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 046 [Docket No. FDA-2004-N-0451] (N)
	Medical Device User Fee and Modernization Act; Notice to Public of Web Site Location of Fiscal Year 2017 Proposed Guidance Development [Docket No. FDA-2012-N-1021] (N)
12-27-16	Questions and Answers Regarding Food Facility Registration (Seventh Edition); Revised Draft Guidance for Industry; Availability [Docket No. FDA-2012-D-1002] (N)
	Food Additives Permitted in Feed and Drinking Water of Animals; Feed Grade Sodium Formate [Docket No. FDA-2015-F-4282] (FR)
12-29-16	Refuse to Accept Procedures for Premarket Tobacco Product Submissions [Docket No. FDA-2016-N-1555] (FR)
	Listing of Ingredients in Tobacco Products; Revised Guidance for Industry; Availability [Docket No. FDA-2009-D-0524] (N)
	Providing Regulatory Submissions in Electronic Format--Submission of Manufacturing Establishment Information; Draft Guidance for Industry; Availability [Docket No. FDA-2014-D-1953] (N)
	Submission of Warning Plans for Cigars; Guidance for Industry; Availability [Docket No. FDA-2016-D-2495] (N)
12-30-16	Use of the Term "Healthy" in the Labeling of Human Food Products; Request for Information and Comments; Extension of Comment Period [Docket No. FDA-2016-D-2335] (N/E)

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](#).

- [Algeria - Exporter Guide](#)
- [Australia - FAIRS - Certification](#)
- [Austria - Exporter Guide](#)
- [Belgium/Luxembourg – FAIRS-Narrative](#)
- [Bosnia and Herzegovina - Exporter Guide](#)
- [Brazil - FAIRS - Certification](#)
- [Brunei - Exporter Guide Annual 2016](#)
- [Bulgaria - Exporter Guide](#)
- [Canada - Canada Consults on Food Labeling Modernization](#)
- [Canada - Exporter Guide](#)
- [Canada - Exporter Guide](#)
- [Caribbean Basin - Exporter Guide](#)
- [China - Government Policies Change for Cross-Border e-Commerce](#)
- [Colombia - Exporter Guide](#)
- [Croatia - Exporter Guide](#)
- [Croatia - FAIRS - Certification](#)
- [Croatia - FAIRS - Narrative](#)
- [Dom. Rep. - Exporter Guide](#)
- [Ecuador - FAIRS - Narrative](#)
- [EU - FAIRS - Narrative](#)
- [Germany - Exporter Guide](#)
- [Hungary - FAIRS - Certification](#)
- [Hungary - Exporter Guide](#)
- [India - FSSAI Adopts Vertical Standards for Food Additives](#)
- [India - FSSAI Allows Imports of Medical and Therapeutic Foods](#)
- [India - Gazetted Notification on Standards for Cereals and Cereal Products](#)
- [Indonesia - Indonesia Revises FFPO Import Procedures](#)
- [Israel - FAIRS 2016](#)
- [Japan - Expanded Country of Origin Labeling \(COOL\) for Ingredients Developed](#)
- [Japan - Exporter Guide](#)
- [Japan - Japan Moves Forward on Expanded COOL Requirements for Ingredients](#)
- [Malaysia - FAIRS - Certification](#)
- [Malaysia - FAIRS - Narrative](#)
- [Mexico - FAIRS - Certification](#)
- [Morocco - Exporter Guide](#)
- [New Zealand - Exporter Guide](#)
- [New Zealand - FAIRS - Certification](#)
- [Nicaragua - Exporter Guide](#)
- [Pakistan - Exporter Guide](#)
- [Philippines - Exporter Guide](#)
- [Romania - Updates on the new retail law and COOL labelling in Romania](#)
- [S. Korea - Exporter Guide](#)
- [SADC/EU - Final prohibition of Geographical Indications under the SADC EU EPA](#)
- [Singapore - Exporter Guide](#)
- [Singapore - FAIRS - Narrative](#)
- [Taiwan - FAIRS - Narrative](#)
- [Trinidad and Tobago - FAIRS - Certification](#)
- [Trinidad and Tobago - FAIRS - Narrative](#)
- [Turkey - New Agricultural Policy and Projected Impacts](#)
- [UK - Exporter Guide](#)
- [Ukraine - FAIRS - Narrative](#)
- [Vietnam - FAIRS - Certification](#)

FAS amends TRQ licensing program to accept ITDS/ACE reporting

On December 6, 2016, the Foreign Agricultural Service (FAS) published in the *Federal Register* a [final rule \(technical amendment\)](#) that amends the Dairy Tariff-Rate Quota Import Licensing Program to clarify that for the purposes of the Dairy Tariff-Rate Quota Import Licensing Program, U.S. Customs and Border Protection import entries submitted electronically, as well as on paper, are acceptable. The change was effective on publication.

AMS proposes to revise apple, grape and plums export requirements to require ITDS/AES reporting

On December 5, 2016, the Agricultural Marketing Service (AMS) published in the *Federal Register* a [proposed rule](#) [Doc. No. AMS-FV-14-0099; FV15-33/35-1 PR] that would change the reporting of export certificate information under regulations issued pursuant to the *Export Apple Act* (7 C.F.R. part 33) and the *Export Grape and Plum Act* (7 C.F.R. part 35). This change would require shippers of apples and grapes exported from the United States to electronically enter an Export Form Certificate number or a USDA-defined exemption code into the Automated Export System (AES). This rule would also define “shipper,” shift the current file retention requirement from carriers to shippers, and require shippers to provide, upon request, copies of the certificates to the AMS. These changes would enable AMS to track exported apple and grape shipments to ensure that exports meet inspection and certification requirements. This action is also required to support the International Trade Data System (ITDS), a key White House economic initiative that will automate the filing of export and import information by the trade. This proposal would also remove obsolete regulations and make clarifying changes. It also announces AMS’ intention to request revision to a currently approved information collection for exported apples and grapes. Comments must be received by January 4, 2017.

AMS revises reporting and notification requirements for imported fruits, vegetables and specialty crops and replaces outdated rules

On December 5, 2016, the Agricultural Marketing Service (AMS) published in the *Federal Register* an [interim rule](#) (with a request for comments) [Doc. No. AMS-SC-16-0083; SC16-944/980/999-1 IR] updating reporting and notification requirements associated with, and making clarifying changes to, the fruit, vegetable, and specialty crop import regulations for certain commodities regulated under section 608(e) (hereinafter referred to as “8e”) of the *Agricultural Marketing Agreement Act of 1937*. The updates include shifting the exempt reporting requirement for imported tomatoes destined for noncommercial outlets for experimental purposes from the tomato import regulations to the safeguard procedures section of the vegetable import regulations. In addition, the pistachio import regulations are being updated by removing reference to a paper-based notification of entry process. Other administrative changes are being made to several of the 8e regulations to replace outdated information. These changes to the import regulations support the International Trade Data System (ITDS), a key White House economic initiative that will streamline and automate the filing of import and export information by the trade. The effective date is December 8, 2016

On December 6, 2016, the Agricultural Marketing Service (AMS) published in the *Federal Register* a [proposed rule](#) [Doc. No. AMS-SC-16-0064; SC16-980-1 PR] would change the reporting requirements for certain Irish potatoes, tomatoes, and onions regulated under § 608(e) of the *Agricultural Marketing Agreement Act of 1937* (section 8e of the Act) by requiring importers of those regulated commo-

ties that have been certified by a designated governmental inspection service other than the Federal or Federal-State Inspection Service as meeting 8e requirements to provide the inspection certificate number and a copy of the certificate to AMS (currently, the Canadian Food Inspection Agency is the only entity so designated). In addition, the pistachio import regulations would be changed to provide for the electronic filing of aflatoxin test results and to eliminate a requirement to report the disposition of reworked or failed lots of pistachios. Other changes would be made to several of the 8e regulations to remove or replace outdated information. These changes would allow AMS to confirm that section 8e regulatory requirements are being met and would also support the International Trade Data System (ITDS), a key White House economic initiative that will automate the filing of import and export information by the trade. Comments must be received by January 5, 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, GIPSA= Grain Inspection, Packers and Stockyards Administration]:

F.R. Date	Subject
12-05-16	AMS: Changes to Reporting and Notification Requirements and Other Clarifying Changes for Imported Fruits, Vegetables, and Specialty Crops [Doc. No. AMS-SC-16-0083; SC16-944/980/999-1 IR] (IR/RFC)
	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]
	AMS: National Organic Program: Notice of Final Guidance on Classification of Materials and Materials for Organic Crop Production [Doc. No. AMS-NOP-12-0060; NOP-12-14] (N)
12-06-16	AMS: National Organic Program: Notice of Draft Guidance for Calculating the Percentage of Organic Ingredients in Multi-Ingredient Products [Doc. No. AMS-NOP-16-0085; NOP-16-06] (N)
	FAS: Dairy Tariff-Rate Quota Import Licensing Program (FR/T)
	AMS: Changes to Reporting Requirements—Vegetable and Specialty Crop Import Regulations; and Other Clarifying Changes—Fruit, Vegetable, and Specialty Crop Import Regulations [Doc. No. AMS-SC-16-0064; SC16-980-1 PR] (PR)
12-14-16	FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Spices and Culinary Herbs [Docket No. FSIS-2016-0043]
12-19-16	FSIS: Uniform Compliance Date for Food Labeling Regulations [Docket No. FSIS-2016-0048] (FR)
12-20-16	FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Fats and Oils [Docket No. FSIS-2016-0045] (N/H/RFC)
12-21-16	AMS: United States Standards for Grades of Canned Vegetables [Document No. AMS-FV-15-0049, FV-16-332] (N)
	AMS: Revisions to Inspection Application Requirements [Doc. No. AMS-SC-16-0063] (IR/RFC)
12-23-16	APHIS: Importation of Lemons From Northwest Argentina [Docket No. APHIS-2014-0092] (FR)
12-28-16	FSIS: 2017 Rate Changes for the Basetime, Overtime, Holiday, and Laboratory Services Rates [Docket Number FSIS-2016-0050] (N)
12-30-16	GIPSA: Fees for Official Inspection and Official Weighing Services under the United States Grain Standards Act (USGSA) (FR)

Semiannual Regulatory Agendas

The following agencies or departments related to international trade published their Semiannual Regulatory Agendas pursuant to the *Regulatory Flexibility Act* (RFA) in the *Federal Register* on December 23, 2016:

Agency or Department
Regulatory Information Service Center: Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions—Fall 2016
Agriculture: Semiannual Regulatory Agenda, Fall 2016
Commerce: Fall 2016 Semiannual Agenda of Regulations
Commodity Futures Trading Commission: Regulatory Flexibility Agenda
U.S. Consumer Product Safety Commission: Semiannual Regulatory Agenda
Defense: Improving Government Regulations: Unified Agenda of Federal Regulatory and Deregulatory Actions
Defense/General Services Adm./National Aeronautics and Space Admin.: Semiannual Regulatory Agenda
Energy: Semiannual Regulatory Agenda
Environmental Protection Agency: Fall 2016 Regulatory Agenda
Federal Communications Commission: Unified Agenda of Federal Regulatory and Deregulatory Actions—Fall 2016
General Services Administration: Unified Agenda of Federal Regulatory and Deregulatory Actions
Health and Human Services: Regulatory Agenda
Homeland Security: Unified Agenda of Federal Regulatory and Deregulatory Actions
Interior: Semiannual Regulatory Agenda
Justice: Regulatory Agenda
Labor: Semiannual Agenda of Regulations
National Aeronautics and Space Administration (NASA): Regulatory Agenda
Nuclear Regulatory Commission: Unified Agenda of Federal Regulatory and Deregulatory Actions
Securities and Exchange Commission: Regulatory Flexibility Agenda
Transportation: Department: Regulatory Agenda; Semiannual Summary
Treasury: Semiannual Agenda and Fiscal Year 2016 Regulatory Plan

ITA publishes annual quantitative limits on imports of certain apparel from Haiti

On December 19, 2016, the International Trade Administration (ITA), Department of Commerce, published in the *Federal Register* a [notification of annual quantitative limit on imports](#) of certain apparel from Haiti. The *Caribbean Basin Economic Recovery Act* (CBERA), as amended, provides duty-free treatment for certain apparel articles imported directly from Haiti. One of the preferences is known as the “value-added” provision, which requires that apparel meet a minimum threshold percentage of value added in Haiti, the United States, and/or certain beneficiary countries. The provision is subject to a quantitative limitation, which is calculated as a percentage of total apparel imports into the United States for each 12-month annual period. For the annual period from December 20, 2016 through December 19, 2017, the quantity of imports eligible for preferential treatment under the value added provision is 337,117,964 square meters equivalent. The effective date is December 20, 2016.

Government procurement: DoD adds Estonia to list of qualifying countries

On December 22, 2016, the Defense Acquisition Regulations System published in the *Federal Register* a [final rule](#) [Docket DARS–2016–0048] amending the Defense Federal Acquisition Regulation Supplement (DFARS) to add Estonia as a qualifying country. On September 23, 2016, the Secretary of Defense signed a

reciprocal defense procurement agreement with Estonia. The agreement removes discriminatory barriers to procurements of supplies and services produced by industrial enterprises of the other country to the extent mutually beneficial and consistent with national laws, regulations, policies, and international obligations. This agreement does not cover construction or construction material. Estonia is already a designated country under the WTO Government Procurement Agreement.

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
12-01-16	Environmental Protection Agency (EPA): New Chemicals Review Program Under the Amended Toxic Substances Control Act; Notice of Public Meeting and Opportunity for Public Comment [EPA-HQ-OPPT-2016-0658; FRL-9955-38] (N/H/RFC)
	EPA: Quisalofop Ethyl; Pesticide Tolerances [EPA-HQ-OPP-2015-0412; FRL-9950-89] (FR)
	EPA: Protection of Stratospheric Ozone: New Listings of Substitutes; Changes of Listing Status; and Reinterpretation of Unacceptability for Closed Cell Foam Products Under the Significant New Alternatives Policy Program; and Revision of Clean Air Act Section 608 Venting Prohibition for Propane [EPA-HQ-OAR-2015-0663; FRL-9952-18-OAR] (FR)
	EPA: Muscodor albus Strain SA-13 and the Volatiles Produced on Rehydration; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2014-0919; FRL-9952-88] (FR)
	National Highway Traffic Safety Administration (NHTSA): Federal Motor Vehicle Safety Standards [Docket No. NHTSA-2016-0054] (Denial of Petition)
	Maritime Administration (MARAD): Application of Cargo Preference Requirements to the Federal Ship Financing Program [Docket No. MARAD 2015-0049] (FR)
12-02-16	EPA: Bicyclopyrone; Pesticide Tolerances [EPA-HQ-OPP-2015-0560; FRL-9954-63] (FR)
	US Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Review of Native Species That Are Candidates for Listing as Endangered or Threatened; Annual Notification of Findings on Resubmitted Petitions; Annual Description of Progress on Listing Actions [Docket No. FWS-HQ-ES-2016-0095] (N)
12-05-16	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Furnaces [Docket No. EERE-2014-BT-STD-0031] (RO)
	EPA: Oxathiapiprolin; Pesticide Tolerances [EPA-HQ-OPP-2016-0049; FRL-9954-69] (FR)
	EPA: Tau-Fluvalinate; Pesticide Tolerance [EPA-HQ-OPP-2015-0439; FRL-9954-33] (FR)
	EPA: Notification of Submission to the Secretary of Agriculture; Pesticides; Removal of Obsolete Information [EPA-HQ-OPP-2016-0227; FRL-9945-77] (N)
	NHTSA: Visual-Manual NHTSA Driver Distraction Guidelines for Portable and Aftermarket Devices [Docket No. NHTSA-2013-0137] (N)
12-06-16	Pipeline and Hazardous Materials Safety Administration (PHMSA): Hazardous Materials: Notification of the Pilot-in-Command and Response to Air Related Petitions for Rulemaking (RRR) [Docket No. PHMSA-2015-0100 (HM-259)] (PR)
	EPA: Receipt of Information Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9955-43] (N)
12-07-16	Energy: Energy Conservation Program: Test Procedure for Commercial Packaged Boilers; Withdrawal [Docket No. EERE-2014-BT-TP-0006] (FR/W)
	NHTSA: Notice of Receipt of Petition for Decision that Nonconforming Model Year 2013 and 2014 Ferrari F12 Berlinetta Passenger Cars Are Eligible for Importation [Docket No. NHTSA-2015-0104; Notice 1] (N)

F.R. Date	Subject
12-08-16	EPA: Dicamba; Pesticide Tolerances [EPA-HQ-OPP-2010-0496, EPA-HQ-OPP-2012-0841; FRL-9954-37] (FR)
12-08-16	National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): Endangered and Threatened Wildlife and Plants: Notice of 12-Month Finding on a Petition To List the Gulf of Mexico Bryde's Whale as Endangered Under the Endangered Species Act (ESA) [Docket No. 141216999-6999-02] (PR/RFC)
12-09-16	Energy: Energy Conservation Program: Test Procedure for Commercial Packaged Boilers [Docket No. EERE-2014-BT-TP-0006] (FR)
	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2014-0008; FRL-9953-69] (N/RFC)
	NMFS/NOAA: Magnuson-Stevens Fishery Conservation and Management Act; Seafood Import Monitoring Program [Docket No. 150507434-6638-02] (FR)
12-12-16	Drug Enforcement Adm. (DEA): Designation of Alpha- Phenylacetonitrile (APAAN), a Precursor Chemical Used in the Illicit Manufacture of Phenylacetone, Methamphetamine, and Amphetamine, as a List I Chemical [Docket No. DEA-379] (PR)
	Energy: Energy Conservation Program: Test Procedure for Uninterruptible Power Supplies [Docket No. EERE-2016-BT-TP-0018] (FR)
	EPA: Formaldehyde Emission Standards for Composite Wood Products [EPA-HQ-OPPT-2016-0461; FRL-9949-90] (FR)
12-13-16	Energy: Energy Conservation Program: Energy Conservation Standards for Residential Dishwashers [Docket Number EERE-2014-BT-STD-0021] (FR)
	EPA: Pesticide Product Registrations; Receipt of Applications for New Active Ingredients [EPA-HQ-OPP-2015-0021; FRL-9955-75] (N)
	EPA: Receipt of Information Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9956-01] (N)
12-14-16	DEA: Establishment of a New Drug Code for Marijuana Extract [Docket No. DEA-342] (FR)
	EPA: Removal of Certain Inert Ingredients from the Approved Chemical Substance List for Pesticide Products [EPA-HQ-OPP-2014-0558; FRL-9936-80] (N)
	FWS: Endangered and Threatened Wildlife and Plants; Listing Determinations for Five <i>Poecilotheria</i> Tarantula Species from Sri Lanka [Docket No. FWS-HQ-ES-2016-0076; 4500030115] (PR)
	NHTSA: Federal Motor Vehicle Safety Standards; Minimum Sound Requirements for Hybrid and Electric Vehicles [Docket No. NHTSA-2016-0125] (FR)
12-15-16	EPA: Chemical Data Reporting; Requirements for Inorganic Byproduct Chemical Substances; Notice of Intent to Negotiate [EPA-HQ-OPPT-2016-0597; FRL-9954-68] (N/PR)
	EPA: Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations [EPA-HQ-OPP-2016-0104; FRL-9955-54] (N)
	EPA: TSCA Reporting and Recordkeeping Requirements; Standards for Small Manufacturers and Processors [EPA-HQ-OPPT-2016-0675; FRL-9956-03] (N)
12-16-16	Energy: Energy Conservation Program: Test Procedures for Cooking Products [Docket No. EERE-2012-BT-TP-0013] (FR)
	Energy: Energy Efficiency Program for Commercial and Industrial Equipment: Availability of Provisional Analysis Tools and Notice of Data Availability [Docket No. EERE-2013-BT-STD-0006] (N/RO)
	EPA: Trichloroethylene; Regulation of Certain Uses under TSCA §6(a) [EPA-HQ-OPPT-2016-0163; FRL-9949-86] (PR)
	EPA: Certain New Chemicals; Receipt and Status Information for November 2016 [EPA-HQ-OPPT-2016-0696; FRL-9956-40] (N)
EPA: Pesticide Experimental Use Permit; Receipt of Application; Comment Request [EPA-HQ-OPP-2016-0607; FRL-9956-32] (N/RFC)	
12-19-16	EPA: Flumioxazin; Pesticide Tolerances [EPA-HQ-OPP-2015-0658; FRL-9955-45] (FR)
	EPA: Designation of Ten Chemical Substances for Initial Risk Evaluations under the Toxic Substances Control Act [EPA-HQ-OPPT-2016-0718; FRL-9956-47] (N)

F.R. Date	Subject
12-20-16	EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2015-0032; FRL-9956-04] (N)
12-20-16	NMFS/NOAA: Endangered and Threatened Wildlife and Plants: Notice of 12-Month Finding on a Petition to List the Gulf of Mexico Bryde's Whale as Endangered Under the Endangered Species Act (ESA); Correction [Docket No. 141216999-6999-02] (PR/C)
12-21-16	DEA: Schedules of Controlled Substances: Temporary Placement of six synthetic cannabinoids (5F-ADB, 5F-AMB, 5F-APINACA, ADB-FUBINACA, MDMB-CHMICA and MDMB-FUBINACA) into Schedule I [Docket No. DEA-446] (N)
	EPA: Procedures for Rulemaking Under Section 6 of the Toxic Substances Control Act; Amendment [HQ-OPPT-2016-0525; FRL-9955-15] (FR)
12-22-16	FWS: Endangered and Threatened Wildlife and Plants: Identification of 14 Distinct Population Segments of the Humpback Whale and Revision of Species-wide Listing [Docket No. FWS-HQ-ES-2016-0126] (FR)
	EPA: Bifenthrin; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2016-0236; FRL-9954-47] (FR)
	FWS: Endangered and Threatened Wildlife and Plants; Removal of the Hualapai Mexican Vole From the Federal List of Endangered and Threatened Wildlife [Docket No. FWS-R2-ES-2015-0028] (PR/RO)
12-23-16	Defense Acquisition Regulations system (DARS): Defense Federal Acquisition Regulation Supplement: New Qualifying Country—Estonia (DFARS Case 2017-D001) [Docket DARS-2016-0048] (FR)
	Energy: Energy Conservation Standards for Commercial Water Heating Equipment: Availability of Updated Analysis Results [Docket Number EERE-2014-BT-STD-0042] (N)
	EPA: Significant New Use Rules on Certain Chemical Substances; Technical Correction [EPA-HQ-OPPT-2016-0207; FRL-9956-13] (FR/T)
12-28-16	FWS: Civil Penalties; Inflation Adjustments for Civil Monetary Penalties [Docket No. FWS-HQ-LE-2016-0045] (FR)
	Energy: Energy Conservation Program: Test Procedure for Walk-in Coolers and Walk-in Freezers [Docket No. EERE-2016-BT-TP-0030] (FR)
	EPA: Methyl Isobutyrate and Isobutyl Isobutyrate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0776 and EPA-HQ-OPP-2015-0831; FRL-9955-82] (FR)
12-29-16	NHTSA: Civil Penalties [Docket No. NHTSA-2016-0136] (FR)
	Energy: Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Test Procedures for Consumer and Commercial Water Heaters [Docket No. EERE-2015-BT-TP-0007] (FR)
	EPA: Isobutyl acetate and isobutyric acid; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0007 and EPA-HQ-OPP-2016-0008; FRL-9950-40] (FR)
	EPA: Receipt of Information under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9956-88] (N)
12-30-16	NMFS/NOAA: Endangered and Threatened Wildlife and Plants; Proposed Threatened Listing Determination for the Oceanic Whitetip Shark Under the Endangered Species Act (ESA) [Docket No. 151110999-6999-02] (PR)
12-30-16	Energy: Inflation Adjustment of Civil Monetary Penalties (FR)

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Payment flexibility in international e-commerce transactions

The Argentine Central Bank (“ACB”) issued Communication “A” 6118 (“Communication”), which modified Communication “A” 6037 by providing more flexibility to payments linked to e-commerce transactions. The Communication amended the requirements applicable for payments performed through payment processors’ entities. It also includes the obligation of the local financial institution to issue, at an exporter’s request, a certification of the funds received or liquidation of funds.

The Communication also incorporated specific regulation allowing payments made by residents to non residents through a payment processor. This new alternative will also increase and accelerate international e-commerce transactions.

For additional information, please contact [Gabriel Gómez-Giglio](#) or [Francisco José Fernández-Rostello](#) of our Buenos Aires office.

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 República Argentina* (Official Gazette) or the *Customs Bulletin* during the period covered by this Update [Unofficial translation].

BO Date	Subject
02-12-16	Decree 1199/2016 (29-11-16) Abrogation of Decree No. 2,229 / 2015 relating to exports
	Decree 1207/2016 (01-12-16) Modification. of Decree No. 509/2007. Mercosur Common Nomenclature
12-12-16	National Administration of Medicines, Food and Medical Technology (ANMATM): Disp. Nº 13278/2016 (05-12-16) Prohibition on the use and commercialization of certain cosmetic products
21-12-16	Fed. Adm. of Public Revenue (AFIP): General Res. Nº 3957 (20-12-16) Import and Export Temporary. "Dakar Rally Paraguay - Bolivia - Argentina 2017". Resolution N ° 35/2016 (DGA). Its ratification
	AFIP: Circular 6/2016 (20-12-16) Subject: Procedure. Law No. 27,260. Book II Title I. Voluntary and exceptional system of declaration of tenure of national currency, foreign currency and other goods in the country and abroad. General Resolution No. 3.919, as amended and supplemented. Clarifying rule.
22-12-16	AFIP: General Resolution 3962 (20-12-16) Incorporation of the "Application for Customs Credits" to the module "Current Customs Account". General Resolutions No. 1,639, No. 1,773 and No. 3,360 (Article 2 and Annex I). Their derogations.
23-12-16	Min. of Production: Resolution 814 - E / 2016 (22-12-16) Exportations Derogation Resolution No. 62/2002
26-12-16	ANMATM: Disp. 13832 /2016 (21-12-16) Prohibition of use of certain cosmetic products
28-12-16	ANMATM: Disp. 14020/2016 (23-12-16) Prohibition on the commercialization of certain food products
	ANMATM: Disp. 14021 /2016 (23-12-16) Prohibition of use and commercialization of certain cosmetic products
	ANMATM: Disp. 14022 /2016 (23-12-16) Prohibition of use and commercialization of certain cosmetic products
	ANMATM: Disp. 14019 /2016 (23-12-16) Prohibition of use and commercialization of certain domestic sanitary products
29-12-16	Decree 1326/2016 (28-12-16) exempting from the payment of duties and taxes

BO Date	Subject
	upon importation, products originating in participating countries of the "XIV Feria FUNDAL de las Colectividades."
	AFIP / National Service of Health and Agro-Food Quality: General Joint Resolution 3972 and Resolution 774 /2016 (28-12-16) National System of One-Stop Window of Argentine Foreign Trade. Incorporation.
30-12-16	Hacienda: Decree 1334 /2016 (29-12-16) Exemption payment of import duties, [for electric trolley buses from Russia for the city of Rosario, Santa Fe]
	AFIP: General Resolution 3974 (29-12-16) Examinations and certifications for applicants to Customs Broker, Customs Brokerage Agent or General Representatives. Continuous Training Program in Foreign Trade. General Resolution No. 3,710 and its supplementary. Modifying and complementary standard.
	AFIP/Min. of Tourism: Joint General Resolution 3971 and Resolution 566/2016 VAT Reimbursement regime. Scope.

Brazil

Brazil publishes 2017 NCM and TEC Tariff

On 16 December 2016, the *Diário Oficial da União* (Official Gazette) published [CAMEX Resolution № 125](#) (15-12-16) which amends the Common Nomenclature of Mercosur (NCM) and the Common External Tariff (TEC), the List of Exceptions to the TEC and the List of Exceptions for Information and Telecommunications Goods (BIT) to adapt to the modifications of the Harmonized System (HS-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
30-11-16	SECEX Ordinance № 48 (29-11-16) Establishes criteria for quota allocation for importation, determined by CAMEX Resolution 123, dated November 23, 2016.
	SECEX Ordinance № 49 (29-11-16) Establishes criteria for quota allocation for importation, determined by CAMEX Resolution 123, dated November 23, 2016
	SECEX Ordinance № 50 (29-11-16) Establishes criteria for quota allocation for importation, determined by CAMEX Resolution 123, dated November 23, 2016
14-12-16	CAMEX Resolution № 124 (13-12-16) Approves the rules of the National Investment Committee - Coninv.
15-12-16	SECEX Ordinance № 51 (14-12-16) Closes the special non-preferential origin verification procedure with qualification Vietnam origin for the product nylon yarn (NCM 5402.45.20), declared as produced by the company Formosa Industries Corporation.
	SECEX Ordinance № 52 (14-12-16) Closes the special non-preferential origin verification procedure with the disqualification Vietnam origin for the product nylon yarn (NCM 5402.31.11, 5402.31.19 and 5402.45.20), declared as produced by Italon Company Limited
	SECEX Ordinance № 53 (14-12-16) Changes Table II of art. 9 of Annex XXVIII of Portaria SECEX No. 23, dated July 14, 2011, regarding the Agreement of Economic Complementation No. 41, between Brazil and Suriname.
16-12-16	CAMEX Resolution № 125 (15-12-16) amends the Common Nomenclature of Mercosur - NCM and the Common External Tariff - TEC, the List of Exceptions to the TEC and the List of Exceptions of Information and Telecommunications Goods - BIT To adapt to the modifications of the Harmonized System (SH-2017)
23-12-16	CAMEX Resolution № 132 (22-12-16) Suit giving temporary reduction of import duty rate under Resolution № 08/08 of the Mercosur Common Market Group the Harmonized System 2017.

DOU Date	Subject
	CAMEX Resolution № 133 (22-12-16) Changes to 2% (two percent) the Import Tax rates on IT and Telecommunications Goods, in the condition of Ex-Tariffs
	CAMEX Resolution № 134 (22-12-16) changes to 0% and 2% (zero and two percent) the Import Tax rates on Capital Goods, in the condition of Ex-Tariff
	CAMEX Resolution № 135 (22-12-16) Alters the list of auto parts set out in Annex I to CAMEX Resolution 116 of December 18, 2014.
29-12-16	CAMEX Resolution № 136 (28-12-16) Updated tariff framework and numbering Capital Goods Ex-Tariff and Computer Goods and existing Telecommunications in adaptation to CAMEX Resolution n the 125, in 2016 it internalized the VI Amendment to the Harmonized System.
30-12-16	CAMEX Resolution № 137 (28-12-16 – Rectified 29-12-16) Alters the Brazilian List of Exceptions to the Mercosur Common External Tariff.
	CAMEX Resolution № 138 (29-12-16) grants a temporary reduction of the Import Tax rate pursuant to Resolution No. 08/08 of the Mercosur Common Market Group.

Antidumping and countervailing duty cases

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

Chile

National Customs postings and Diario Oficial

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

Date	Subject
09-12-16	Hacienda: Exempt Resolution number 7,250, of 2016.- Establishes as Pilot Plan in the Port of Valparaiso, the new control entry to primary export cargo area with Customs integration
13-12-16	Health: Decree № 31, of 2016.- Modifies supreme decree № 977, of 1996, Sanitary Regulations of Foods
15-12-16	Hacienda: Exempt Decree № 547, of 2016.- Applies reductions of customs duties for the importation of wheat and wheat flour or morcajo (tranquillón)
27-12-16	Foreign Affairs: Decree No. 128 of 2016. Promulgates Decision No. 1 of 2013 of the Chile-EFTA Joint Committee of the Free Trade Agreement between the Republic of Chile and the Member States of the European Free Trade Association
28-12-16	Hacienda: Decree exempt № 514, of 2016.- Modifies National Customs Tariff of the Republic of Chile
	Energy: Decree № 107, of 2016.- Modifies decree N ° 61, of 2012, that approves regulation of labeling of energy consumption for light motor vehicles
29-12-16	Hacienda: Decree exempt № 570, of 2016.- 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](#). For prior years, please [see 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
02-11-16	DIAN: Circular 8/2016 Suspension of Preferential Tariff Treatment for Certain Goods [Colombia-US FTA]
	DIAN: Circular 9/2016 Suspension of Preferential Tariff Treatment for Certain Goods [Mexico-Colombia FTA]
	DIAN: Circular 10/2016 Suspension of Preferential Tariff Treatment for Certain Goods [Colombia-Mexico FTA]
	MinCIT: Circular 028 (31-10-16) "Resolution 0689 of 2016 - by which technical regulation which establishes the maximum limits of phosphorus and the biodegradability of surfactants present in detergents and soaps is adopted, and other provisions"
03-11-16	MinCIT: Decree 1745 (02-11-16) Whereby measures for the prevention and control of customs fraud in imports of apparel and footwear are adopted.
	MinCIT: Decree 1744 (02-11-16) By which the customs tariff is partially amending
04-11-16	DIAN: combat the smuggling and under - invoicing of apparel and footwear with the application of Decrees 1744 and 1745 of November 2, 2016. Learn about the measures taken
15-11-16	DIAN: Circular 2610 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-industrial products or byproducts.
24-11-16	DIAN: External Cir. 11/2016 Suspension of Preferential Tariff Treatment for Certain Goods [US-Colombia FTA]
28-11-16	DIAN: Circular 40/2016 Reference Prices of Agricultural Products
29-11-16	DIAN: Res. № 72/2016 Whereby some articles of Decree 390 of March 7, 2016 related to origin, tariff classification, valuation and other provisions and Resolution 41 of May 11, 2016 and Resolution 000064 of 28 September 2016 amending be regulated.
	DIAN: Res. № 73/2016 whereby a paragraph to Articles 4 and 6 of Resolution 070 of 2008 on functional and territorial jurisdiction of the DIAN is added.
30-11-16	DIAN: Circular 2628/2016 Ad-Valorem taxes applicable to agricultural products concerned, their substitutes, agro-products or by-products
01-12-16	DIAN: Circular 12/2016 (01-12-16) Application and processing of Advance Rulings and Resolutions Tariff Classification at the request of any interested party.
05-12-16	MinCIT: Circular 029 (05-12-16) Resolutions 000277, 000278 and 000279 of 2016 – Regulating and administering import quotas granted by Colombia to goods originating in Canada
	MinCIT: Circular 30 (05-12-16) Mandatory newly developed simultaneous inspection system - SIIS OF VUCE
	MinCIT: Circular 031 Amendment to Cir. 026 2016, extension pilot "Presentation and update companies that export before the anti-narcotics police" through the Single Window for Foreign Trade - VUCE

Peru

2017 Customs Tariff published

On 16 December 2016, *El Peruano* (the Official Gazette) published the [2017 Arancel de Aduanas \(the Customs Tariff\)](#), which incorporates the 2017 Harmonized System revisions and the *Nomenclatura Común de los Países Miembros de la Comunidad Andina* (NANDINA), the Common Andean Community Nomenclature. It will be effective on 1 January 2017.

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
01-12-16	SUNAT: Resolution No. 47-2016-SUNAT / 5F0000 Specific Procedure approved Revision of fresh refrigerated cargo frozen cold chain during the control action INTA-PE.02.04
	SUNAT: Resolution No. 46-2016-SUNAT / 5F0000 Specific Procedure approved Use and Control of High Security Seals INPCFA-PE.00.08 (version 1)
06-12-16	Foreign Trade and Tourism: Ministerial Resolution No. 422-2016-MINCETUR / DM Project Coordinator appointed General Public Investment Services Improvement Trade Facilitation through the Single Window for Foreign Trade - Second Stage VUCE San Isidro Lima - Lima
09-12-16	SUNAT: Resolution No. 48-2016 / SUNAT / 5F0000 Rating modify Commodity Procedures under the Agreement Value of INTA-PE.01.10a WTO (version 6) Fast Delivery and Shipping INTA-PG.28 (version 2)
10-12-16	Congress of the Republic: Legislative Resolution No. 30523 Legislative resolution approving the agreement for the creation of the Development Fund of the Border Integration Zone Peru - Colombia
13-12-16	Economy and Finance: Resolution Vice Ministerial Nº 016 Reference prices and variable duties additional to maize sugar and rice products
16-12-16	Agriculture and Irrigation: Directorial Resolution Nº 0094 Prohibition of registration importation formulation local distribution commercialization and use of commercial agricultural pesticide formulations based on Azinphos methyl and Alachlor
	Economy and Finance: Supreme Decree No. 342-2016-EF Customs Tariff 2017
18-12-16	External Relations: Supreme Decree Nº 089 Ratify the agreement for the creation of the Development Fund of the Border Integration Zone Peru - Colombia
19-12-16	SUNAT: Resolution No. 321-2016 / SUNAT Modify provisions on the exchange acceptance and implementation of the specific procedure guarantees Guarantees Foreign Trade Operators INPCFA - PE.03.04 (version 3)
	National Institute for Defense of Competition and Protection of Intellectual Property (INDECOPI): Resolution No. 218-2016 / CDB-INDECOPI They are to maintain the validity of the antidumping duties imposed on imports of pure biodiesel and mixtures with a proportion greater than 50% of biodiesel in their composition originating in the United States of America
20-12-16	Economy and Finance: Vice Ministerial resolution Nº 017 Reference price and the additional variable duty of whole milk powder referred to in Supreme Decree No. 115-2001-EF
23-12-16	Foreign Trade and Tourism: Ministerial Resolution No. 443-2016-MINCETUR

Date	Subject
	Delegated to the Chamber of Commerce Industry and Tourism Services Production of Cusco the power to issue Certificates of Origin to exporters Cusco Region
24-12-16	Agriculture and Irrigation: Directorial Resolution No. 0048-2016-MINAGRI-SENASA-DSV Phytosanitary requirements necessary to establish compliance on import in vitro potato plants (Solanum spp.) Source and origin Colombia and Peru in vitro plants sweet potato (Ipomoea spp.) Source and origin Peru and Colombia
25-12-16	SUNAT: Circular No. 03-2016-SUNAT / 5F0000 Establish arrangements for the placement of the fine provided for in the second paragraph of Article 197 of the Customs Act
29-12-16	SUNAT: Resolution No. 326-2016 / SUNAT Extending temporary exclusion of the operations carried out with the primary products of agricultural application activity Regime Withholding Income Tax approved by Superintendency Resolution No. 234-2005 / SUNAT
	External Relations: Supreme Decree № 090-2016-RE Ratify the Agreement for the updating of Annexes 2.3 and 3.1 of the Free Trade Agreement between the Republic of Peru and the Republic of Honduras
	Economy and Finance: Supreme Decree № 391-2016-EF Approve updating of Customs Tables applicable to the importation of products included in the System of Price Band referred to in DS No. 115-2001-EF
30-12-16	Agriculture and Irrigation: Directorial Resolution № 0030-2016-MINAGRI-SENASA-DSA Establish specific sanitary requirements for the import of animal products from Brazil Canada United States Portugal and France
	External Trade and Tourism: Supreme Decree № 009-2016-MINCETUR Provides for the implementation of the Free Trade Agreement between the Republic of Peru and the Republic of Honduras and the Agreement for the updating of Annexes 2.3 and 3.1 of the Free Trade Agreement between the Republic of Peru and the Republic of Honduras considering the Sixth Harmonized System Amendment
31-12-16	Legislative Decrees: Legislative Decree № 1304 Legislative Decree approving the Law on Labeling and Verification of Technical Regulations on Manufactured Industrial Products
	External Relations: International Convention Entry into force of the Free Trade Agreement between the Republic of Peru and the Republic of Honduras
	SUNAT: Resolution No. 333-2016 / SUNAT Modify specific procedure System of Guarantees Prior to Numbering of Declaration INPCFA-PE.03.06 (version 1)

Venezuela

Official Gazette

Date	Subject
02-12-16	Banking and Finance: Resolution No. 212, whereby proceeds to the First Issue in 2016 Special Tax Reimbursement Certificates (CERT), for the amount it stated, intended to reinstate the tax credits generated by the Value Added Tax which had been supported and actually paid during export activity and incurred in connection with the acquisition of capital goods and receiving services during the performance of the system of pre-operating stage by exporters, ordinary taxpayers of the above taxes, according to the provisions of the respective Administrative Rulings, issued by the SENIAT, in favor of the beneficiary companies.
04-12-16	Transport and Public Works: Resolutions Nos. 028 and 029, by which approves the incorporation into national law, the resolutions of MERCOSUR specified therein.
14-12-16	Presidency of the Republic: Decree No. 2,602, which establishes that sales of movable property and services rendered to natural persons who are final consumers, up to the amount of Two Hundred Thousand Bolivars (Bs 200,000.00), shall be taxed with the aliquot Taxation of the value added tax of ten percent (10%), provided that such sales or services are paid through electronic means.
17-12-16	Presidency of the Republic: Decree No. 2,610, which extends until January 2, 2017, only in the Venezuelan Territory, the circulation and validity of the 100-

Date	Subject
	cent notes issued by the Central Bank of Venezuela (They will be legal tender), and the closure of the borders between Venezuela and Colombia and between Venezuela and Brazil will be extended until January 2, 2017

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

Replacement of Commerce (Imports) Regulations 1940

[Department of Immigration and Border Protection \(DIBP\) Notice 2016/38](#) states that due to the sunset of the *Commerce (Imports) Regulations 1940* (CI Regulations), the Australian Government has developed a new regulation called the [Commerce \(Trade Descriptions\) Regulation 2016](#) (the CTD Regulation) which will commence on 1 April 2017. The CI Regulations will continue to be in force until this date.

The CTD Regulation retains most of the existing trade description requirements that currently apply to specified goods, and related matters. The CTD Regulation contains modifications to simplify expressions, and to remove redundant provisions. Some goods will no longer require a trade description (such as medicines and medicinal preparations) while others are no longer exempt from requiring a trade description (such as packages containing less than 15 grams of tobacco).

In addition, the CTD Regulation aligns with the Australian Government's broader country of origin labelling for food reforms and includes reference to the *Country of Origin Labelling Information Standard 2016*. The mandatory changes to food labelling will not take effect until 1 July 2018.

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
20-12-16	DIBP № 2016/38	Replacement of Commerce (Imports) Regulations 1940
20-12-16	DIBP № 2016/39	Customs Tariff Changes for 1 January 2017
14-12-16	DIBP № 2016/40	HS 2017 Product Specific Rules of Origin for Free Trade Agreements
22-12-16	DIBP № 2016/43	Implementation of the Expanded Information Technology Agreement and other 1 January 2017 changes

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
02-12-16	Acts of Parliament assented to - Act No. 80, 81, 83 to 86 of 2016 [Includes No. 84 of 2016—An Act to amend the Customs Tariff Act 1995, and for related purposes. (Customs Tariff Amendment (Expanded Information Technology Agree-

Date	Matter
	<i>ment Implementation and Other Measures) Act 2016)]</i>
07-12-16	TC16-47
12-12-16	Acts of Parliament assented to - Act No. 89 to 94, 96 to 102 of 2016 [Includes No. 101 of 2016—An Act to make certain provision in relation to the export of nuclear material and nuclear-related items, and for related purposes. (Civil Nuclear Transfers to India Act 2016)].
14-12-16	TC16-48 Notice of Intention to Propose Customs Tariff Alterations - Notice (No. 1) 2016
21-12-16	TC16-49

Australian Tariff Precedents

[Tariff Precedents Listed by Chapter](#) - this file contains all of the current precedents. ÖBP is in the process of replacing this system. The last update of this file was 13 July 2016.

Antidumping and countervailing duty cases

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

China (including Hong Kong SAR)

December 2016 Notices and ADD/CVD cases will appear in next month's Update

India

Other CBEC and DGFT notifications, circulars and instructions

The following Central Board of Excise and Customs (CBEC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than anti-dumping, countervailing duty and safeguard) were issued during the period covered by this Update:

Date	Series and №	Subject
CBEC - Notifications		
01-12-16	59/2016-Cus (T)	Further amends notification No. 12/2012-Customs dated 17th March, 2012, so as to withdraw CVD exemption on gold coins having gold content not below 99.5%, and gold findings.
	145/2016-Cus (NT)	Rate of exchange of conversion of the foreign currency with effect from 2nd December, 2016
08-12-16	60/2016-Cus (T)	Further amends notification No. 12/2012-Customs dated the 17th March, 2012, so as to reduce import duty on wheat from 10% to Nil without an end date
14-12-16	146/2016-Cus (NT)	Notification of Raiganj Railway Station in the district of Uttar Dinajpur, West Bengal as a Land Customs Station.
15-12-16	147/2016-Cus (NT)	Rate of exchange of conversion of the foreign currency with effect from 16th December, 2016
	148/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver
27-12-16	61/2016-Cus.(T)	Further amends notification No 12/2012-Customs dated 17.03.2012, so as to withdraw the exemption from Basic Customs Duty on import of Technitium-99m
31-12-16	62/2016-Cus (T)	Withdraws BCD exemption, available to specified fabrics, of value equivalent to 1% of the FOB value of exports in the preceding financial year, for manufacture of textile garments for exports, subject to the specified conditions

Date	Series and No	Subject
		[S. No. 284A of Notification No. 12/2012-Customs dated 01.03.2012 refers].
	63/2016-Cus (T)	Amends notification No. 46/2011-Customs dated 01.06.2011 so as to provide deeper tariff concessions in respect of specified goods when imported from ASEAN under the India-ASEAN Free Trade Agreement w.e.f. 01.01.2017 and to carry out editorial changes as a result of HS 2017 changes
	64/2016-Cus (T)	Further amends Notification No. 69/2011-Customs, dated 29-07-11 so as to provide a deepen the concessional rate of basic customs duty in respect of tariff item 8408 20 20 [engines of a kind used for the propulsion of specified motor vehicles – of cylinder capacity exceeding 250 cc] and 8708 40 00 [gear box and parts thereof, of specified motor vehicles], w.e.f. 01-01-17, when imported under the India-Japan Comprehensive Economic Partnership Agreement (IJCPEA) and to carry out editorial changes as a result of HS 2017 changes
	65/2016-Cus (T)	Amends notification No. 53/2011-Customs dated 01-07-11 so as to provide deeper tariff concessions in respect of specified goods imported from Malaysia under the India-Malaysia Comprehensive Economic Cooperation Agreement (IMCECA) w.e.f. 01.01.2016 and to carry out editorial changes as a result of HS 2017 changes
	66/2016-Cus (T)	Amends notification No. 152/2009-Customs dated 31.12.2009 so as to provide deeper tariff concessions in respect of specified goods imported from Korea RP under the India-Korea Comprehensive Economic Partnership Agreement (CEPA) w.e.f. 01.01.2017 and to carry out editorial changes as a result of HS 2017 changes
	67/2016-Cus (T)	Amends various Notification
	68/2016-Cus (T)	Further amendments to Notification No.69/2004-Customs, dated the 09-07-04
	149/2016-Cus (NT)	Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Sliver
	150/2016-Cus (NT)	Further amendments in the First Schedule to the Customs Tariff Act, 1975 [as amended by the Fourth Schedule of the Finance Act, (28 of 2016)]
CBEC – Circulars and Instructions		
01-12-16	Cir. 57/2016	Regarding guidelines for the sale of seized/ confiscated gold
02-12-16	Cir. 58/2016	Regarding Roll out of Express Cargo Clearance System (ECCS) at Courier Terminal, Sahar, Mumbai
	Cir. 59/2016	Regarding Outsourcing by an authorized courier
31-12-16	Cir. 60/2016	Regarding declaration in respect of Specified Bank Notes

Antidumping and countervailing duty cases

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

Japan

Japanese government announces new sanctions on North Korea

The Japanese government announced on December 2, 2016 that it would impose new unilateral sanctions on North Korea, which undertook its fifth nuclear test in September. This announcement follows a fresh [U.N. Security Council resolution](#), adopted on November 30, 2016, which reinforces sanctions against North Korea.

The new unilateral sanctions will expand the scope of the re-entry ban, the ban on all ships that have called at ports in North Korea, and will freeze the assets of more groups and individuals connected to North Korea's nuclear and missile programs. The number of entities and individuals with their assets frozen will be increased from 43 entities and 40 individuals to 54 entities and 58 individuals, including enterprises of third-party countries that have transactions with North Korea, such as Chinese entities and individuals.

The Japanese government will make a cabinet decision on the new sanctions during the week commencing December 5, 2016, at the earliest.

The reinforcement of the sanctions on North Korea by the Japanese government follows its prior reinforcement of such sanctions in February 2016, which was just after North Korea's nuclear test in January 2016.

Sanctions are also being proposed by the United States and South Korea. Both Japan and South Korea already have comprehensive unilateral sanctions in place against North Korea. South Korea said in a statement that its expanded measures would blacklist senior North Korean officials and ban entry from the South by foreign missile and nuclear experts if their visits to North Korea were deemed to be a threat to South Korean national interests. Both countries, as well as members of the United Nations, will continue watching the actions of North Korea.

For additional information, please contact [Junko Suetomi](#) of the Baker & McKenzie (Gaikokuho Joint Enterprise) Tokyo office.

With our Without the US, Japan Moves Forward with the TPP

Despite President-elect Trump's statement that he will file a notification of intent to withdraw from the *Trans-Pacific Partnership* (TPP), the Upper House of Japan's Parliament completed the approval process of the ratification of the trade deal on Friday, December 9. The approval of the ratification comes about a month after Japan's Prime Minister Abe met with U.S. President-elect Trump in New York City where Abe said he was confident that Trump is a "trustworthy leader" and reported that the meeting was positive. The Congress has also passed the bills on the amendment of the relevant laws, which will go into effect on the condition that TPP goes into effect.

At the same time, Japan is also preparing to host the next round of negotiations in February 2017 for the *Regional Comprehensive Economic Partnership* (RCEP). RCEP was originally launched by ASEAN leaders and consists of the 10 ASEAN nations that include Brunei, Cambodia, Indonesia, Laos, Malaysia, Philippines, Singapore, Thailand, Vietnam as well as Australian, China, India, Japan, Republic of Korea and New Zealand. The 16 member [RCEP accounts for nearly 30% of world trade](#) and is viewed as the competing trade deal to the TPP because it includes China but not the United States. As the TPP has languished due to President-elect Trump's position and statements regarding the United States' future involvement in the deal, the RCEP is gaining momentum and attention as pro-

gress was made during last week's negotiations in Indonesia and efforts are being stepped up to conclude the deal in 2017. Japan used to take its attitude towards RCEP that the quality of the RCEP Agreement is more important than an early timing of its conclusion. However, the timing has become more important issue at the moment of TPP frozen. It is clear that Asia Pacific is moving forward with freer trade, with or without the United States and the rising protectionist views.

Malaysia

Federal Government Gazette

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

Date	Matter
01-12-16	P.U. (A) 305/2016 - Customs Duties (Goods of ASEAN Countries Origin) (ASEAN Harmonised Tariff Nomenclature and ASEAN Trade In Goods Agreement) (Amendment) (No. 4) Order 2016 - Customs Act 1967
05-12-16	P.U. (B) 496/2016 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
20-12-16	P.U. (A) 332/2016 - Customs Duties (Amendment) (No. 3) Order 2016 - Customs Act
	P.U. (A) 333/2016 - Customs Duties (Goods of ASEAN Countries Origin) (ASEAN Harmonised Tariff Nomenclature and ASEAN Trade in Goods Agreement) (Amendment) (No. 5) Order 2016 - Customs Act 1967
	P.U. (B) 508/2016 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
	P.U. (B) 509/2016 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
28-12-16	P.U. (A) 370/2016 Customs (Import Licence Fee for Motor Vehicle) Regulations 2016 - Customs Act 1967
30-12-16	P.U. (B) 537/2016 - Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967

Customs rulings

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

New Zealand

Customs and Excise Bill introduced into Parliament

Following a public consultation process and input from N.Z. Customs Service (NZCS) customers, a [Customs and Excise Bill](#) was drafted and was introduced on 6 December 2016, into Parliament. The bill is now under consideration by Parliament's Foreign Affairs, Defence and Trade Committee.

Once submissions have been received and considered by the Committee, it will report back to Parliament, and the bill will make its way through the rest of the Parliamentary process. NZCS expects that to be completed in 2017.

Most of the provisions in the new Act will come into effect on 1 April 2018 or six months after the date of Royal Assent, whichever is later. This lead-in time is

needed to ensure businesses and NZCS have the time to make any system or process changes needed.

Implementation

An implementation programme is underway to ensure that the non-legislative changes identified in the review are progressed at the same time a Bill is developed. This will ensure NZCS is ready to implement the new Act as soon as it is passed.

NZCS states that it will work with stakeholders on this implementation programme. Guidance material will be developed to ensure customers understand the changes, policies and procedures, and undertake any necessary process and system changes identified.

NZ warns U.S. travellers about carrying medicinal cannabis

On 7 December 2016, the Ministry of Health and the New Zealand Customs Service [posted updated information](#) which may be of interest to travellers arriving from the United States.

This information will impact on travellers possessing cannabis-based products which have been lawfully supplied in the United States, and are intended for medical use.

Cannabis-based products supplied in the United States of America cannot be carried with you when entering or leaving New Zealand.

A number of US states permit the medical use of cannabis. However cannabis-based products for medical use from the United States are not considered lawfully supplied under federal law, unless the product has US Food and Drug Administration approval. To date, no drug product containing or derived from botanical cannabis (the cannabis plant) has been approved by the Food and Drug Administration.

Customs staff will be working to the updated information from Wednesday 7 December 2016.

The updated information is available on both the Health and Customs websites.

There is an existing process for the prescribing of cannabis-based products within New Zealand. [Information is provided here](#).

Both Health and Customs caution that travel to any country with any cannabis related product, even if prescribed, may also breach local laws in other countries and result in prosecution, penalties or travel delay.

New Zealand Gazette

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

Date	Matter
13-12-16	Tariff Concession (Advertisement) Notice No. 2016/36
20-12-16	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 37) 2016
	Tariff Concession (Advertisement) Notice No. 2016/37
	HS 2017 Tariff—Consequential Changes to Part II Concessions

Date	Matter
22-12-16	Customs (Application for Customs Controlled Area Licences) Amendment Rules 2016
	Notice of the Making of Rules Under Section 288 of the Customs and Excise Act 1996 [Customs (Excisable Goods Entry) Amendment Rules 2016, which shall come into force on 1 February 2017]
	Notice of Initiation: Investigation into the Alleged Subsidisation of Galvanised Steel Coil From China
	Unsafe Goods (Hot Water Bottles) Permanent Prohibition Notice 2016

Singapore

New requirements for the declaration of goods for processing

Singapore Customs Circular 12/2016 [announced](#) that with effect from 1 Jan 2017, goods for processing (GFP) are required to be explicitly identified and reported in all import and export permit applications. The information is required by the Department of Statistics (DOS) for the compilation of Singapore's international trade statistics and balance of payments statistics in accordance with international statistical standards, ensuring their international comparability.

GFP refers to the goods that undergo processing activities (such as manufacturing, assembly, labelling and packing of goods, oil refining, liquefaction of natural gas etc.) and comprise the following:

- a) Materials owned by the principal that are sent to another company for processing (i.e. goods before processing).
- b) Finished goods, which continue to be owned by the principal (i.e. goods after processing).

The materials can be supplied from the country of the company, the country of the principal and/or a third-party country. Similarly, the finished goods can either be dispatched or sold to the country of the company, the country of the principal and/or a third party country. For details on inward and outward processing and TradeNet[®] procedures, please see the circular.

Notices, circulars, etc.

Date	Reference	Matter
05-12-16	Cir. 12/2016	New Requirements for the Declaration of Goods for Processing (GFP)
20-12-16	Cir. 13/2016	Updates to Customs Circular 20/2011 Goods and Services Tax Relief for Import of Clinical Trial Materials

Thailand

Seizure of IP infringing goods in transit

For quite some time, Thai Customs lacked clear procedures for examining and seizing counterfeit goods which were being shipped through Thailand, whether simply in transit or being transshipped to destinations outside the country. This changed with the issuance of two Customs department notifications, which provide rights owners with a new tool to tackle transiting or transshipped counterfeit goods in Thailand rather than at the final destination.

As a result of becoming a contractual party to the *“International Convention on the Simplification and Harmonization of Customs Procedures”*, the Royal Thai Customs Department issued two Notifications, Nos. 210/2558 and 211/2558, for the

purpose of establishing procedures related to goods in transit and transshipments. Among other procedures, Customs officers are empowered to examine and search goods without a search warrant if the officers have a reason to believe that the goods:

- are related to terrorism;
- violate national security, peace and international safety; or
- are falsely declared or otherwise illegal.

If Customs discovers these types of goods, it has the authority to confiscate, destroy, or re-export the goods.

Referring to the term “illegal” as used in this notification is quite broad, and there is no clear definition as to whether this term includes goods that violate Thai intellectual property law or not. However, in a recent case involving a shipment containing suspected infringing goods which was transiting through Thailand, Customs officers concluded that “illegal” goods included goods that violate intellectual property laws and proceeded to detain the shipment for further examination. This recent Customs action made it clear that the detainment, examination, and seizure of counterfeit products passing through Thailand is possible and provides an alternative to taking action at the destination port, which could be especially important if the destination does not have in place adequate regulations or procedures to detain such suspected shipments.

For more information please contact [Say Sujintaya](#), [Chansin Tangburanakij](#), and [Kittithorn Bunyakiat](#), Baker & McKenzie, Bangkok.

Vietnam

MIC Draft Circular: Various 8471/8517 products require import permit, no bulk permit likely available

Vietnam’s Law on Cyber Information Security (“LOCIS”) came into effect 1 July 2016. The LOCIS imposes, *inter alia*, restrictions and conditions on entities engaging in the import, export and trade of (i) civil encryption products and services, and (ii) other cyber information security products and services.

Decree No. 58/2016/ND-CP (“Decree 58”) (see our previous alert [here](#)) clarifies and further details the restrictions and conditions on entities that engage in the import, export and trade of civil encryption products and services (under the administration of the Government’s Cipher Committee). Decree No. 58 came into effect 1 July 2016.

Correspondingly, the Government passed Decree No. 108/2016/ND-CP (“Decree 108”) on 1 July 2016, which further details the restrictions, conditions and business license application procedure for entities engaging in the import, export and trade of other cyber information security products (under the administration of the Ministry of Information and Communications (“MIC”)). However, as opposed to Decree No. 58, Decree No. 108 required an implementing Circular to detail the permit application procedure for the import of other cyber information security products (“CIS Products”).

Consequently, the MIC recently published the Draft Circular (“Draft Circular”) that details such procedure. Public comment on the Draft Circular may be made until 25 December 2016.

Key points from the Draft Circular are highlighted below:

1. CIS Products subject to an import permit

Appendix 1 of the Draft Circular lists CIS Products that would require an import permit from the MIC. Appendix 1 covers three broad categories of products:

(i) Cyber information security verification and evaluation products

Hardware and software devices that have the following basic functions: ability to scan, verify and analyze the architecture, status and log data of an information system in order to detect vulnerabilities and weaknesses; provide risk assessments of an information security system.

(ii) Cyber information security surveillance products

Hardware and software devices that have the following basic functions: ability to supervise and analyze data transmitted on an information system, collect and analyze log data in real time, detect and provide alerts on unusual incidents that may potentially endanger an information security system.

(iii) Anti-attack and anti-intrusion products

Hardware and software devices that have the basic functions to block an attack or infiltration into an information system.

The above three categories are broken down into sub-categories that contain general descriptions of CIS products subject to an import permit and their corresponding HS codes. Currently, the Draft includes two HS code options: 8471/8517 headings and the 99 series.

The 8471 heading covers products such as:

automatic data processing machines and units, magnetic or optical readers, machines for transcribing data onto data media in coded form and machines for processing such data;

while the 8517 heading covers:

telephone sets, including telephones for cellular networks or for other wireless networks, other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless networks (such as a local or wide area network), respectively.

The 99 series is a special chapter reserved for national use that has yet to be legally implemented.

The import of a CIS product requires an import permit only if it (i) bears an HS code as listed in Appendix I AND (ii) matches the product description in Appendix I. CIS product components or accessories do not require an import permit.

2. Import permit application procedure

The Draft Circular charges the Authority of Information Security (“AIS”) under the MIC with the assessment of application dossiers and issuance of import permits. CIS Products importers may eventually submit an application dossier online. However, the process is yet to be detailed by the AIS; as such an importer must submit their application dossier by hard copy.

An import permit application dossier must include the following:

- (i) Application form;
 - (ii) Certified copy of the business licence for trading CIS products and services;
 - (iii) Certified copy of the certificate of conformity for the CIS Products;
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- (iv) Copies of CIS Product specifications certified by the importer;
 - (v) Certified copies of commercial invoices, which includes the names, notations and quantities of the imported CIS Products; and
 - (vi) Certified copy of the commercial contract or documentary evidence, bill of lading, including the name, notations, quantity and manufacturer of the imported CIS Products.

AIS must determine and notify an applicant of the validity of their application dossier within three working days of receipt.

Applicants have up to five working days to supplement or amend their application dossiers as required by the AIS or else AIS will not issue the import permit.

Within ten working days of receipt of a valid application dossier, the AIS must issue the import permit to the applicant.

In the event that the AIS refuses to issue an import permit, they must provide reasons for their refusal and a written notification.

The Draft Circular specifies that an import license is valid for *each shipment* of CIS Products and such quantity will be specified in the permit. This may mean that a bulk import permit, i.e., a permit that covers multiple import shipments, may not be available to importers.

3. Amendment, reissuance and extension of an import permit

The importer must request the AIS to amend an issued import permit if there is any change in regard to the (i) quantity and type of CIS Products to be imported and/or (ii) name of the importer or the seller of the CIS Products.

The AIS will only issue a replacement import permit if such permit is lost or destroyed, its validity term has not expired and the batch of goods permitted thereunder has not completely cleared through customs.

If the import permit is no longer valid but the batch of goods permitted thereunder has not completely cleared through customs, the importer must request to extend its import permit.

The Draft Circular provides detailed documentation requirements, forms, and procedures for the amendment, reissuance and extension of an import permit.

Should you have any questions on the above or on the LOCIS, or wish to obtain further information, please do not hesitate to contact us: [Seck Yee Chung](#) (Ho Chi Minh City), [Dang Thanh Son](#) (Hanoi) or [Nguyen Thuy](#) (Singapore).

Government documents

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

Date	Reference and Matter
01-11-16	Resolution 05-NQ / TW 2016 on guidelines and policies in order to continue the growth model innovation, improve the quality of growth, labor productivity, competitiveness of the economy issued by the Central Executive Committee
04-11-16	Circular 40/2016 / TT-BYT on the list of food, food additives, processing aids of food and utensils, packaging materials, food containers under HS code in the export tariff, import duties subject to specialized management by the Ministry of Health
06-11-16	Official Letter No. 2078 / TXNK-CST (06.12.2016) of the General Administration of Customs of export tax rebates, import
14-11-16	Decision 2185 / QĐ-TTg approving the 2016 Master Plan for implementing the National Single Window and ASEAN OSS period 2016-2020 issued by the Prime Minister
21-11-16	Official Letter No. 10983 / TCHQ-GSQL (21.11.2016) of the General Department of Customs announced the deployment of additional customs declaration on data processing system of e-customs
24-11-16	Official Letter No. 11100 / TCHQ-GSQL (24.11.2016) of the General Department of Customs on the temporary import of vehicles in order to preserve those entitled to privileges and immunities in Vietnam
28-11-16	Official Letter No. 11 234 / TCHQ-GSQL (28.11.2016) General Administration of Customs on the answer to problems of chemical enterprises to control imports at the border
30-11-16	Decision No. 587 / QĐ-QLD (30.11.2016) of the Drug Administration on the recall announced for cosmetic products
01-12-16	Official Letter No. 11 337 / TCHQ-GSQL (01.12.2016) General Administration of Customs of the suspension clearance of consignments imported BMW cars Official Letter No. 11 310 / TCHQ-TXNK (01.12.2016) of the General Administration of Customs v / v non-sampling analysis, classification
02-12-16	Official Letter No. 11380 / TCHQ-GSQL (02.12.2016) General Administration of Customs on the implementation of Decree No. 68/2016 / ND-CP Official Letter No. 1697 / GSQL-GQ1 (02.12.2016) of the General Department of Customs on electronic customs declarations
05-12-16	Official Letter No. 11 422 / TCHQ-GSQL (05.12.2016) General Administration of Customs on the import of items as movable assets
06-12-16	Decision No. 4769 / QĐ-BCT (06.12.2016) on the approval and publication of the list of 310 prestigious exporters of 2015 Official Letter No. 11 453 / TCHQ-GSQL (06.12.2016) General Administration of Customs on the deployment of customs procedures for international flights at airports Lien Khuong Lam Dong Official Letter No. 11 452 / TCHQ-GSQL (06.12.2016) General Administration of Customs on the implementation of customs procedures Official Letter No. 11 427 / TCHQ-TXNK (06.12.2016) of the General Administration of Customs on the handling of tax debts
09-12-16	Decision No. 4846 / QĐ-BTC (09.12.2016) of the Ministry of Industry and Commerce approved the plan to simplify administrative procedures in the field of State management of the Ministry of Industry and Trade in 2017 Decision No. 4281 / QĐ-TCHQ (09.12.2016) of the General Administration of Customs v / v promulgate Regulation prints Customs Management Decision No. 4282 / QĐ-TCHQ (09.12.2016) of the General Administration of Customs Regulations Issued use management costs and release prints Customs
12-12-16	Official Letter No. 17568 / BTC-TCHW Ministry of Finance (12.12.2016) on preservation Bringing goods for imported cars Official Letter No. 1771 / GSQL-GQ2 of the General Administration of Customs (12.12.2016) on transitionally Official Letter No. 1770 / GSQL-GQ2 of the General Administration of Customs (12.12.2016) Guide customs declaration Decision No. 4293 / QĐ-TCHQ (12.12.2016) regulating the functions, tasks, powers and organizational structure of the sub-department under the Department of Customs KTSTQ the provincial, city
13-12-16	Official Letter No. 17662 / BTC-TCHQ Ministry of Finance (13.12.2016) Reply to the recommendations of the Ministry of Industry and Trade Official Letter No. 17 663 / BTCT-TCHQ (13.12.2016) of the Ministry of Finance on the implementation of administrative procedures by electronic methods

Date	Reference and Matter
14-12-16	Official Letter No. 11717 / TCHQ-HTQT (14.12.2016) of the General Department of Customs provides information relating to minimum values and procedures of import and export of goods Vietnam
	Official Letter No. 17708 / BTC-TCHQ Ministry of Finance (14.12.2016) Report on the use of tax-exempt imported goods
	Official Letter No. 17707 / BTC-TCHQ Ministry of Finance (14.12.2016) Apply additional import duty
	Official Letter No. 11730 / TCHQ-TXNK of the General Administration of Customs (14.12.2016) obstacle to investment incentives
	Official Letter No. 11 715 / KH-TCHQ General Administration of Customs (14.12.2016) Implementation Plan No. 05-KH / BCSĐ Party Commission of the Ministry of Finance
	Official Letter No. 2853 / TXNK-CST General Administration of Customs (14.12.2016) for export tax SX products from raw material imports
15-12-16	Official Letter No. 11784 / TCHQ-GSQL of the General Administration of Customs (15.12.2016) obstacles implementation of Circular 23/2015 / TT-BKHCHN
17-12-16	Directive No. 33 / CT-TTg (17.12.2016) of the Prime Minister on strengthening the management and administration in order to stabilize market prices, ensure social order and safety Tet Dinh Dau 2017
19-12-16	Official Letter No. 11857 / TCHQ-GSQL (19.12.2016) of the General Department of Customs surveillance at ports of transshipment implementation of Article 41 of the Customs Law
20-12-16	Official Letter No. 18093 / BTC-TCHQ (20.12.2016) of the Ministry of Finance on specialized inspection procedures of imported goods
	Official Letter No. 11 888 / TCHQ-GSQL (20.12.2016) General Administration of Customs on the implementation of temporary import for re-export of goods through bonded warehouses.
	Decision No. 2484 / QĐ-TTg (20.12.2016) of the Prime Minister approving the project supporting the business community to participate effectively in international trade while Vietnam is a member of the United Nations Convention the contract of sale of international goods.
21-12-16	Official Letter No. 11 931 / TCHQ-GSQL (21.12.2016) General Administration of Customs on the method of determining the loss of temporary import for re-export oil under the provisions of Circular No. 43/2015 / TT-BCT
	Official Letter 11924 / TCHQ-TXNK (21.12.2016) of the General Department of Customs on VAT payment extension
	Decision No. 4410 / QĐ-TCHQ (21.12.2016) of the General Administration of Customs on the recognition of bonded warehouses
22-12-16	Official Letter No. 3015 / TXNK-CST (22.12.2016) of the General Administration of Customs on the tax treatment of goods temporarily imported for re-export in service of scientific research

Europe

European Union and EFTA

EU to provisionally apply Andean trade agreement to Ecuador

On 24 December 2016, the *Official Journal* published [Council Decision \(EU\) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador](#). The Council Decision authorizes the EU to provisionally apply (pending the completion of the procedures necessary for its conclusion) the Protocol of Accession to the Trade Agreement between the EU, and Colombia and Peru, to take account of the accession of Ecuador. As a result, the provisions of the Agreement shall be applied on a provisional basis by the Union as provided for in Article 330(3) thereof, pending the completion of the procedures necessary for the conclusion of the said Pro-

to col, with the exception of Article 2, Article 202(1) and Articles 291 and 292 of the Agreement. [Notification on 29 December of provisional application.](#)

EEA Joint Committee adopts 39 decisions incorporating 58 EU legal acts into the EEA agreement

The European Free Trade Association (EFTA) [announced](#) that in its last meeting of 2016, on 2 December, the EEA Joint Committee adopted 39 decisions incorporating 58 EU legal acts into the EEA Agreement, bringing the total for 2016 to 250 decisions and 405 acts. The EFTA Standing Committee met the day before, on 1 December.

The 405 acts incorporated in 2016 cover a wide range of topics. Some major acts that were incorporated in the first half of the year include [decisions on lower roaming prices, standardised mobile phone chargers and revised public procurement rules](#). Three directives, which together represent a major overhaul of public procurement law, were also incorporated. This new set of rules simplifies public procurement procedures and allows for more flexibility, which in turn should open up the public procurement market in the European Economic Area.

Also incorporated this year were [acts regarding aviation security](#), including a regulation on third countries recognised as applying security standards equivalent to the common basic standards on civil aviation.

In the second half of 2016, [a new set of European rules providing consumers with alternative ways to settle disputes out of court was adopted](#). The objective of these rules is to stimulate Alternative Dispute Resolution (ADR) and thus also to improve consumer trust in cross-border and online trade within the EEA. Resolving disputes in this way is generally easier, faster and cheaper than before a court.

[Regulations establishing the European Financial Supervisory Authorities \(ESAs\) into the EEA Agreement were also incorporated](#), safeguarding a homogenous Internal Market in Financial Services throughout the EEA. The decisions adopted by the EEA Joint Committee extend the post-financial crisis institutional structure to the EEA EFTA States, in part by granting new powers to the EFTA Surveillance Authority. They allow for the incorporation of numerous acts aimed at rectifying flaws in the pre-crisis financial regulatory framework, and secure continued access for financial undertakings from the EEA EFTA States to the Internal Market.

The EEA Joint Committee provides a forum for the EEA EFTA States and the EU to exchange views and take decisions by consensus to incorporate EU legislation into the EEA Agreement. The meeting was chaired by Ms Oda Sletnes, Norway's Ambassador to the EU.

- [Full list of EEA Joint Committee Decisions adopted in 2016](#)
- [Provisional texts of EEA Joint Committee Decisions in 2016](#)

EU-China agreement on modifications of concessions due to Croatia enters in force on 1 January

On 17 December 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/2293 of 16 December 2016 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#). The regulation implements the [Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade \(GATT\) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia](#) in the course of its accession to the Union ('the Agreement'). The Agreement provides for a reduction in customs duties for two categories of products. The Union and China have notified each other of the completion of their internal procedures for the entry into force of the Agreement

and the Agreement is to enter into force on 1 January 2017. Part Two of Annex I to [Regulation \(EEC\) No 2658/87](#) is amended as follows:

- (1) in Section XII, in Chapter 64, the row concerning CN code 6404 19 90 is replaced by the following:

'6404 19 90	— Other	16,9	pa';
	—		
	—		

- (2) in Section XVI, in Chapter 84, the row concerning CN code 8415 10 90 is replaced by the following:

'8415 10 90	— Split-system	2,5	—'
	—		

Commission clarifies interpretation of 'articles for Christmas festivities' in the CN

On 10 December 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/2222 of 5 December 2016 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#). The regulation clarifies subheading 9505 10 by distinguishing the traditional articles used for Christmas festivities referred to in the HSEN to heading 9505, points (A)(1) and (2), from fashionable articles that are used more generally as decorations during the winter season. To accomplish this, Additional note 1 has been inserted in Chapter 95 of the Combined Nomenclature to ensure a uniform interpretation of subheading 9505 10 throughout the Union to read as follows:

'1. Subheading 9505 10 covers:

- (a) articles that are broadly recognised as traditionally used at Christmas festivities and exclusively manufactured and designed as articles for Christmas festivities.

These are:

(1) articles associated with the nativity (i.e. articles for the traditional Christmas crib), such as nativity figures, nativity animals, Bethlehem stars, the three nativity kings, and nativity scenes;

(2) articles recognised as being used at Christmas festivities due to long standing national traditions, such as:

- artificial Christmas trees,
- Christmas stockings,
- imitation yule logs,
- Christmas crackers,
- Father Christmases with or without a sledge,
- Christmas angels.

The subheading does not cover articles of the winter season which are suitable for a more general use as decorations during that season, because their objective characteristics suggest that they are not exclusively used for Christmas festivities but mainly as decorations during the winter season, such as icicles, snow-crystals, stars, reindeers, robins, snowmen, and other images of the winter season, whether or not the colours or outfits etc. suggest a connection with Christmas.

- (b) decorative articles for Christmas trees.

These are articles designed to be hung on a Christmas tree (i.e. lightweight articles of generally non-durable material designed to decorate a Christmas tree). The articles must have a connection with Christmas

Commission issues tariff classification regulations

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

Amendments to the CN Explanatory Notes

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

Binding Tariff Information

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

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

Official Journal documents

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

OJ Date	Subject
01-12-16	Commission Delegated Regulation (EU) 2016/2095 of 26 September 2016 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis
	Commission Implementing Regulation (EU) 2016/2097 of 30 November 2016 amending Implementing Regulation (EU) No 543/2011 as regards the trigger levels for additional duties on certain fruit and vegetables
	Commission Implementing Decision (EU) 2016/2100 of 30 November 2016 determining that the temporary suspension of the preferential customs duty established under the stabilisation mechanism for bananas of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, is not appropriate for imports of bananas originating in Peru for the year 2016
02-12-16	Commission Implementing Regulation (EU) 2016/2106 of 1 December 2016 amending Implementing Regulation (EU) No 884/2014 imposing special conditions governing the import of spices from Ethiopia, groundnuts from Argentina and hazelnuts from Azerbaijan and amending the special conditions governing the import of dried figs and hazelnuts from Turkey and groundnuts from India
	Commission Implementing Regulation (EU) 2016/2107 of 1 December 2016 amending Annex I to Regulation (EC) No 669/2009 as regards the list of feed and food of non-animal origin subject to an increased level of official controls on imports
	Commission Implementing Directive (EU) 2016/2109 of 1 December 2016

OJ Date	Subject
	<p>amending Council Directive 66/401/EEC as regards the inclusion of new species and the botanical name of the species <i>Lolium x boucheanum</i> Kunth</p> <p>Commission Implementing Decision (EU) 2016/2114 of 30 November 2016 determining quantitative limits and allocating quotas for substances controlled under Regulation (EC) No 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer, for the period 1 January to 31 December 2017 (notified under document C(2016) 7715)</p> <p>Commission Recommendation (EU) 2016/2115 of 1 December 2016 on the monitoring of the presence of Δ9-tetrahydrocannabinol, its precursors and other cannabinoids in food</p>
03-12-16	<p>Council Decision (EU) 2016/2117 of 29 September 2016 on the conclusion, on behalf of the Union, 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 Vietnam, of the other part</p> <ul style="list-style-type: none"> 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 <p>Council Decision (EU) 2016/2118 of 28 October 2016 on the signing, on behalf of the Union, and provisional application of the Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Canada, of the other part</p> <ul style="list-style-type: none"> Strategic Partnership Agreement between the European Union and its Member States, of the one part, and Canada, of the other part <p>Commission Regulation (EU) 2016/2119 of 2 December 2016 amending Regulation (EC) No 471/2009 of the European Parliament and of the Council and Commission Regulation (EU) No 113/2010 as regards the adaptation of the list of customs procedures and the definition of the data</p> <p>Commission Implementing Decision (EU) 2016/2122 of 2 December 2016 on protective measures in relation to outbreaks of the highly pathogenic avian influenza of subtype H5N8 in certain Member States (notified under document C(2016) 8158)</p> <p>Commission Recommendation (EU) 2016/2123 of 30 November 2016 on the harmonisation of the scope of and conditions for general transfer licences for armed forces and contracting authorities as referred to in point (a) of Article 5(2) of Directive 2009/43/EC of the European Parliament and of the Council (notified under document C(2016) 7711)</p> <p>Commission Recommendation (EU) 2016/2124 of 30 November 2016 on the harmonisation of the scope of and conditions for general transfer licences for certified recipients as referred to in Article 9 of Directive 2009/43/EC of the European Parliament and of the Council (notified under document C(2016) 7728)</p> <p>Decision No 1/2016 of the Joint Committee of the Regional Convention on Pan-Euro-Mediterranean Preferential Rules of Origin of 28 September 2016 as regards the request of Georgia to become a Contracting Party to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin [2016/2126]</p> <p>Corrigendum to Council Decision (EU) 2015/1900 of 5 October 2015 establishing the position to be taken on behalf of the European Union within the Stabilisation and Association Council established by 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 a Decision of the Stabilisation and Association Council adopting its rules of procedure (OJ L 277, 22.10.2015)</p> <p>Commission Decision of 15 November 2016 establishing the position to be taken on behalf of the European Atomic Energy Community within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Union and the European Atomic Energy Community, of the one part, and Kosovo, of the other part, concerning a Decision of the Stabilisation and Association Council adopting its rules of procedure [2016/C 453/10]</p>
06-12-16	<p>Council Decision (EU) 2016/2131 of 17 October 2016 on the position to be taken on behalf of the European Union within the Association Council set up by the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of</p>

OJ Date	Subject
	<p>Lebanon, of the other part, as regards the adoption of EU-Lebanon Partnership Priorities, including the Compact</p> <p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) [2016/C 455/03]</p> <p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) [2016/C 455/04]</p> <p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) [2016/C 455/05]</p>
07-12-16	<p>Council Decision (EU) 2016/2136 of 21 November 2016 on the signing, on behalf of the European Union, of the Agreement between the European Union and Iceland on the protection of geographical indications for agricultural products and foodstuffs</p> <p>Council Decision (EU) 2016/2143 of 1 December 2016 on the position to be adopted on behalf of the European Union within the CARIFORUM-EU Trade and Development Committee of the Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part, as regards the establishment of a Special Committee on Agriculture and Fisheries</p>
08-12-16	<p>Commission Implementing Regulation (EU) 2016/2148 of 7 December 2016 laying down rules for the management and distribution of textile quotas established for the year 2017 under Regulation (EU) 2015/936 of the European Parliament and of the Council</p> <p>Commission Implementing Regulation (EU) 2016/2150 of 7 December 2016 concerning the authorisation of the preparations of <i>Lactobacillus plantarum</i> DSM 29025 and <i>Lactobacillus plantarum</i> NCIMB 42150 as feed additives for all animal species</p>
09-12-16	<p>Commission Implementing Regulation (EU) 2016/2214 of 8 December 2016 amending Regulation (EC) No 474/2006 as regards the list of air carriers which are subject to an operating ban within the Union</p> <p>Commission Implementing Decision (EU) 2016/2218 of 7 December 2016 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2016) 7836)</p> <p>Commission Implementing Decision (EU) 2016/2219 of 8 December 2016 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(2016) 8436)</p> <p>Decision No 1/2016 of the Geographical Indications Sub-Committee of 18 October 2016 amending Annexes XXX-C and XXX-D to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part [2016/2127]</p> <p>Decision No 1/2016 of the Geographical Indications Sub-Committee of 10 November 2016 amending Annex XVII-C and Part B of Annex XVII-D to the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part [2016/2128]</p> <p>Opinion of the European Central Bank of 12 October 2016 on a proposal for a directive of the European Parliament and of the Council amending Directive</p>

OJ Date	Subject
	<p>(EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing and amending Directive 2009/101/EC (CON/2016/49) [2016/C 459/05]</p> <p>Commission communication in the framework of the implementation of Commission Regulation (EC) No 1275/2008 implementing Directive 2005/32/EC of the European Parliament and of the Council with regard to ecodesign requirements for standby and off mode electric power consumption of electrical and electronic household and office equipment (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2016/C 460/1]</p> <p>Commission Communication in the framework of the implementation of Commission Regulation (EU) No 932/2012 implementing Directive 2009/125/EC of the European Parliament and of the Council with regard to ecodesign requirements for household tumble driers and of Commission Delegated Regulation (EU) No 392/2012 supplementing Directive 2010/30/EU of the European Parliament and of the Council with regard to energy labelling of household tumble driers (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2016/C 460/02]</p> <p>Commission communication in the framework of the implementation of Directive 2014/53/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of radio equipment and repealing Directive 1999/5/EC (<i>Publication of titles and references of harmonised standards under Union harmonisation legislation</i>) [2016/C 460/03]</p>
10-12-16	<p>Council Decision (EU) 2016/2220 of 2 December 2016 on the conclusion, on behalf of the European Union, 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</p> <ul style="list-style-type: none"> 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
13-12-16	<p>Commission Regulation (EU) 2016/2235 of 12 December 2016 amending Annex XVII to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) as regards bisphenol A</p> <p>Commission Implementing Decision (EU) 2016/2241 of 9 December 2016 providing for the temporary marketing of seed of certain varieties of the species <i>Beta vulgaris</i> L., not satisfying the requirements of Council Directive 2002/54/EC (<i>notified under document C(2016) 8105</i>)</p> <p>Commission Implementing Decision (EU) 2016/2242 of 9 December 2016 providing for the temporary marketing of seed of <i>Hordeum vulgare</i> L. variety Scrabble, not satisfying the requirements of Council Directive 66/402/EEC (<i>notified under document C(2016) 8106</i>)</p> <p>Corrigendum to Commission Regulation (EU) No 519/2014 of 16 May 2014 amending Regulation (EC) No 401/2006 as regards methods of sampling of large lots, spices and food supplements, performance criteria for T-2, HT-2 toxin and citrinin and screening methods of analysis (OJ L 147, 17.5.2014)</p> <p>Council Decision (EU) 2016/2232 of 6 December 2016 on the signing, on behalf of the Union, and provisional application of the Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part</p> <ul style="list-style-type: none"> Political Dialogue and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Cuba, of the other part <p>Council Decision (CFSP) 2016/2233 of 6 December 2016 repealing Common Position 96/697/CFSP on Cuba</p> <p>Regulation (EU) 2016/2134 of the European Parliament and of the Council of 23 November 2016 amending Council Regulation (EC) No 1236/2005 concerning trade in certain goods which could be used for capital punishment, torture or other cruel, inhuman or degrading treatment or punishment</p>
14-12-16	<p>Commission Implementing Regulation (EU) 2016/2243 of 13 December 2016 amending Regulation (EC) No 341/2007 as regards the import tariff quota for</p>

OJ Date	Subject
	garlic originating in China Commission Implementing Regulation (EU) 2016/2244 of 13 December 2016 amending Regulation (EC) No 1979/2006 as regards the import tariff quota for preserved mushrooms originating in China
15-12-16	Notice concerning the provisional application of the Stepping Stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part Commission Implementing Regulation (EU) 2016/2253 of 14 December 2016 opening and providing for the management of Union tariff quotas for certain agricultural and processed agricultural products originating in South Africa Corrigendum to Commission Regulation (EU) 2016/1015 of 17 June 2016 amending Annexes II and III to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for 1 naphthylacetamide, 1-naphthylacetic acid, chloridazon, fluzifop-P, fuberidazole, mepiquat and tralkoxydim in or on certain products (OJ L 172, 29.6.2016) Various Decisions of the EEA Joint Committee (L341) Commission Decision of 9 December 2016 on the conclusion, 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, on 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 [2016/C 467/06]
16-12-16	Council Directive (EU) 2016/2258 of 6 December 2016 amending Directive 2011/16/EU as regards access to anti-money-laundering information by tax authorities Commission Implementing Regulation (EU) 2016/2259 of 15 December 2016 amending Regulation (EC) No 1235/2008 laying down detailed rules for implementation of Council Regulation (EC) No 834/2007 as regards the arrangements for imports of organic products from third countries Commission Implementing Regulation (EU) 2016/2261 of 15 December 2016 concerning the authorisation of copper(I) oxide as a feed additive for all animal species Commission Implementing Regulation (EU) 2016/2260 of 15 December 2016 amending Regulations (EC) No 226/2007, (EC) No 1293/2008, (EC) No 910/2009, (EC) No 911/2009, (EU) No 1120/2010, (EU) No 212/2011 and Implementing Regulations (EU) No 95/2013 and (EU) No 413/2013 as regards the name of the holder of the authorisation of <i>Pediococcus acidilactici</i> CNCM MA 18/5M and <i>Saccharomyces cerevisiae</i> CNCM I-1077 Commission Implementing Decision (EU) 2016/2268 of 14 December 2016 amending Decisions 2007/305/EC, 2007/306/EC and 2007/307/EC as regards the tolerance period for traces of Ms1×Rf1 (ACS-BNØØ4-7×ACS-BNØØ1-4) hybrid oilseed rape, Ms1×Rf2 (ACS-BNØØ4-7×ACS-BNØØ2-5) hybrid oilseed rape and Topas 19/2 (ACS-BNØØ7-1) oilseed rape, as well as their derived products (notified under document C(2016) 8390) Commission Implementing Decision (EU) 2016/2279 of 15 December 2016 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(2016) 8835) Decision No 1/2016 of the EU–Kosovo Stabilisation and Association Council of 25 November 2016 adopting its rules of procedure [2016/2280]
17-12-16	Commission Implementing Regulation (EU) 2016/2287 of 16 December 2016 amending Regulation (EC) No 431/2008 opening and providing for the administration of an import tariff quota for frozen beef and Implementing Regulation (EU) No 593/2013 opening and providing for the administration of tariff quotas for high-quality fresh, chilled and frozen beef and for frozen buffalo meat Commission Implementing Regulation (EU) 2016/2288 of 16 December 2016 approving piperonyl butoxide as an existing active substance for use in biocidal products of product-type 18 Commission Implementing Regulation (EU) 2016/2289 of 16 December 2016 approving <i>epsilon</i>-MOMfluorothrin as an active substance for use in biocidal products of product-type 18

OJ Date	Subject
	<p>Commission Implementing Regulation (EU) 2016/2290 of 16 December 2016 approving peracetic acid as an existing active substance for use in biocidal products of product-types 11 and 12</p> <p>Commission Implementing Regulation (EU) 2016/2291 of 16 December 2016 approving L(+) Lactic acid as an active substance for use in biocidal products of product-type 1</p> <p>Commission Implementing Regulation (EU) 2016/2293 of 16 December 2016 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff</p>
20-12-16	<p>Commission Directive (EU) 2016/2309 of 16 December 2016 adapting for the fourth time the Annexes to Directive 2008/68/EC of the European Parliament and of the Council on the inland transport of dangerous goods to scientific and technical progress</p> <p>Council Decision (EU) 2016/2310 of 17 October 2016 on the position to be taken on behalf of the European Union within the Association Council set up by the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Hashemite Kingdom of Jordan, of the other part, as regards the adoption of EU-Jordan Partnership Priorities, including the Compact</p> <p>Commission Implementing Decision (EU) 2016/2316 of 16 December 2016 amending Implementing Decision (EU) 2015/1849 on measures to prevent the introduction into and the spread within the Union of harmful organisms as regards certain vegetables originating in Ghana</p> <p>Commission Implementing Decision (EU) 2016/2318 of 16 December 2016 on a derogation from mutual recognition of the authorisations of biocidal products containing brodifacoum by Spain in accordance with Article 37 of Regulation (EU) No 528/2012 of the European Parliament and of the Council (<i>notified under document C(2016) 8414</i>)</p> <p>Commission Implementing Decision (EU) 2016/2319 of 16 December 2016 confirming or amending the provisional calculation of the average specific emission of CO₂ and specific emissions targets for manufacturers of passenger cars for the calendar year 2015 pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council (<i>notified under document C(2016) 8579</i>)</p> <p>Commission Regulation (EU) 2016/2281 of 30 November 2016 implementing Directive 2009/125/EC of the European Parliament and of the Council establishing a framework for the setting of ecodesign requirements for energy-related products, with regard to ecodesign requirements for air heating products, cooling products, high temperature process chillers and fan coil units</p> <p>Commission Regulation (EU) 2016/2282 of 30 November 2016 amending Regulations (EC) No 1275/2008, (EC) No 107/2009, (EC) No 278/2009, (EC) No 640/2009, (EC) No 641/2009, (EC) No 642/2009, (EC) No 643/2009, (EU) No 1015/2010, (EU) No 1016/2010, (EU) No 327/2011, (EU) No 206/2012, (EU) No 547/2012, (EU) No 932/2012, (EU) No 617/2013, (EU) No 666/2013, (EU) No 813/2013, (EU) No 814/2013, (EU) No 66/2014, (EU) No 548/2014, (EU) No 1253/2014, (EU) 2015/1095, (EU) 2015/1185, (EU) 2015/1188, (EU) 2015/1189 and (EU) 2016/2281 with regard to the use of tolerances in verification procedures</p>
21-12-16	<p>Council Decision (EU) 2016/2342 of 12 December 2016 on the conclusion, on behalf of the European Union and its Member States, of the Protocol to 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 Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union</p> <ul style="list-style-type: none"> Protocol to 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, to take account of the accession of the Republic of Croatia to the European Union <p>Council Decision (EU) 2016/2354 of 12 December 2016 on the position to be adopted, on behalf of the European Union, within the Sanitary and Phytosanitary Sub-Committee established by the Association Agreement between the European Union and the European Atomic Energy Community and their Mem-</p>

OJ Date	Subject
	<p>ber States, of the one part, and Georgia, of the other, as regards the modification of Annex XI-B to that Agreement</p> <p>Council Decision (EU) 2016/2355 of 12 December 2016 on the position to be taken on behalf of the European Union within the Association Committee in Trade configuration established by the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part, as regards the establishment of a list of arbitrators</p> <p>Commission Implementing Decision (EU) 2016/2359 of 20 December 2016 determining that the temporary suspension of the preferential customs duty established under the stabilisation mechanism for bananas of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, is not appropriate for imports of bananas originating in Nicaragua for the year 2016</p> <p>Corrigendum to Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008)</p>
22-12-16	<p>Council Decision (CFSP) 2016/2360 of 28 November 2016 on the signing and conclusion of the Acquisition and Cross-Servicing Agreement between the European Union and the United States of America</p> <ul style="list-style-type: none"> Acquisition and Cross-Servicing Agreement between the European Union and the United States of America (US-EU-01) <p>Commission Implementing Decision (EU) 2016/2367 of 21 December 2016 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(2016) 8977)</p> <p>Decision No 1/2016 of the EU-Lebanon Association Council of 11 November 2016 agreeing on EU-Lebanon Partnership Priorities [2016/2368]</p>
23-12-16	<p>Commission Implementing Regulation (EU) 2016/2378 of 21 December 2016 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin</p> <p>Regulation (EU) 2016/2339 of the European Parliament and of the Council of 14 December 2016 amending Regulation (EU) No 952/2013 laying down the Union Customs Code, as regards goods that have temporarily left the customs territory of the Union by sea or air</p>
24-12-16	<p>Notice concerning the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and the People's Republic of China pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union</p> <p>Notice concerning the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and the Eastern Republic of Uruguay pursuant to Article XXIV:6 and Article XXVIII of the General Agreement on Tariffs and Trade (GATT) 1994 relating to the modification of concessions in the schedule of the Republic of Croatia in the course of its accession to the European Union</p> <p>Decision No 1/2016 of the EU-Jordan Association Council of 19 December 2016 agreeing on EU-Jordan Partnership Priorities [2016/2388]</p> <p>Council Decision (EU) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador</p> <ul style="list-style-type: none"> Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador <p>Update of the list of border crossing points as referred to in Article 2(8) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union</p>

OJ Date	Subject
	Code on the rules governing the movement of persons across borders (Schengen Borders Code) (codification)
29-12-16	Notice concerning the provisional application between the European Union and the Republic of Ecuador of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador
	Council Regulation (EU) 2016/2389 of 19 December 2016 amending Regulation (EU) No 1388/2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products
	Council Regulation (EU) 2016/2390 of 19 December 2016 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products
30-12-16	Summaries of European Union decisions on marketing authorisations in respect of medicinal products from 1 February 2016 to 30 September 2016 and from 1 November to 30 November (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) and Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 November 2016 to 30 November 2016(Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC)

Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
07-12-16	Council Decision (CFSP) 2016/2144 of 6 December 2016 amending Decision 2013/255/CFSP concerning restrictive measures against Syria Council Regulation (EU) 2016/2137 of 6 December 2016 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria
09-12-16	Council Decision (CFSP) 2016/2217 of 8 December 2016 amending Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea Commission Implementing Regulation (EU) 2016/2215 of 8 December 2016 amending Council Regulation (EC) No 329/2007 concerning restrictive measures against the Democratic People's Republic of Korea
10-12-16	Corrigendum to Council Decision (CFSP) 2015/1836 of 12 October 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria (OJ L 266, 13.10.2015)
12-12-16	Council Decision (CFSP) 2016/2231 of 12 December 2016 amending Decision 2010/788/CFSP concerning restrictive measures against the Democratic Republic of the Congo Council Regulation (EU) 2016/2230 of 12 December 2016 amending Council Regulation (EC) No 1183/2005 imposing certain specific restrictive measures directed against persons acting in violation of the arms embargo with regard to the Democratic Republic of the Congo
16-12-16	Commission Implementing Regulation (EU) 2016/2262 of 15 December 2016 amending for the 257th 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
20-12-16	Council Decision (CFSP) 2016/2315 of 19 December 2016 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
22-12-16	Commission Implementing Regulation (EU) 2016/2363 of 21 December 2016 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq
23-12-16	Council Decision (CFSP) 2016/2384 of 22 December 2016 updating the list of

OJ Date	Restrictive Measure
	persons, groups and entities subject to Articles 2, 3 and 4 of Common Position 2001/931/CFSP on the application of specific measures to combat terrorism, and amending Decision (CFSP) 2016/1136
	Council Implementing Regulation (EU) 2016/2373 of 22 December 2016 implementing Article 2(3) of Regulation (EC) No 2580/2001 on specific restrictive measures directed against certain persons and entities with a view to combating terrorism, and amending Implementing Regulation (EU) 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 China
12-12-16	2016/60-Notice to importers of crystalline silicon photovoltaic modules and their essential components originating in or coming from 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
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

Ireland

Irish Customs laws and regulations revised

On 20 December 2016, the *Iris Oifigiúil* (Official Journal) published a set of Statutory Instruments designed to bring the Irish Customs Laws and Regulations into synch with the new [Union Customs Code](#) and the [Customs Act 2015](#). The Statutory Instruments published on 20 December are:

- [S.I. No. 610 of 2016 European Union \(Customs Code\) Regulations 2016](#). These Regulations give effect to Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 insofar as a number of cross references to the former *Community Customs Code* are substituted by corresponding cross references to the new *Union Customs Code* and by the deletion of section

51 of the *Customs Act 2015* in relation to the calculation and payment of interest.

- [S.I. No. 611 of 2016 Customs Act 2015 \(Commencement\) Order 2016](#). This Order appoints 31 December 2016 as the date on which the *Customs Act 2015* comes into operation.
- [S.I. No. 612 of 2016 Customs \(Reports Inwards and Outwards by Vessels\) Regulations 2016](#). These Regulations are made by the Revenue Commissioners under the provisions of section 9(3) of the *Customs Act 2015* and will come into force on 31 December 2016. The Regulations set out the reporting requirements of the master of a vessel entering or departing the State.
- [S.I. No. 613 of 2016 Customs \(Reports Inwards and Outwards by Aircraft\) Regulations 2016](#). These Regulations are made by the Revenue Commissioners under the provisions of section 11(3) of the *Customs Act 2015* and will come into force on 31 December 2016. The Regulations set out the reporting requirements of the pilot-in-command of an aircraft entering or departing the State.
- [S.I. No. 614 of 2016 Customs \(Electronic Filing of Returns\) Order 2016](#). This Order is made by the Revenue Commissioners under the provisions of section 917E of the *Taxes Consolidation Act 1997* and will come into force on 31 December 2016.

The Order is to be read in conjunction with the *Customs (Mandatory Electronic Filing) (Specified Persons) Regulations 2016*.

The Order and the Regulations underpin Revenue's requirement that a return must be provided by electronic means in respect of a vessel or an aircraft entering or departing the State under section 9 or 11 respectively of the *Customs Act 2015*.

The Customs (Electronic Filing of Returns) Order 2014 (S.I. No. 474 of 2014) is revoked.

- [S.I. No. 615 of 2016 Customs \(Mandatory Electronic Filing\) \(Specified Persons\) Regulations 2016](#). These Regulations are made by the Revenue Commissioners under the provisions of section 917E of the *Taxes Consolidation Act 1997* and will come into force on 31 December 2016.

The Regulations are to be read in conjunction with the *Customs (Electronic Filing of Returns) Order 2016*.

The Regulations and the Order underpin Revenue's requirement that a return must be provided by electronic means in respect of a vessel or an aircraft entering or departing the State under section 9 or 11 respectively of the *Customs Act 2015*.

The Revenue Commissioners may, on application, exclude a person from the obligation to file electronically if they are satisfied that the person does not have the capacity to do so, and in this context "capacity" is taken to mean sufficient access to the Internet and in the case of an individual is not prevented by reason of age, physical or mental infirmity from filing electronically. A person aggrieved at a failure by the Revenue Commissioners to exclude them from the requirements may appeal that failure to the Appeal Commissioners. An excluded taxpayer may, if circumstances change, have that exclusion revoked and that decision may also be appealed to the Appeal Commissioners.

The Customs (Mandatory Electronic Filing) (Specified Persons) Regulations 2014 (S.I. No. 475 of 2014) are revoked.

Norway

2017 Tariff published

On 28 December 2016, the Norwegian Law Gazette website, Lovdata, posted Ministry of Finance [Regulations on New and Modified Divisions of the Nomenclature](#) as adopted by the Customs Directorate on 12 December 2016, pursuant to authority delegated by the Storting (Parliament). The Regulation has the [2017 Nomenclature](#) attached. The Nomenclature includes the 2017 import tariffs, import and export controls and additional information. It is effective from 1 January 2017.

United Kingdom

Consultation on OFSI guidance regarding new civil penalties for sanctions breaches

The Office of Financial Sanctions Implementation (OFSI) has [recently announced](#) that it is consulting on its draft guidance on the process for imposing monetary penalties for breaches of financial sanctions.

The guidance relates to the new civil powers in the *Policing and Crime Bill* (the "Bill"), The Bill, which is currently going through Parliament, will change the legal framework for enforcing the financial sanctions regulations. In particular, it will create a monetary penalty regime, enabling HM Treasury to issue penalties under civil law.

OFSI's guidance will set out the circumstances in which a monetary penalty will be suitable. It will also explain how the amount of the penalties will be set.

A [draft version](#) of the guidance has been made available for review as part of the consultation. The draft includes guidance on the following: OFSI's compliance and enforcement approach, its case assessment process, the procedure for imposing a penalty, the process for Ministerial Review, and the publication of civil penalties.

OFSI's consultation document asks for responses to the following questions:

1. Do the introductory sections give you enough information to understand the scope of the law on monetary penalties? What else would be useful?
2. What are your views on OFSI's compliance and enforcement approach?
3. Is there anything else you would expect a compliance model to tackle?
4. Do you understand our proposed case assessment approach?
5. What are your views on our proposed case assessment approach?
6. Does this guidance give you enough information to help you understand how a penalty is calculated?
7. OFSI will reduce the level of penalty if there is voluntary disclosure. What are your views on OFSI's approach to this?
8. Is the process for imposing a penalty and making representations clear from this guidance?
9. Do you understand the guidance on seeking a Ministerial review?
10. What are your views on the process for seeking a Ministerial review?
11. Does this guidance clearly explain why and how OFSI will publish information on penalties imposed for breaches of financial sanctions regulations? What are your views on the level of information OFSI will publish?
12. Considering the document as a whole, does this guidance help you clearly understand OFSI's approach to imposing monetary penalties?

The consultation runs from 1 December 2016 to 26 January 2017. Before publishing the final guidance, OFSI will publish a consultation response document, which will include: a list of the persons and/or institutions who provided responses to the consultation, summarised responses to each question, whether or not OFSI agrees with the responses to each question, and whether or not OFSI has amended the guidance in light of the responses.

The OFSI consultation document can be found [here](#). Baker & McKenzie will be preparing a response to the consultation. To find out more, please contact: [Ross Denton](#), Partner, [Sunny Mann](#), Partner, or [Tristan Grimmer](#), Partner.

HMRC updates

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

Release Date	Ref. No. and Subject
Customs Information Papers	
08-12-16	Customs Information Paper 63 (2016): export declarations - free circulation goods bound for the special territories of the EU
15-12-16	Customs Information Paper 55 (2013): simplified C285 form
28-12-16	Customs Information Paper 64 (2016): formalities for the export of union goods from the UK
	Customs Information Paper 65 (2016): customs examination powers
	Customs Information Paper 66 (2016): power to search vehicles or vessels
30-12-16	Customs Information Paper 68 (2016): Raw Tobacco Approval Scheme
	Customs Information Paper 69 (2016): annual revalorisation of the euro to pound sterling
Tariff Notices	
01-12-16	Tariff Stop Press Notice 43 (2016): changes to the monthly trade euro rate
13-12-16	Tariff Stop Press Notice 37 (2016): Customs procedure codes for Inward Processing and Temporary Admission
14-12-16	Tariff Notice 44 (2016): glitter for toothpaste
16-12-16	Tariff Stop Press Notice 40 (2016): amendments to commodity codes in chapter 73
19-12-16	Tariff Notice 41 (2016): non-electrical lamps and lighting fittings
20-12-16	Tariff Notice 43 (2016): stone paper with rock powder and plastic
21-12-16	Tariff Notice 42 (2016): unassembled shower doors
22-12-16	Tariff Stop Press Notice 41 (2016): codes amended in chapter 44
28-12-16	Tariff Notice 45 (2016): aromatic exceeds non-aromatic constituents
30-12-16	Tariff Notice 40 (2016): power distribution unit
Other Documents and Notices	
05-12-16	Customs examination powers
	Tobacco Duty: Illicit Trade Protocol - licensing of tobacco manufacturing machinery
	Tobacco Illicit Trade Protocol – licensing of equipment and the supply chain
	Power to search vehicles or vessels under section 163 of Customs and Excise Management Act 1979
06-12-16	HM Revenue and Customs' organisation chart
07-12-16	Community, Common Transit and TIR: newsletters
08-12-16	Apply to become a Registered Exporter
	Import and Export: application for repayment/remission (C285)
12-12-16	Import and export: application for voluntary clearance amendment (underpayment) (C2001)
13-12-16	Revenue and Customs Brief 17 (2016): VAT - treatment of colouring and dot-to-dot books
14-12-16	Anti-Dumping Duty measure AD2117
15-12-16	VAT Notice 702: imports
	Anti-Dumping Duty measure AD2062
	Anti-Dumping Duty measure AD2160
16-12-16	Anti-Dumping Duty measure AD2161
	Anti-Dumping Duty measure AD2162
19-12-16	Import and export: temporary admission - inventory/document to support an oral customs declaration (C108)
	Customs Freight Simplified Procedures: contact lists
22-12-16	Notice 60: Intrastat general guide

Release Date	Ref. No. and Subject
	Anti-Dumping Duty measure AD2163
	Anti-Dumping Duty measure AD2164
	Notice 6: merchandise in baggage
23-12-16	Notice 143: a guide for international post users
	Tariff Quota Notice 183 (2016): new tariff quotas for certain agricultural and processed agricultural products originating in South Africa

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*	Subject:
France	
01-12-16	Economy and Finance: № 15 Decree of 23 November 2016 amending the order of 6 February 2015 laying down the modalities of communication of their list of non-domestic customers by the suppliers of natural gas, coal, lignite, coke and electricity to the Customs and Excise pursuant to sections 266 d, 266 d and 266 d C B of the Customs code
02-12-16	Economy: № 13 Report to the President of the Republic on Order No. 2016-1635 of 1 December 2016 strengthening the French system of fight against money laundering and terrorist financing
	Economy: № 14 Ordinance No. 2016-1635 of 1 December 2016 strengthening the French system of fight against money laundering and terrorist financing
	Economy: № 16 Decree of 28 October 2016 amending the Decree of 24 February 2010 laying down the procedures for the implementation of Decree No 2010-166 of 22 February 2010 on the safety of toys
	Environment...: № 149 Notice amending the notice of the scope of the chain of responsibility extended producer of chemicals that could pose a significant risk to health and the environment
14-12-16	Economy: № 21 Decree No. 2016-1701 of 12 December 2016 on the granting of the State guarantee for operations contributing to the development of foreign trade of France
18-12-16	Economy: № 11 Decree No. 2016-1757 of 16 December 2016 concerning the labeling of spirit drinks, their composition and their production conditions
22-12-16	Economy: № 20 Decree No. 2016-1793 of 21 December 2016 on the designation by the TRACFIN serving people or transactions of a significant risk of money laundering and terrorist financing
	Economy: № 22 Decree of 29 November 2016 amending the Decree of 25 February 2010 establishing a processing relating to customs clearance by online automated transmission (DELTA)
	Economy: № 23 Decree of 9 December 2016 suspending the placing on the market of toys foam "carpet-puzzle" containing formamide
24-12-16	Economy : № 28 Decree of 7 December 2016 amending the Decree of 19 December 2002 made pursuant to Decree No. 2002-1449 of 12 December 2002 amending Decree No 92-1429 of 30 December 1992 taken for the application of Articles 32 and 109 Of Law No 92-677 of 17 July 1992 on the abolition of fiscal frontiers within the European Economic Community as regards value added tax and indirect duties and Annex III to the General Code of Taxes
27-12-16	Economy: № 15 Decree No. 2016-1845 of 23 December 2016 relating to the extraction conditions, acquisition, transmission and storage of illegal content placed online by electronic means and made under Article 67 bis 1 of the Customs Code

Date*	Subject:
30-12-16	<p>Economy: № 39 Decree No. 2016-1933 of 28 December 2016 amending Annex II to Decree No. 2007-1665 of 26 November 2007 on the organization of decentralized services of the Directorate General of Customs and Excise</p> <p>Economy: № 49 Decree of 22 December 2016 concerning the grant terms and conditions of the state guarantee for operations contributing to the development of foreign trade of France</p>
Germany	
02-12-16	<p>Regulation on the transfer of responsibilities to main customs offices in the area of several main audit offices (Central Audit Office, HZAZustV) (22.11.2016) From No. 56 of December 2, 2016, page 2642</p> <p>Regulation on the revision of product safety regulations concerning sports boats and water motorcycles (29.11.2016) From No. 56 of December 2, 2016, page 2668</p> <p>Regulation amending the First Regulation amending the Regulation on tobacco products (29.11.2016) From No. 56 of December 2, 2016, page 2680</p>
21-12-16	<p>Law on the Electromagnetic Compatibility of Equipment (Electromagnetic Compatibility Act? EMVG) (14.12.2016) From No. 61 of December 21, 2016, page 2879</p>
	<p>Regulation implementing the Directive on casein and caseinates for human consumption 2916 (16.12.2016) From No. 61 of December 21, 2016, page 2916</p>
Ireland (Eire)	
09-12-16	<p>S.I. No. 581 of 2016 European Union (Renewable Energy) (Amendment) Regulations 2016</p>
13-12-16	<p>S.I. No. 598 of 2016 European Communities (Pesticide Residues) (Amendment) (No. 3) Regulations 2016</p>
16-12-16	<p>S.I. No. 606 of 2016 European Communities (Official Controls on the Import of Food of Non-Animal Origin) (Amendment) (No. 4) Regulations 2016</p>
20-12-16	<p>S.I. No. 610 of 2016 European Union (Customs Code) Regulations 2016</p>
	<p>S.I. No. 611 of 2016 Customs Act 2015 (Commencement) Order 2016</p>
	<p>S.I. No. 612 of 2016 Customs (Reports Inwards and Outwards by Vessels) Regulations 2016</p>
	<p>S.I. No. 613 of 2016 Customs (Reports Inwards and Outwards by Aircraft) Regulations 2016</p>
	<p>S.I. No. 614 of 2016 Customs (Electronic Filing of Returns) Order 2016</p>
	<p>S.I. No. 615 of 2016 Customs (Mandatory Electronic Filing) (Specified Persons) Regulations 2016</p>
Liechtenstein	
23-12-16	<p>LGBI № 2016.488 Notice of 19 May 2015 of Decision No 2/2015 of the EFTA-Korea Joint Committee (LR № 0.632.311.461)</p>
	<p>LGBI № 2016.511 Agreement amending the Agreement between the EFTA States on the establishment of a Surveillance Authority and a Court of Justice and adopting Protocol 8 on the tasks and powers of the EFTA Surveillance Authority in the field of financial supervision (LR № 0.111)</p>
Luxembourg	
12-12-16	<p>Mem. A № 249 - Law of 7 December 2016 approving the European Convention for the Protection of the Archaeological Heritage opened for signature on 16 January 1992 at the Valletta</p>
13-12-16	<p>Mem. A № 251 - Grand-Ducal Regulation of 5 December 2016 amending the Grand-Ducal Regulation of 25 August 2015 on the provision of information to consumers on foodstuffs, nutrition and health claims and the marking of the lot number</p>
19-12-16	<p>Mem. A № 260 - Grand-Ducal Regulation of 14 December 2016 amending the Grand-Ducal Regulation of 15 March 2016 on the marketing of seed potatoes. - Grand-Ducal Regulation of 14 December 2016 amending the Grand-Ducal Regulation of 7 June 2000 on the marketing of beet seed.</p>
21-12-16	<p>Mem. A № 262 Grand-Ducal Regulation of 14 December 2016 laying down the conditions for the final appointment and promotion of officials of treatment groups A1, A2, B1 and D1 to the Customs and Excise Administration and laying down the procedures for assessing the results of the Completion of special training and promotional examinations</p>
27-12-16	<p>Mem. A № 268 - Law of 23 December 2016 concerning the making available on</p>

Date*	Subject:
	<p>the market and the control of explosives for civil use -Marine Equipment Act of 23 December 2016 -Grand-Ducal Regulation of 23 December 2016 repealing the amended Grand-Ducal Regulation of 22 June 2000 transposing Council Directive 96/98 / EC of 20 December 1996 on marine equipment and Commission Directive 98/85 / EC Of 11 November 1998 amending Council Directive 96/98 / EC on marine equipment - Law of December 23, 2016 relating to pleasure craft and nautical vehicles - Grand-Ducal Regulation of 23 December 2016 repealing the amended Grand Ducal Regulation of 8 September 1997 implementing Directive 94/25 / EC of the European Parliament and of the Council of 16 June 1994 on the approximation of the laws, regulations and administrative provisions Of the Member States relating to recreational craft</p>
Malta	
16-12-16	<p>№ 419 of 2016 – EC Type-Approval of Motor Vehicles and their Trailers (Amendment No. 3) Regulations, 2016 - <i>Government Gazette of Malta No. 19,698 – 16.12.2016</i></p>
	<p>№ 418 of 2016 - 418 of 2016 – EC Type-Approval of Motor Vehicles and their Trailers (Amendment No. 2) Regulations, 2016 - <i>Government Gazette of Malta No. 19,698 – 16.12.2016</i></p>
23-12-16	<p>№ 426 of 2016 – Caseins and Caseinates Regulations, 2016 - <i>Government Gazette of Malta No. 19,702 – 23.12.2016</i></p>
Norway	
02-12-16	<p>FOR-2016-12-01-1419 Agriculture and Food Regulations on minimum quantity of apple raw materials for processing industry [import and domestic]</p>
05-12-16	<p>FOR-2016-12-02-1426 Finance Allocation of authority under the Customs Act § 7-4 fourth paragraph, § 8-3, fourth paragraph, § 9-1, § 9-2, § 9-3, § 9-4, § 10.6 and § 12.9</p>
06-12-16	<p>FOR-2016-12-03-1432 Climate and Environment Ministry, Labour and Social Affairs Regulation amending the Regulation on biocides (Biocide)</p>
	<p>FOR-2016-12-03-1433 Climate and Environment Ministry Regulation amending the Regulation on Registration, Evaluation and Authorisation of Chemicals (REACH)</p>
	<p>FOR-2016-12-05-1435 Health and Care Services Regulations amending the aroma Regulations</p>
08-12-16	<p>FOR-2016-12-05-1446 Climate and Environment Ministry Regulation amending the Regulation on quotas and trading quotas for greenhouse gas emissions (Greenhouse Gas Emission Regulations)</p>
	<p>FOR-2016-12-05-1447 Health and Care Services Regulation amending the Regulation on certain contaminants in foodstuffs</p>
	<p>FOR-2016-12-06-1450 Health and Care Services Regulation amending the Regulation on prevention, control and eradication of transmissible spongiform encephalopathies (TSE)</p>
	<p>FOR-2016-12-06-1452 Health and Care Services Regulation amending the Regulation on pesticide</p>
12-12-16	<p>FOR-2016-12-09-1469 Ministry of Health, Ministry of Agriculture, Industry and Fisheries Ministry Regulation amending the Regulation on official controls of compliance with legislation on feed, food and health and welfare of animals (control regulations)</p>
13-12-16	<p>FOR-2016-12-03-1480 Health and Care Services Regulation amending the Regulation on nutrition and health claims made on foods</p>
	<p>FOR-2016-12-08-1481 Finance Regulations amending the Regulations to the law on customs and movement of goods (Customs Regulations)</p>
	<p>FOR-2016-12-09-1483 Industry and Fisheries Ministry Regulation amending the Regulation on Public Procurement (Public Procurement Regulations)</p>
	<p>FOR-2016-12-09-1486 Industry and Fisheries Ministry Regulation amending the regulation amending the Regulation on Public Procurement Appeals</p>
	<p>FOR-2016-12-09-1487 Industry and Fisheries Ministry Regulation amending the Regulation on the transitional rules of the Act of 17 June 2016 nr 73. Public Procurement (procurement law)</p>
15-12-16	<p>FOR-2016-12-09-1542 Finance Regulation amending the Regulation on Excise</p>

Date*	Subject:
	Duties
15-12-16	FOR-2016-12-13-1569 Health and Care Services Regulations on Norwegian Pharmacopoeia
19-12-16	FOR-2016-12-14-1599 Ministry of Health, Agriculture and Food Regulation amending the Regulation on imports from third countries of certain live animals, bees, bumblebees and fresh meat of certain animals
20-12-16	FOR-2016-12-16-1639 Industry and Fisheries Ministry Regulation amending the Regulation on the regulation of exports of fish and fish products and the Regulations on coordinated collection of tax on fish exports
	LAW-2016-12-20-114 Finance Law amending the Law of 17 June 2005 no. 67 the payment and collection of taxes and duties (Tax Payment Act)
	LAW-2016-12-20-115 Finance Law amending the Act of 21 December 2007 no. 119 on customs and movement of goods (Customs Act)
21-12-16	FOR-2016-12-16-1654 Climate and Environment Ministry Regulations amending the REACH Regulation (approval for use of trichlorethylene)
	FOR-2016-12-16-1655 Agriculture and Food, Ministry of Health Regulations amending the special safeguard measures on imports of certain feed and food from third countries because of aflatoxin risk
	FOR-2016-12-17-1671 Finance Parliamentary Decision on VAT for fiscal year 2017 (Sec. 5521 item 70)
	FOR-2016-12-17-1673 Finance Parliamentary Decision on excise duties to the Treasury for fiscal year 2017
	FOR-2016-12-19-1677 Finance Regulation amending the Regulation on Excise Duties
22-12-16	FOR-2016-12-19-1718 Finance Regulations amending the Regulations to the law on customs and movement of goods (Customs Regulations) [GSP origin]
23-12-16	FOR-2016-12-20-1744 Industry and Fisheries Ministry Regulation amending the Regulation on Public Procurement (Public Procurement Regulations)
27-12-16	FOR-2016-12-20-1759 Finance Regulation amending the regulation amending the Regulation on Excise Duties
28-12-16	FOR-2016-12-12-1766 Finance Regulations on new and modified divisions of the Nomenclature
	FOR-2016-12-14-1767 Ministry Regulation amending the Regulation on technical requirements and approval of vehicles, parts and accessories
29-12-16	FOR-2016-12-19-1823 Industry and Fisheries Ministry of Agriculture and Food Regulation amending the Regulation on additives for use in animal nutrition
	FOR-2016-12-21-1827 Finance Regulations amending the Regulations to the law on customs and movement of goods (Customs Regulations)
	FOR-2016-12-21-1831 Foreign Affairs Regulation amending the Regulation on the export of defense equipment, multi-purpose products, technologies and services
30-12-16	FOR-2016-12-22-1869 Health and Care Services Regulation amending the Regulation on certain contaminants in foodstuffs
Poland	
02-12-16	№ 1946 Regulation of the Minister of Development and Finance of 18 November 2016. Amending the Regulation on the authorization of other government bodies to carry out certain tasks of the customs authorities
	№ 1949 Regulation of the Minister of Agriculture and Rural Development dated 26 October 2016. On fees for activities carried out under the quality control of agricultural and food products
	№ 1952 Council of Ministers of 17 November 2016. Amending the regulation on the Lodz special economic zone
05-12-16	№ 1956 Regulation of the Minister of Agriculture and Rural Development dated 22 November 2016. On fees for carrying out certain activities related to the registration of names and designations of agricultural products and foodstuffs
06-12-16	№ 1963 The announcement of the Minister of Development and Finance dated 21 November 2016. On the uniform text of the Regulation of the Minister of Finance on the jurisdiction of the heads of customs offices and directors of customs chambers and heads of customs offices designated to perform the tasks specified in the Penal Code
09-12-16	№ 1992 Notice of the President of the Council of Ministers of 15 November

Date*	Subject:
	2016. On the uniform text of the Council of Ministers on wałbrzych special economic zone
12-12-16	№ 1998 Regulation of the Minister of Agriculture and Rural Development on 5 December 2016. Amending the regulation on the detailed scope and method of marking not intended directly for the final consumer groups and some types of packaged food and agriculture and agri-food products without packaging
13-12-16	№ 2007 The Law of 4 November 2016. Amending the Act on the commercial quality of agri-food products
15-12-16	№ 2019 Regulation of the Minister of Agriculture and Rural Development dated 7 December 2016. Amending the regulation on the labeling of specific types of food
15-12-16	№ 2039 Regulation of the Minister of Energy of 15 December 2016. On the detailed list of liquid fuels, whose production, storage or handling, transmission or distribution, trade, including foreign trade, requires a license and the import of which requires an entry in the register of importing
16-12-16	№ 2041 Proclamation of the Marshal of the Polish Sejm on 9 December 2016. On the uniform text of the Plant Protection Act
16-12-16	№ 2047 Proclamation of the Marshal of the Polish Sejm of 17 November 2016. On the uniform text of the Act on general product safety
20-12-16	№ 2091 Regulation of the Minister of Agriculture and Rural Development of 20 December 2016. On the management measures relating to outbreaks of highly pathogenic avian influenza
21-12-16	№ 2092 Regulation of the Minister of Internal Affairs and Administration of 12 December 2016. Amending the regulation on assessing the conformity of products designed for the needs of national security and the list of these products
27-12-16	№ 2148 Regulation of the Minister of Agriculture and Rural Development of 16 December 2016. On the design of the logo containing the information "Polish Product"
27-12-16	№ 2157 Notice of the President of the Council of Ministers of 8 December 2016. On the uniform text of the Council of Ministers of the Pomeranian Special Economic Zone
28-12-16	№ 2192 Regulation of the Minister of Agriculture and Rural Development of 16 December 2016. On the register of establishments producing products of animal origin or putting on the market these products and lists of such establishments
29-12-16	№ 2211 Regulation of the Minister of Digitization of 21 December 2016. Amending the regulation on the conduct directory of brands and vehicle types approved and put into service on Polish territory
29-12-16	№ 2212 Council of Ministers of 14 December 2016. Amending the regulation on wałbrzych special economic zone
29-12-16	№ 2229 Council of Ministers of 21 December 2016. Amending the Regulation on the Warmia-Mazury Special Economic Zone
29-12-16	№ 2233 Council of Ministers of 16 December 2016. Amending the Regulation on Kostrzyn Special Economic Zone
29-12-16	№ 2236 Council of Ministers of 16 December 2016. Amending the regulation on the Katowice Special Economic Zone
29-12-16	№ 2240 Council of Ministers of 16 December 2016. Amending the regulation on the Mielec Special Economic Zone
29-12-16	№ 2241 Council of Ministers of 22 December 2016. Amending the regulation on the Starachowice Special Economic Zone
29-12-16	№ 2242 Council of Ministers of 28 December 2016. Amending the regulation on the Pomeranian Special Economic Zone
29-12-16	№ 2243 Council of Ministers of 28 December 2016. Amending the regulation on Tarnobrzeg special economic zone
30-12-16	№ 2276 Regulation of the Minister of Development and Finance of 21 December 2016. In the adaptation period and the aptitude test in the course of the procedure for the recognition of qualifications to practice the profession of customs agent
30-12-16	№ 2282 Regulation of the Minister of Development and Finance of 27 December 2016. Amending the Regulation on the list of goods for the purposes of collecting the tax on goods and services imports

Date*	Subject:
Spain	
01-12-16	Foreign Affairs: Multilateral Agreement M 300 under section 1.5.1 of the European Agreement on International Carriage of Dangerous Goods by Road (ADR) concerning the transport document sales operations in route, done in Madrid on July 11, 2016. (BOE-A-2016-11344)
02-12-16	Foreign Affairs: 2014 Amendments to the International Maritime Dangerous Goods (IMDG) Code, adopted in London on 22 May 2014 by Resolution MSC.372 (93). (BOE-A-2016-11413)
07-12-16	Presidency: Royal Decree 543/2016 of 25 November, amending Royal Decree 1698/2003, of December 12, laying down rules implementing the Community regulations on the system of labeling of beef and veal. (BOE-A-2016-11632)
13-12-16	Presidency: Royal Decree 544/2016 of 25 November, the distance selling to the public of veterinary medicines is regulated not subject to veterinary prescription. (BOE-A-2016-11820)
17-12-16	Presidency: Royal Decree 677/2016 of 16 December, approving the quality standard for flour, meal and other cereal grinding products. (BOE-A-2016-11951)
	Presidency: Royal Decree 678/2016 of 16 December, approving the quality standard for beer and malt beverages. (BOE-A-2016-11952)
	Presidency: Royal Decree 679/2016 of 16 December, which establishes the quality standard of table olives. (BOE-A-2016-11953)
	Agriculture: Royal Decree 676/2016 of 16 December, which regulates the system of identification and registration of animals of the equine species. (BOE-A-2016-11950)
20-12-16	Economy, etc.: Resolution of December 2, 2016, of the General Directorate of Industry and Small and Medium-sized Enterprises, which submits to public information the draft UNE standard that the Spanish Association for Standardization and Certification has in process, corresponding to the month Of November 2016. (BOE-A-2016-12102)
	Economy, etc.: Resolution of 2 December 2016 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 November 2016 as Spanish standards. (BOE-A-2016-12103)
	Economy, etc.: Resolution of December 2, 2016, 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 November 2016. (BOE-A-2016-12104)
	Economy, etc.: Resolution of 2 December 2016, issued by the General Directorate of Industry and Small and Medium-sized Enterprises, which publishes the list of UNE standards approved by the Spanish Association for Standardization and Certification during November 2016. (BOE-A-2016-12105)
	Economy, etc.: Resolution of 2 December 2016, of the General Directorate of Industry and Small and Medium-sized Enterprises, by which public projects are submitted to European and international standards that have been processed as draft UNE, corresponding to the month Of November 2016. (BOE-A-2016-12106)
23-12-16	Presidency: Order PRA / 1942/2016, of 22 December, amending Appendix C of Annex II of Royal Decree 1205/2011, of 26 August, on the safety of toys. (BOE-A-2016-12221)
26-12-16	Economy: Resolution of November 29, 2016, of the General Directorate of International Trade and Investments, which designates the Territorial and Provincial Directorates of Commerce empowered to issue the permits and certificates established in Regulation (EC) 338/97 of the Council of 9 December 1996 on the protection of species of wild fauna and flora by regulating trade therein and regulating the automated electronic processing of control documents. (BOE-A-2016-12342)
27-12-16	Economy: Resolution of December 15, 2016, of the Ministry of Commerce, which approves the official calendar of international trade fairs of 2017. (BOE-A-2016-12421)
28-12-16	Agriculture, etc.: Resolution of December 16, 2016, of the Directorate General of Productions and Agricultural Markets, which leaves without effect the one of 19 December 2011, of the General Directorate of Agricultural and Livestock Re-

Date*	Subject:
	sources, which approves the Guide of the optional labeling of lamb and goat's meat. (BOE-A-2016-12450)
Switzerland	
01-12-16	DFI Ordinance on tables stupeifiants, psychotropic substances, and chemical additives preicurseurs (Ordinance on tables stupeifiants, OTStup-DFI)(RS 812.121.11)
02-12-16	Order of OSAv establishing measures to prevent the introduction in Switzerland of avian influenza present in certain Member States of the European Union (R 916.443.102.1)
06-12-16	Ordinance on the Swiss indications of source for foodstuffs (OIPSD) (RS 232.112.1)
	Ordinance of RFLD on using Swiss indications of source for foodstuffs (OIPSD-RFLD) (RS 232.112.11)
	Ordinance on the Transport of Dangerous Goods by Road (SDR) (RS 741.621)
	Ordinance of the FOAG on fixing periods and deadlines as well as the authorization of parts quota of fresh vegetables, fresh fruit and fresh cut flowers (Ordinance authorizing imports on the OIELFP) (RS 916.121.100)
	Ordinance regulating the marketing of products produced by foreign technical regulations and market surveillance of these (Ordinance on the marketing of products produced by foreign regulations, OPPEtr) (RS 946.513.8)
08-12-16	Ordinance of OSAv establishing measures to prevent the introduction in Switzerland of avian influenza present in certain Member States of the European Union (RS 916.443.102.1)
13-12-16	Ordinance on the Swiss indications of origin for cosmetic products (RS 232.112.3)
	Ordinance on mutual execution of tasks by linking agents of the Federal Police Office on the one hand, by linking agents of the Federal Customs Administration of the other (RS 313.041)
16-12-16	Ordinance of the AVSO establishing measures to prevent the introduction of African swine fever present in certain Member States of the European Union (RS 916.443.107)
20-12-16	Ordinance on the protection of animals (OPAn) (RS 455.1)
	Ordinance on the Transport of Dangerous Goods by Rail and Cableway (RSD) (RS 742.412)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01)
	Ordinance of the FOAG on the ban on imports of certain vegetables originating in Ghana (RS 916.207.136.3)
	Order on Proof of Origin (ODPO) (RS 946.32)
28-12-16	Ordinance on the progressive introduction of the free movement of persons between the Swiss Confederation and the European Union and its Member States and between the Member States of the European Association of Free Trade (RS 142.203)
	Order of the FDF on goods benefiting from customs relief according to their use (RS 631.012)
	Ordinance on the Technical Requirements for Road Vehicles (OETV) (RS 741.41)
	Ordinance Concerning the Technical Requirements for Motor Vehicles and their Trailers (OETV 1) (RS 741.412)
	Ordinance concerning the technical requirements for tractors and their trailers (OETV 2) (RS 741.413)
	Ordinance concerning the recognition of EU approvals and the technical requirements for motorcycles, light motor quadricycles, motor quadricycles, motor tricycles and mopeds (OETV 3) (RS 741.414)
	Ordinance on the type-approval of road vehicles (ORT) (RS 741.511)
	Ordinance on the Importation of Agricultural Products (RS 916.01)
	Modifications to the Customs Convention of 14 November 1975 on the interna-

Date*	Subject:
	tional carriage of goods under cover of TIR carnets (RS 0.631.252.512)
United Kingdom	
01-12-16	SI 2016/1166 - The Terrorism Prevention and Investigation Measures Act 2011 (Continuation) Order 2016 SR 2016/415 - The Caseins and Caseinates Regulations (Northern Ireland) 2016
02-12-16	SI 2016/1165 - The Detergents (Amendment) Regulations 2016
06-12-16	SI 2016/1152 - The Non-automatic Weighing Instruments Regulations 2016
08-12-16	SI 2016/1199 - The Value Added Tax (Small Non-Commercial Consignments) Relief (Amendment) Order 2016 SI 2016/1153 - The Measuring Instruments Regulations 2016
15-12-16	SSI 2016/422 - The Caseins and Caseinates (Scotland) (No. 2) Regulations 2016
19-12-16	SI 2016/1242 - The Seed Marketing (Wales) (Amendment) Regulations 2016 / Rheoliadau Marchnata Hadau (Cymru) (Diwygio) 2016
22-12-16	SI 2016/1255 - The Plant Health (Fees) (England) (Amendment) Regulations 2016 SSI 2016/434 - The Seed (Miscellaneous Amendments) (Scotland) Regulations 2016

Restrictive measures established, amended, corrected

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

Date*	Restrictive Measure
Ireland (Eire)	
09-12-16	S.I. No. 584 of 2016 European Union (Restrictive Measures concerning Afghanistan) (No. 2) Regulations 2016
Liechtenstein	
01-12-16	LGBI № 2016.417 Regulation of 29 November 2016 on the amendment of the regulation on measures against certain persons from Egypt (LR № 946.223.7)
12-12-16	LGBI № 2016.433 Regulation of 6 December 2016 on the amendment of the Regulation on measures against the Democratic People's Republic of Korea (LR № 946.223.1)
16-12-16	LGBI № 2016.466 Regulation of 13 December 2016 on the amendment of the regulation on measures against persons and organizations with links to the group "Al-Qaida" (LR № 946.222.22)
23-12-16	LGBI № 2016.482 Regulation of 20 December 2016 on the amendment of the Regulation on measures against the Democratic Republic of the Congo (LR № 946.222.5)
	LGBI № 2016.483 Regulation of 20 December 2016 on the amendment to the Regulation on economic measures against the Republic of Iraq (LR 946.221.1)
	LGBI № 2016.484 Regulation of 20 December 2016 on the amendment of the Regulation on measures against the Democratic People's Republic of Korea (LR № 946.223.1)
Luxembourg	
14-12-16	Mem. A No. 253 -Ministerial Regulation of 13 December 2016 amending Annex IC of the Grand Ducal Regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the fight against terrorist financing.
Switzerland	
01-12-16	Amendment to the Ordinance of 18 May 2016 on Measures Against the Demo-

Date*	Restrictive Measure
	cratic People's Republic of Korea (RS 946.231.127.6) [Effective 30-11-16]
08-12-16	Amendment to the Ordinance of 8 June 2012 on measures against Syria [RS 946.231.172.7] [Effective 09-12-16]
13-12-16	Amendment to the Ordinance of 2 October 2000 instituting measures against persons and entities associated with Usama bin Laden, the group "Al Qaeda" or the Taliban (RS 946.203) [Effective 12-12-16]
19-12-16	Amendment to the Ordinance of 7 August 1990 imposing economic measures against the Republic of Iraq (RS 946.206) [Effective 16-12-16]
	Amendment to the Ordinance of 18 May 2016 on Measures Against the Democratic People's Republic of Korea (RS 946.231.127.6) [Effective 17-12-16]
20-16-16	Ordinance to block items of patrimonial value in the context of Egypt (O-Egypt) (RS 196.123.21)
	Ordinance to block items of patrimonial value in the context of Tunisia (O-Tunisia) (RS 196.127.58)
	Ordinance blocking assets in the context of Ukraine (O-Ukraine) (RS 196.127.68)
27-12-16	Amendment to the Ordinance on Measures against Individuals and Entities Associated with Usama bin Laden, the Group «Al-Qaïda» or the Taliban (RS 946.203) [Effective 23-12-16]
29-12-16	Amendment to the Ordinance of 7 August 1990 imposing economic measures against the Republic of Iraq (RS 946.206) [Effective 28-12-16]
United Kingdom	
13-12-16	SI 2016/1208 - The Democratic Republic of the Congo (Asset-Freezing) (Amendment) Regulations 2016
15-12-16	SI 2016/1214 - The Democratic People's Republic of Korea (European Union Financial Sanctions) (Amendment) (No. 3) Regulations 2016
16-12-16	SI 2016/1238 - The Terrorism Act 2000 (Proscribed Organisations) (Amendment) (No. 3) Order 2016
19-12-16	SI 2016/1218 - The ISIL (Da'esh) and Al-Qaida (Sanctions) (Overseas Territories) Order 2016

Non EU-EFTA European Countries

Ukraine

Ukraine extends import duties on Russian goods

[Resolution of the Cabinet of Ministers of Ukraine № 977 of 21 December 2016 "On Amendments to the Resolution of the Cabinet of Ministers of Ukraine № 1146 dated 30 December 2015"](#) extended the effect of economic sanctions on Russian goods. The Resolution extends until 31 December 2017 (inclusive) the application of import duty rates set by the *Customs Tariff of Ukraine* on the import of goods originating in the Russian Federation. Thus, Ukraine will disallow a duty free regime regarding goods originating from Russia.

Both Russia and Ukraine are member states to the *Free Trade Agreement between the Commonwealth of Independent States* (the "CIS FTA"). The CIS FTA, among other things, provides for non-application of import duties in mutual trade between the CIS FTA member states.

As of 1 January 2016, Russia unilaterally suspended the application of CIS FTA with regard to Ukraine. In response, the Government of Ukraine introduced import duties on goods originating from Russia until 31 December 2016.

The decision to extend the application of import duties to Russian goods for one more year, until 2017, is yet another countermeasure taken by the Ukrainian Government against a number of restrictions imposed by Russia in relation to trade with Ukraine.

What this means for your business?

Companies whose business involves import of goods from Russia to Ukraine should be ready to pay import duties until the end of 2017. There is currently no information as to when a free trade regime between the two countries might be resumed.

For additional information, please contact [Ihor Olekhov](#), Partner or [Hanna Shtepa](#), Senior Associate, of our Kyiv office. For future developments, visit our [Sanctions and Export Control Update blog](#).

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
07-12-16	On changes to the exemption from value added tax transactions for the supply and import into Ukraine of goods and services provided for their own needs of diplomatic missions, consular offices of foreign states and international organizations in Ukraine, as well as for persons of diplomatic staff of diplomatic missions and their family members residing with them Resolution of the Cabinet of Ministers of Ukraine on December 7, 2016 № 919
	On approval of the Agreement between the Government of Ukraine and the Government of the United States on mutual assistance between their customs administrations - Resolution of the Cabinet of Ministers of Ukraine on December 7, 2016 № 914
	On approval of the action plan on creation of the Ministry of Defence departmental subsystems integrated interagency information-telecommunication system for the control of persons, vehicles and cargo crossing the state border for the period until 2017 - Order of the Cabinet of Ministers of Ukraine; Plan, Events on December 7, 2016 № 933-p
08-12-16	On amendments to some laws of Ukraine to restrict access to the Ukrainian market of foreign printed materials anti-Ukrainian content - Law of Ukraine on December 8, 2016 № 1780-VIII
	On the adoption of the draft law of Ukraine on amendments to the Customs Code of Ukraine - Resolution of the Verkhovna Rada of Ukraine on December 8, 2016 № 1782-VIII
14-12-16	On the signing of the financing of the joint operational program cross-border cooperation "Ukraine - Poland - Belarus 2014-2020" - Order of the Cabinet of Ministers of Ukraine on December 14, 2016 № 1004-p
	On the signing of the financing of the joint operational program cross-border cooperation "Ukraine - Hungary - Slovakia - Romania 2014-2020" - Order of the Cabinet of Ministers of Ukraine on December 14, 2016 № 1005-p
	On the signing of the financing of the joint operational program cross-border cooperation "Ukraine - Romania 2014-2020 years" - Order of the Cabinet of Ministers of Ukraine on December 14, 2016 № 1006-p
	On the signing of the financing of the joint operational program of cross-border co-operation "Black Sea 2014-2020" - Order of the Cabinet of Ministers of Ukraine on December 14, 2016 № 1007-p
16-12-16	On approval of the new composition of the Interdepartmental Commission on International Trade - Order of the Cabinet of Ministers of Ukraine on December 16, 2016 № 976-p
20-12-16	On providing large-scale expansion of exports of goods (works, services) of Ukrainian origin by insurance, guarantee and export credit reduction Law of Ukraine on December 20, 2016 № 1792-VIII
21-12-16	Resolution of the Cabinet of Ministers of Ukraine № 977 of 21 December 2016

Date	Subject
	"On Amendments to the Resolution of the Cabinet of Ministers of Ukraine № 1146 dated 30 December 2015"

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

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

Publication Date	Title
Board (Коллегии) of the Eurasian Economic Commission Решения	
01-12-16	№ 159 (29-11-16) On Amendments to the Customs Union Commission Decision of 20 September 2010 № 378
09-12-16	№ 160 (06-12-16) the transitional provisions of the technical regulations of the Eurasian Economic Union, 'Requirements for liquefied petroleum gas for use as fuel'(TP EAEC 036/2016)
	№ 161 (06-12-16) On Approval of the Procedure for the mutual provision of information in the area of traceability, the information contained in the collections of states - members of the Eurasian Economic Union
	№ 162 (06-12-16) On Amendments to the Procedure for laboratory support quarantine phytosanitary measures
15-12-16	№ 163 (06-12-16) 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, management and use of a common register of residents (members) of free (special) economic zones"
	№ 164 (13-12-16) On Amendments to the Customs Union Commission Decision of 9 December 2011 № 877
20-12-16	№ 165 (19-12-16) On amendments to some decisions of the Board of the Eurasian Economic Commission
22-12-16	№ 166 (19-12-16) 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 "Ensuring the exchange of information related to the payment of import duties, as well as the formation, maintenance and use of the database containing such information"
	№ 167 (19-12-16) On granting the Eurasian Economic Commission official statistical information by the authorized bodies of the states - members of the Eurasian Economic Union
	№ 168 (19-12-16) On the Procedure of coordination interval quantitative values of external projections parameters used for the preparation of official forecasts of socio-economic development of the states - members of the Eurasian Economic Union
23-12-16	№ 169 (19-12-16) On approval of the implementation of common processes within the Eurasian Economic Union
29-12-16	№ 170 (27-12-16) On Amending the Regulation on the Pharmacopoeia Committee of the Eurasian Economic Union
	№ 171 (27-12-16) On Amendments to the decision of the Board of the Eurasian Economic Commission dated 2 October, 2012 № 181
	№ 172 (27-12-16) On Amendments to the decision of the Board of the Eurasian Economic Commission dated November 1, 2016 № 134
	№ 173 (27-12-16) On the classification musoropressovochnogo compactor according to the uniform Commodity nomenclature of foreign economic activity of the Eurasian Economic Union
Board Распоряжение	
01-12-16	№ 191 (29-11-16) Draft decision of the Council of the Eurasian Economic

Publication Date	Title
	<p>Commission "On the draft decision of the Supreme Eurasian Economic Council" On introduction of changes in the rules of procedure of the Eurasian Economic Commission"</p> <p>№ 192 (29-11-16) Draft Agreement on the exchange of information procedure, containing information classified as state secret (state secrets), between the states - members of the Eurasian Economic Union and the Eurasian Economic Commission</p> <p>№ 193 (29-11-16) Draft decision of the Council of the Eurasian Economic Commission "On the draft decision of the Supreme Eurasian Economic Council" On ensuring the Eurasian Economic Commission for the protection of information containing information classified as state secret (state secrets)"</p>
09-12-16	<p>№ 194 (06-12-16) On the program of the statistical work of the Eurasian Economic Commission for 2017</p> <p>№ 195 (06-12-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the methodology for assessing the state of competition"</p> <p>№ 196 (06-12-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the List of regulated products (regulated goods, regulated articles regulated goods) subject to quarantine phytosanitary control (supervision) at the customs border of the Eurasian Economic Union and the customs territory of the Eurasian Economic Union"</p> <p>№ 197 (06-12-16) On Amendments to the Advisory Committee for technical regulation, application of sanitary, veterinary and phytosanitary measures</p> <p>№ 198 (06-12-16) Draft Program of Cooperation between the Eurasian Economic Commission and the European and Mediterranean Organization for Plant Protection in the 2016 - 2020 years</p> <p>№ 199 (06-12-16) Draft Memorandum of Understanding between the Eurasian Economic Commission and the International Association "Coordinating Council on Transsiberian Transportation"</p> <p>№ 200 (06-12-16) On Amendments to the Electricity Advisory Committee</p>
13-12-16	<p>№ 201 (06-12-16) Draft decision of the Council of the Eurasian Economic Commission "About the order of the Eurasian Intergovernmental Council" On the economy, have potential integration into the Eurasian Economic Union, and the Means of its use "</p>
15-12-16	<p>№ 202 (13-12-16) Draft decision of the Council of the Eurasian Economic Commission "On approval of the submission to the State - members of the Eurasian Economic Union, the Eurasian Economic Commission for information about products originating in the Socialist Republic of Vietnam and imported into the customs territory of the Eurasian Economic Union under the Free Trade Agreement between the Eurasian Economic Union and its Member States, on the one hand, and the Socialist Republic of Vietnam, on the other hand, of 29 May 2015 "</p> <p>№ 203 (13-12-16) On Amendments to the composition of the Advisory Committee for Oil and Gas</p> <p>№ 204 (13-12-16) On Amendments to the Advisory Committee on Intellectual Property</p> <p>№ 205 (13-12-16) On the projects of acts of the Council of the Eurasian Economic Commission on matters relating to the consideration of cooperative projects that have potential for integration, for the financing of the Eurasian Development Bank</p> <p>№ 206 (13-12-16) On amendments to some decisions of the Commission of the Customs Union and the Eurasian Economic Commission</p>
20-12-16	<p>№ 207 (13-12-16) Draft decision of the Council of the Eurasian Economic Commission "On the list of products originating in developing countries and the least developed countries in respect of which the importation into the customs territory of the Eurasian Economic Union tariff preferences"</p> <p>№ 208 (13-12-16) Draft decision of the Council of the Eurasian Economic Commission "On the Concept of creation of the Eurasian network of industrial cooperation and subcontracting</p> <p>№ 209 (19-12-16) Draft decision of the Council of the Eurasian Economic Commission "About the order of the Eurasian Intergovernmental Council" On</p>

Publication Date	Title
	issues related to the implementation of the Treaty on pensions of workers states - members of the Eurasian Economic Union "
	№ 210 (19-12-16) About the Council Regulation of the Eurasian Economic Commission "Draft Treaty on pensions of workers states - members of the Eurasian Economic Union"
Please check next month's Update for orders published after 20-12-16	
Board Recommendations	
01-12-16	№ 23 (29-11-16) About the Notes to the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union
15-12-16	№ 25 (13-12-16) On the coordination of joint research and innovation activities of states - members of the Eurasian Economic Union in the field of agro-industrial complex
	№ 26 (13-12-16) On measures to support light industry producers in order to move goods to the markets of third countries
	№ 27 (13-12-16) About the implementation of joint cooperation and (or) investment projects in the sphere of light industry states - members of the Eurasian Economic Union
	№ 28 (13-12-16) On the implementation of joint projects for the development and application of states - members of the Eurasian Economic Union of new technologies in the light industry
	№ 29 (13-12-16) On the mechanism of support of business entities engaged in the production and sale of products of light industry, produced in the states - members of the Eurasian Economic Union
20-12-16	№ 30 (13-12-16) On the concerted actions of states - members of the Eurasian Economic Union in the field of development of export potential of agricultural products and foodstuffs
Please check next month's Update for recommendations published after 20-12-16	

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 December 2016. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

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 Dec. 2016. It may be searched by tariff code, description (in Russian) or note number.

Legislation (acts, resolutions, orders, etc.)

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

Date of Publication	Subject
06-12-16	Russian Federation Government Resolution dated 3.12.2016 № 1294 "On Amendments to the Rules of the destruction of agricultural products, raw materials and food included in the list of agricultural products, raw materials and food, originating in the United States, European Union, Canada, Australia, Kingdom of Norway, Ukraine, the Republic of Albania, Montenegro, the Republic of Iceland and Liechtenstein and that on December 31, 2017 are prohibited for importation into the Russian Federation."
08-12-16	Russian Federation Government Resolution dated 30.11.2016 № 1268 "On Amendments to the list of certain types of medical devices originating from foreign countries in respect of which are set tolerance limits for the purposes of procurement for state and municipal needs"
09-12-16	Russian Federation Government Resolution dated 06.12..2016 № 1322 , "On the distribution of volumes of tariff quotas for cattle meat, pork and poultry meat in 2017"
	Russian Federation Government Resolution dated 08.12.2016 № 1323 , "On the distribution of the volume of the tariff quota in respect of whey in 2017"
	Russian Federation Government Resolution dated 08.12.2016 № 1324 , "On the distribution of volumes of tariff quotas for certain types of long-grain rice, originating in the Socialist Republic of Vietnam in 2017."

Africa

South Africa

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

Publication Date	Publication Details	Subject	Implementation Date
02-12-16	GG.40460 R.1478	Amendment of Part 2 of Schedule No. 4 by the insertion of rebate item 460.15/7210.61/01.06 and 460.15/7210.70/01.06 to create a rebate provision for the importation of flat-rolled steel products of iron or non-alloy steel – ITAC Report No. 532 <ul style="list-style-type: none"> Notice R.1478 	02-12-16
	GG.40460 R.1466	Amendment of Part 1 of Schedule No. 1, by the substitution of tariff subheading 3922.10 to increase the general rate of customs duty on acrylic sanitary ware from 20% to 30% – ITAC Report No. 525 <ul style="list-style-type: none"> Notice R.1466 	
09-12-16	GG.40481 R.1537	Amendment of Part 1 of Schedule No. 1 by the insertion of tariff subheading 3005.10.10 and 3005.10.90 to increase the general rate of customs duty on adhesive bandages from free of duty to 10% – ITAC Report No. 521 <ul style="list-style-type: none"> Notice R.1537 	09-12-16
	GG.40481 R.1536	Amendment of Part 1 of Schedule No. 1 by the insertion and substitution of various tariff subheadings in Chapter 15 to insert new provisions for vegetable oils marketed and supplied for use in the process of cooking food <ul style="list-style-type: none"> Notice R.1536 	
15-12-16	GG.40499 R.1568	Schedule No. 2 – Imposition of a provisional payment in relation to safeguard measures on frozen bone-in portions of fowls of the species	15-12-16

Publication Date	Publication Details	Subject	Implementation Date
		Gallus Domesticus, classifiable in tariff subheading 0207.14.9, originating in or imported from the European Union <ul style="list-style-type: none"> Notice R.1568 	

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

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

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.); FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; USCG= US Coast Guard; USPIIS=Postal Inspection Service; USDA= US Department of Agriculture; ; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs.]

Date of Release	Subject
12-01-16	ICE returns ancient artifacts to Egypt (CBP, ICE)
12-02-16	Swissmedic - Medicinal product smuggling in coaches: large quantities of potency preparations confiscated (Swiss Customs)
12-06-16	2 men from California and Pennsylvania sentenced in Houston for trafficking counterfeit prescription drugs (DOJ, ICE, FDA)
12-07-16	ICE to return cultural artifacts to Italy (ICE, Italian Carabinieri, State Dep't) ICE returns 23 pre-Columbian artifacts to Dominican Republic (CBP, ICE)
12-08-16	US Air Force member charged with selling military night vision equipment (ICE, DoD, DOJ)
12-09-16	Gabonese National Pleads Guilty to Foreign Bribery Scheme (DOJ, FBI, IRS, SEC)
	ICE and CBP return cultural artifacts to Italy (CBP, ICE)
12-13-16	Former Guinean Minister of Mines Charged with Receiving and Laundering \$8.5 Million in Bribes from Chinese Companies (DOJ, FBI) Orange County man charged with selling pet meds without a prescription, some of which were not approved for distribution in the US (ICE, FDA, EPA)
12-14-16	Iranian National Sentenced to Prison for Conspiring to Illegally Export Products From the U.S. To Iran (DOJ, ICE, BIS)
12-15-16	Singapore Man Pleads Guilty to Plot Involving Illegal Exports of Radio Frequency Modules From the U.S. To Iran (DOJ, ICE, FBI, BIS) Alaska Man Charged With Conspiring to Provide Unlawful Services to Iran and International Money Laundering Conspiracy (DOJ, IRS, FBI) New Zealander convicted of trying to smuggle sensitive technology to China
12-19-16	Chinese National Admits to Stealing Sensitive Military Program Documents From United Technologies (FBI, ICE, DoD, CBP, DOJ)
12-21-16	Petrochemical Manufacturer Braskem S.A. to Pay \$957 Million to Settle FCPA

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

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

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

A note on spelling, grammar and dates--

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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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Date of Release	Subject
	Charges (SEC, DOJ, FBI, Brazilian and Swiss authorities) [This is related to Odebrecht SA's \$3.5 Billion settlement]
	Odebrecht and Braskem Plead Guilty and Agree to Pay at Least \$3.5 Billion in Global Penalties to Resolve Largest Foreign Bribery Case in History (DOJ, FBI, Brazilian and Swiss authorities)
12-22-16	Teva Pharmaceutical Paying \$519 Million to Settle FCPA Charges (SEC, DOJ, FBI, Bri. V.I. authorities)

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:

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

Publications, Alerts, Newsletters

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

Subject
International Trade, Tax and Anti-corruption
Global: International Trade Compliance Update December 2016 {older issues}
Brexit – Where are we now? (6 December 2016)
Vietnam Information Technology & Communications Client Alert: Ministry of Information and Communications Draft Circular: Various 8471/8517 Products Require Import Permit, No Bulk Permit Likely Available
North America Litigation and Government Enforcement Client Alert: DOJ's New Guidance Urges Exporters to Self-Disclose Potential Export and Sanctions Violations
Buenos Aires Tax Alert: Argentina and United States Signed a treaty for the Exchange of Tax Information (Eng.); Argentina y Estados Unidos Firmaron Un Convenio Para el Intercambio de Información Tributaria (Span.)
Kyiv International Commercial and Trade Client Alert: Ukraine Retaliates by Imposing Import Duties on Russian Goods (Eng.); Україна відповіла накладенням імпорتنих мит на російські товари (Ukr.); Украина ответила введением импортных пошлин на товары из России (Russ.)
Other areas
Global Compliance News: Breaking Up With Ashley Madison: Limits on Retaining Information About Past Users
Global IP Practice Group - December 2016 IP Dispatch
Australia Client Alert: Water Register of Foreign Ownership of Agricultural Land Amendment (Water) Bill 2016
(Canada) Legal Alert: New Public Signage Laws Take Effect in Quebec
Argentina Labor Alert: Enactment of Bills That Amend the Argentine Employment Contract Law (Eng.); Alerta Laboral: Promulgación de Leyes Modificadoras de la Ley de Contrato de Trabajo (Span.)
Argentina Client Alert: International E-Commerce Transactions' Payment Flexibility (Eng.); Flexibilizan el Pago de Transacciones de Comercio Electrónico Internacional (Span.)
Kyiv Employment and Migration Client Alert: Changes to Remuneration Systems and In-

Subject
Increased Punishment for Violations of Labor Legislation (Eng.); Зміни систем оплати праці та посилення відповідальності за порушення законодавства про працю (Ukr.); Изменения систем оплаты труда и усиление ответственности за нарушения трудового законодательства (Russ.)
Mexico Labor Legal Alert 85: Increase to the Minimum Wage for 2017 (Eng.); Aumento al Salario Mínimo para el 2017 (Span.);
Unified Patent Court: UK Government to Continue Preparations to Ratify Unified Patent Court Agreement
UK Pensions Update November 2016
Vietnam Monthly Labor and Employment Law Update – December 2016

Webinars, Meetings, Seminars, Etc.

2017 Global Trade and Supply Chain Webinar Series

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

We are very pleased to announce our 14th annual, **Global Trade and Supply Chain Webinar Series** entitled, “2017: Beginning of a New Era in Global Trade and Business?”. The series will include the latest international trade developments including the impact of the Trump presidency on trade policy and of Brexit. In addition to our usual topics of Customs, export controls/sanctions and FCPA/anti-bribery, we will also cover data privacy and intellectual property in the supply chain.

This year, we are very excited to expand our usual program to launch our **Customs Academy**, which will feature 6 “Customs 101” webinars (highlighted 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.

Upcoming Webinar Dates and Topics:

January 31	Major Customs Developments in North America and Asia
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Speakers: Stu Seidel (Washington, DC), Brian Cacic (Toronto), Eugene Lim (Singapore), and Adriana Ibarra-Fernandez (Mexico City)

Webinar Start Time:

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

Duration:

90 Minutes

Login Details:

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

Focus Group Head:

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

These webinars area all complimentary.

REGISTER NOW

Questions:

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

Sal Gonzalez

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

MCLE Credit:

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

February 28	Customs Basic: How to Classify Your Products
Speakers: Jess Mutton (London), Jose Hoyos-Robles (Mexico City), and Eunkyung Shin (Chicago)	
March 28	New Era of Protectionism? – Trump Presidency and Brexit Developments
Speakers: Terrie Gleason and Stu Seidel (Washington DC), 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
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

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

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

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

Interested in learning more?



Brazil

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

2016 International Trade Compliance Webinar Series

Our 13th annual, International Trade Compliance Webinar Series entitled, "[TPP and New Developments in Global Trade](#)" had several sessions covering the Trans-Pacific Partnership (TPP), as well as sessions covering key developments in customs, export and FCPA.

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. All webinars run approximately 90 minutes. 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	FCPA Considerations Arising in Import/Export Operations Speakers: John McKenzie (San Francisco), Joan Meyer (Washington, DC) and Mini vandePol (Hong Kong).
Presented July 26	Update on Customs Valuation Issues Around the World – Transfer Pricing, First Sale, Royalties Speakers: Paul Burns (Toronto), Nicole Looks (Frankfurt), Jennifer Revis (London), and Eugene Lim (Singapore).

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

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

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



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

WTO TBT Notifications


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

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Albania	ALB/83	12/02/2016	02/01/2017	Olive oil and olive pomace oil
 Argentina	ARG/309	12/07/2016	01/05/2017	Textile products and footwear
 Argentina	ARG/310	12/16/2016	Not given	Electric water heaters
 Argentina	ARG/311	12/16/2016	Not given	Household microwave ovens
 Botswana	BWA/44	12/13/2016	02/12/2017	Vacuum cleaners and water-suction cleaning appliances
 Botswana	BWA/45	12/16/2016	02/15/2017	Washing machines
 Botswana	BWA/46	12/16/2016	02/15/2017	Electric iron
 Botswana	BWA/47	12/16/2016	02/15/2017	Wiring cable
 Botswana	BWA/48	12/16/2016	02/15/2017	Fans
 Botswana	BWA/49	12/16/2016	02/15/2017	Microwave ovens
 Botswana	BWA/50	12/16/2016	02/15/2017	Instantaneous water heaters (HS 8516)
 Botswana	BWA/52	12/19/2016	02/18/2017	Wiring cable
 Botswana	BWA/53	12/19/2016	02/18/2017	Deep fat fryers, frying pans and similar appliances
 Botswana	BWA/54	12/20/2016	02/18/2017	Grills, toasters and similar portable cooking appliances
 Botswana	BWA/51	12/19/2016	02/18/2017	Cables
 Botswana	BWA/55	12/21/2016	02/20/2017	Cooking ranges, working tables, ovens and similar appliances
 Brazil	BRA/527/Add.2	11/30/2016	Not given	A public-key infrastructure (PKI)
 Brazil	BRA/605/Add.2	11/30/2016	Not given	Equipment under a health surveillance
 Brazil	BRA/625/Add.2	12/15/2016	Not given	Personal hygiene products, cosmetics and perfumes
 Brazil	BRA/625/Add.3	12/15/2016	Not given	Personal hygiene products, cosmetics and perfumes

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/701	12/21/2016	02/15/2017	Fish, frozen, excluding fish fillets and other fish meat of heading 03.04 (HS: 0303), Fish fillets and other fish meat (whether or not minced), fresh, chilled or frozen. (HS: 0304)
 Canada	CAN/485/Add.1	12/08/2016	Not given	Motor vehicles
 Canada	CAN/486/Add.1	12/08/2016	Not given	Motor vehicles
 Canada	CAN/505	12/08/2016	02/15/2017	Live animals
 Canada	CAN/506	12/12/2016	02/28/2017	Food intended for human consumption
 Canada	CAN/497/Add.1	12/16/2016	Not given	Propionyl chloride; 1-Phenethyl-4-piperidone and its salts; 4-Piperidone and its salts; Norfentanyl (N-phenyl-N-piperidin-4-ylpropanamide) and its salts; 1-Phenethylpiperidin-4-ylidenephénylamine and its salts; N-Phenyl-4-piperidinamine and its salts. Inorganic chemicals
 Canada	CAN/507	12/21/2016	02/08/2017	Ozone-depleting substances (ODSs) and hydrofluorocarbons (HFCs)
 Canada	CAN/508	12/22/2016	6/8/2017	Radiocommunications
 Canada	CAN/509	12/22/2016	Not given	Toys (products intended for use by a child under 14 years of age in learning or play) HS codes: 9501, 9502, 9503
 Chile	CHL/379	11/25/2016	01/24/2017	Food for human consumption
 Chile	CHL/380	11/25/2016	01/24/2017	Buses for the public and private transport of passengers.
 Chile	CHL/381	11/25/2016	12/24/2016	Cell phone chargers (switch mode units)
 Chile	CHL/383	11/25/2016	12/24/2016	Water heaters
 Chile	CHL/378	11/25/2016	01/24/2017	Food for human consumption
 Chile	CHL/309/Add.2	12/08/2016	Not given	Vacuum cleaners
 Chile	CHL/322/Add.1	12/15/2016	Not given	Portable general purpose luminaires
 China	CHN/1183	11/28/2016	01/27/2017	Medical devices: Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability. (HS: 9021), Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like. (HS: 9022), Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses. (HS: 9023), Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics). (HS: 9024), Hydrometers and similar floating instruments, thermometers, pyrometers,


Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments. (HS: 9025), Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32. (HS: 9026), Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes. (HS: 9027), Gas, liquid or electricity supply or production meters, including calibrating meters therefor. (HS: 9028), Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 90.14 or 90.15; stroboscopes. (HS: 9029), Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations. (HS: 9030), Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors. (HS: 9031), Automatic regulating or controlling instruments and apparatus. (HS: 9032), Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90. (HS: 9033).</p>
 China	CHN/1184	11/28/2016	01/27/2017	<p>Medical devices: Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 85.44; sheets and plates of polarising material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked (HS: 9001), Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked (HS: 9002), Frames and mountings for spectacles, goggles or the like, and parts thereof (HS: 9003), Spectacles, goggles and the like, corrective, protective or other (HS: 9004), Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio- Astronomy (HS: 9005), Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of head-</p>

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>ing 85.39 (HS: 9006), Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus (HS: 9007), Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers. (HS: 9008), Photocopying apparatus incorporating an optical system or of the contact type and thermocopying apparatus (HS: 9009), Apparatus and equipment for photographic (including cinematographic) laboratories (including apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials), not specified or included elsewhere in this Chapter; negatoscopes; projection screens (HS: 9010), Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection (HS: 9011), Microscopes other than optical microscopes; diffraction apparatus (HS: 9012), Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this Chapter (HS: 9013), Direction finding compasses; other navigational instruments and appliances (HS: 9014), Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders (HS: 9015), Balances of a sensitivity of 5 cg or better, with or without weights (HS: 9016), Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter (HS: 9017), Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments (HS: 9018), Mechanotherapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus (HS: 9019), Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters (HS: 9020), Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability (HS: 9021), Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental</p>





















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like (HS: 9022), Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses (HS: 9023), Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics) (HS: 9024), Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments (HS: 9025), Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32 (HS: 9026), Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes (HS: 9027), Gas, liquid or electricity supply or production meters, including calibrating meters therefor (HS: 9028), Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 90.14 or 90.15; stroboscopes (HS: 9029), Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations (HS: 9030), Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors. (HS: 9031), Automatic regulating or controlling instruments and apparatus (HS: 9032), Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90 (HS: 9033)</p>
 China	CHN/1185	11/30/2016	01/27/2017	<p>Medical devices: Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 85.44; sheets and plates of polarising material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked (HS: 9001), Lenses, prisms, mirrors and other optical ele-</p>













Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>ments, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked (HS: 9002), Frames and mountings for spectacles, goggles or the like, and parts thereof (HS: 9003), Spectacles, goggles and the like, corrective, protective or other (HS: 9004), Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio- Astronomy (HS: 9005), Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 85.39 (HS: 9006), Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus (HS: 9007), Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers (HS: 9008), Photocopying apparatus incorporating an optical system or of the contact type and thermocopying apparatus (HS: 9009), Apparatus and equipment for photographic (including cinematographic) laboratories (including apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials), not specified or included elsewhere in this Chapter; negatoscopes; projection screens (HS: 9010), Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection (HS: 9011), Microscopes other than optical microscopes; diffraction apparatus (HS: 9012), Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this Chapter (HS: 9013), Direction finding compasses; other navigational instruments and appliances (HS: 9014), Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders (HS: 9015), Balances of a sensitivity of 5 cg or better, with or without weights (HS: 9016), Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter (HS: 9017), Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments (HS: 9018), Mechanotherapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone</p>




















Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus (HS: 9019), Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters (HS: 9020), Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability (HS: 9021), Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like (HS: 9022), Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses (HS: 9023), Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics) (HS: 9024), Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments (HS: 9025), Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32 (HS: 9026), Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes (HS: 9027), Gas, liquid or electricity supply or production meters, including calibrating meters therefor (HS: 9028), Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 90.14 or 90.15; stroboscopes (HS: 9029), Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations (HS: 9030), Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter;</p>







Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				profile projectors (HS: 9031), Automatic regulating or controlling instruments and apparatus (HS: 9032), Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90 (HS: 9033)
 China	CHN/1186	11/30/2016	01/27/2017	<p>Medical devices: Optical fibres and optical fibre bundles; optical fibre cables other than those of heading 85.44; sheets and plates of polarising material; lenses (including contact lenses), prisms, mirrors and other optical elements, of any material, unmounted, other than such elements of glass not optically worked (HS: 9001), Lenses, prisms, mirrors and other optical elements, of any material, mounted, being parts of or fittings for instruments or apparatus, other than such elements of glass not optically worked (HS: 9002), Frames and mountings for spectacles, goggles or the like, and parts thereof (HS: 9003), Spectacles, goggles and the like, corrective, protective or other (HS: 9004), Binoculars, monoculars, other optical telescopes, and mountings therefor; other astronomical instruments and mountings therefor, but not including instruments for radio- Astronomy (HS: 9005), Photographic (other than cinematographic) cameras; photographic flashlight apparatus and flashbulbs other than discharge lamps of heading 85.39 (HS: 9006), Cinematographic cameras and projectors, whether or not incorporating sound recording or reproducing apparatus (HS: 9007), Image projectors, other than cinematographic; photographic (other than cinematographic) enlargers and reducers (HS: 9008), Photocopying apparatus incorporating an optical system or of the contact type and thermocopying apparatus (HS: 9009), Apparatus and equipment for photographic (including cinematographic) laboratories (including apparatus for the projection or drawing of circuit patterns on sensitized semiconductor materials), not specified or included elsewhere in this Chapter; negatoscopes; projection screens (HS: 9010), Compound optical microscopes, including those for photomicrography, cinephotomicrography or microprojection (HS: 9011), Microscopes other than optical microscopes; diffraction apparatus (HS: 9012), Liquid crystal devices not constituting articles provided for more specifically in other headings; lasers, other than laser diodes; other optical appliances and instruments, not specified or included elsewhere in this Chapter (HS: 9013), Direction finding compasses; other navigational instruments and appliances (HS: 9014), Surveying (including photogrammetrical surveying), hydrographic, oceanographic, hydrological, meteorological or geophysical instruments and appliances, excluding compasses; rangefinders (HS: 9015), Balances of a sensitivity of 5 cg or better, with or without weights (HS:</p>

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				<p>9016), Drawing, marking-out or mathematical calculating instruments (for example, drafting machines, pantographs, protractors, drawing sets, slide rules, disc calculators); instruments for measuring length, for use in the hand (for example, measuring rods and tapes, micrometers, callipers), not specified or included elsewhere in this Chapter (HS: 9017), Instruments and appliances used in medical, surgical, dental or veterinary sciences, including scintigraphic apparatus, other electro-medical apparatus and sight-testing instruments (HS: 9018), Mechanotherapy appliances; massage apparatus; psychological aptitude-testing apparatus; ozone therapy, oxygen therapy, aerosol therapy, artificial respiration or other therapeutic respiration apparatus (HS: 9019), Other breathing appliances and gas masks, excluding protective masks having neither mechanical parts nor replaceable filters (HS: 9020), Orthopaedic appliances, including crutches, surgical belts and trusses; splints and other fracture appliances; artificial parts of the body; hearing aids and other appliances which are worn or carried, or implanted in the body, to compensate for a defect or disability (HS: 9021), Apparatus based on the use of X-rays or of alpha, beta or gamma radiations, whether or not for medical, surgical, dental or veterinary uses, including radiography or radiotherapy apparatus, X-ray tubes and other X-ray generators, high tension generators, control panels and desks, screens, examination or treatment tables, chairs and the like (HS: 9022), Instruments, apparatus and models, designed for demonstrational purposes (for example, in education or exhibitions), unsuitable for other uses (HS: 9023), Machines and appliances for testing the hardness, strength, compressibility, elasticity or other mechanical properties of materials (for example, metals, wood, textiles, paper, plastics) (HS: 9024), Hydrometers and similar floating instruments, thermometers, pyrometers, barometers, hygrometers and psychrometers, recording or not, and any combination of these instruments (HS: 9025), Instruments and apparatus for measuring or checking the flow, level, pressure or other variables of liquids or gases (for example, flowmeters, level gauges, manometers, heat meters), excluding instruments and apparatus of heading 90.14, 90.15, 90.28 or 90.32 (HS: 9026), Instruments and apparatus for physical or chemical analysis (for example, polarimeters, refractometers, spectrometers, gas or smoke analysis apparatus); instruments and apparatus for measuring or checking viscosity, porosity, expansion, surface tension or the like; instruments and apparatus for measuring or checking quantities of heat, sound or light (including exposure meters); microtomes (HS: 9027), Gas, liquid or electricity supply or produc-</p>

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				tion meters, including calibrating meters therefor (HS: 9028), Revolution counters, production counters, taximeters, mileometers, pedometers and the like; speed indicators and tachometers, other than those of heading 90.14 or 90.15; stroboscopes (HS: 9029), Oscilloscopes, spectrum analysers and other instruments and apparatus for measuring or checking electrical quantities, excluding meters of heading 90.28; instruments and apparatus for measuring or detecting alpha, beta, gamma, X-ray, cosmic or other ionising radiations (HS: 9030), Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this Chapter; profile projectors (HS: 9031), Automatic regulating or controlling instruments and apparatus (HS: 9032), Parts and accessories (not specified or included elsewhere in this Chapter) for machines, appliances, instruments or apparatus of Chapter 90 (HS: 9033)
 China	CHN/1024/Rev.1	11/30/2016	Not given	Medical devices
 China	CHN/1187	12/05/2016	02/04/2017	Passenger cars; New energy vehicles (HS 8703)
 China	CHN/1188	12/05/2016	12/25/2016	New energy vehicles (HS 8703)
 Colombia	COL/209/Add.1	11/29/2016	Not given	Measuring instruments
 Colombia	COL/210/Add.1	11/29/2016	Not given	Measuring instruments
 Colombia	COL/217/Add.1	11/29/2016	Not given	Non-automatic weighing instruments (weighing scales) (90.16.00.11, 84.23.81.00.00, 84.23.82.90.00, 84.23.82.10.00, 84.23.89.10.00 and 90.16.00.12.00)
 Colombia	COL/218/Add.1	11/29/2016	Not given	Liquid fuel pumps, dispensers and/or meters (84.13.11.00.00)
 Costa Rica	CRI/163	11/30/2016	01/29/2017	Chemicals
 Ecuador	ECU/32/Add.12	11/29/2016	Not given	Motor vehicles (HS 9900)
 Ecuador	ECU/162/Add.3	12/01/2016	Not given	Hand-held electric saws (HS 8467.22.00, 8467.29.00)
 Ecuador	ECU/68/Add.5	12/02/2016	Not given	Packaged water
 Estonia	EST/11	12/14/2016	03/13/2017	Tobacco products
 European Union	EU/426	11/28/2016	01/27/2017	Cosmetics
 European Union	EU/427	12/02/2016	02/01/2017	Food
 European Union	EU/428	12/06/2016	02/05/2017	Medical devices
 European Union	EU/429	12/07/2016	02/06/2017	Construction products
 European Union	EU/430	12/13/2016	02/12/2017	Construction products
 European Union	EU/431	12/15/2016	02/14/2017	Fluroxypyr (pesticide active substance)
 European Union	EU/432	12/16/2016	03/16/2017	Spirit drinks
 European Union	EU/433	12/21/2016	02/20/2017	Electronic displays

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 European Union	EU/434	12/22/2016	02/21/2017	Tall oil crude (pesticide active substance)
 European Union	EU/435	12/22/2016	02/21/2017	Recently classified carcinogenic, mutagenic and reproductive toxicants (CMR) category 1A and 1B as substances on their own or in mixtures that are placed on the market or used for supply to the general public.
 France	FRA/169	11/30/2016	01/29/2017	Cotton buds for domestic use that have a plastic stem, other than the devices for medical use defined in Articles L.5211-1 and L.5221-1 of the Public Health Code.
 Israel	ISR/937	12/07/2016	02/06/2017	All products subject to mandatory standards
 Israel	ISR/938	12/15/2016	02/14/2017	Hose reel
 Israel	ISR/939	12/21/2016	02/20/2017	Electric cables, cords and insulated conductors HS 854420, 854430, 85444, 854451, 854460
 Israel	ISR/940	12/21/2016	02/20/2017	Electric cables, cords and insulated conductors HS: 854420, 854430, 85444, 854451, 854460
 Japan	JPN/539	12/20/2016	02/19/2017	Textile goods
 Japan	JPN/540	12/20/2016	02/19/2017	Plastic goods
 Japan	JPN/541	12/20/2016	02/19/2017	Microwave ovens (limited to those with a rated high frequency wave output of less than 1 kilowatt); Electric roasters; Electric refrigerators (limited to those that do not use a thermoelectric element); Electric washing machines (limited to those with a tub)
 Japan	JPN/542	12/20/2016	02/19/2017	Tissue paper and toilet paper; Shoji paper; Shopping carts; Aluminium foil for serving food or kitchen use; Tableware and kitchen utensils manufactured by using synthetic rubber in the whole or a part of the product; Tableware and kitchen utensils manufactured by using tempered glass in the whole or a part of the product; Tableware and kitchen utensils painted with Japanese lacquer or cashew nut resin coating (limited to those made of wood and synthetic resins); Thermos bottles (limited to those with double-walled glass inner vacuum bottle for table use, those with double-walled stainless steel inner vacuum bottle mainly for drinking water to be taken outdoors and those with double-walled stainless steel inner vacuum bottle for table use); Coats, sweaters, trousers or pants, dresses, skirts, jackets, and gloves manufactured by using leather or synthetic leather in the whole or a part of the product; Gloves manufactured by using leather or synthetic leather in the whole or a part of the product; Bags (limited to those manufactured by using cowhide, horse leather, pigskin, sheepskin or goat skin); Chests of drawers; Desks and tables; Chairs, stools, and zaisu; Spring mattresses and urethane foam mattresses (limited to those with maximum thickness of urethane foam part over 50 millimeters)
 Korea, Republic of	KOR/693	11/28/2016	01/27/2017	Cosmetics

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Korea, Republic of	KOR/694	11/28/2016	01/27/2017	Health functional food products
 Korea, Republic of	KOR/664/Add.1	12/08/2016	Not given	Alcoholic beverage products (HS Code: 2203-2208). Beer made from malt (HS: 2203), Wine of fresh grapes, including fortified wines; grape must other than that of heading 20.09 (HS: 2204), Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances (HS: 2205), Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non- Alcoholic beverages, not elsewhere specified or included (HS: 2206), Undenatured ethyl alcohol of an alcoholic strength by volume of 80% vol or higher; ethyl alcohol and other spirits, denatured, of any strength (HS 2207), Undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% vol; spirits, liqueurs and other spirituous beverages (HS: 2208)
 Korea, Republic of	KOR/695	12/12/2016	02/11/2017	Health functional food products
 Korea, Republic of	KOR/696	12/12/2016	02/11/2017	Health functional food products
 Korea, Republic of	KOR/697	12/13/2016	01/31/2017	Electrical appliances (HS 8543)
 Korea, Republic of	KOR/698	12/16/2016	02/15/2017	Medical devices
 Korea, Republic of	KOR/699	12/16/2016	02/15/2017	Herbal Medicine & Herbal Medicine Preparations
 Malaysia	MYS/71	12/19/2016	02/18/2017	Mandated equipment include terminals, network elements, network security elements, systems, networked surveillance systems (IP Based), network peripherals, service provider systems, future network systems, operating systems (OS), middleware and application/services
 Mexico	MEX/235/Add.3	11/29/2016	Not given	Habanero chilies (HS 0709.60)
 Mexico	MEX/334	12/01/2016	01/31/2017	Organic products (04.01, 08.01-08.14, 06.01, 06.04)
 Mexico	MEX/333	12/01/2016	Not given	Onshore petroleum facilities
 Mozambique	MOZ/10	12/07/2016	Not given	Alcoholic beverages and manufactured tobacco
 Mozambique	MOZ/11	12/07/2016	02/06/2017	Tachograph in road transport
 Oman	OMN/281	12/02/2016	02/01/2017	Liquid fuels
 Oman	OMN/282	12/19/2016	01/19/2017	Fishing boats
 Paraguay	PRY/89	12/13/2016	2/12/2017	Labelling of food allergens and sulphites in packaged foods
 Philippines	PHL/196	12/13/2016	02/06/2017	Household and Similar Electrical Appliances whether locally manufactured/assembled or imported
 Singapore	SGP/31	12/20/2016	02/19/2017	HS 8418 1010, 8418 2100 with respect to: Single-phase refrigerators (not being second-hand goods) with an adjusted volume of up to 900 litres.
 South Africa	ZAF/213	11/28/2016	01/27/2017	Agriculture

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 South Africa	ZAF/214	12/16/2016	02/15/2017	Metrology and Measurement
 Taiwan Economy	TPKM/256	12/02/2016	02/01/2017	63 items of electrical appliances
 Taiwan Economy	TPKM/257	12/06/2016	02/05/2017	Medical devices
 Taiwan Economy	TPKM/258	12/09/2016	02/08/2017	40 items of electrical products
 Thailand	THA/471/Rev.1/Add.1	12/1/2016	Not given	Infant and young child food (HS 0401, 0402)
 Thailand	THA/491	11/28/2016	01/27/2017	Motorcycles (including mopeds) and cycles fitted with an auxiliary motor, with or without side-cars; side-cars (HS 8711)
 Thailand	THA/492	11/30/2016	01/29/2017	Fish, other aquatic living resources and fishery products
 Thailand	THA/490/Add.1	12/08/2016	Not given	Banana, cheshnut, dragon fruit, cantaloupe, rambutan, rose apple, watermelon, pomegranet, guava, jujube, mango, papaya, sapodilla, longan, strawberry, mandarine, orange, pear, grape, apple, garlic, cauliflower, cabbage, chives, galangal, kale, carrot, spring onion, bean sprout, ivy gourd, cucumber, yardlong bean, garden pea, broccoli, basil leaf, asiatic pennywort, spinach, chinese cabbage, amaranth, water spinach, pepper, pumpkin, tomato, eggplant, potato, shallot, mushroom, sweet basil.
 Thailand	THA/493	12/21/2016	01/20/2017	Protection against dangerous goods
 Ukraine	UKR/111	11/28/2016	12/31/2016	Simple pressure vessels
 Ukraine	UKR/112	11/28/2016	01/27/2017	Radio equipment
 Ukraine	UKR/112/Corr.1	12/07/2016	Not given	Radio equipment
 United States	USA/1044/Add.1	11/30/2016	Not given	Hazardous waste
 United States	USA/1084/Add.2	12/12/2016	Not given	Commercial packaged boilers (HS 84)
 United States	USA/1084/Add.3	12/15/2016	Not given	Commercial packaged boilers (HS 84)
 United States	USA/1105/Add.2	12/05/2016	Not given	Closed cell foam products
 United States	USA/1116/Add.3	12/15/2016	Not given	Canned and bottled foods and beverages
 United States	USA/1131/Add.1	12/15/2016	Not given	Uninterruptible power supplies
 United States	USA/1134/Add.1	12/15/2016	Not given	Renewable fuel standard program
 United States	USA/1135/Add.1	11/30/2016	Not given	Hexabromocyclododecane (HBCD)
 United States	USA/1144/Add.3	12/05/2016	Not given	Chemical bulk storage
 United States	USA/1174/Add.1	11/29/2016	Not given	Potatoes
 United States	USA/1228	11/28/2016	Not given	Medical gas containers and closures
 United States	USA/1229	11/28/2016	02/21/2017	Cargo tanks
 United States	USA/1230	11/28/2016	01/23/2017	Wine (HS 2204)
 United States	USA/1231	11/28/2016	01/23/2017	Onions (HS 0703)
 United States	USA/1232	11/29/2016	11/30/2016	Small battery chargers
 United States	USA/1233	11/29/2016	12/16/2016	Volatile organic compounds
 United States	USA/1234	11/29/2016	Not given	Pesticide use

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United States	USA/1235	11/30/2016	01/24/2017	Shelled walnuts (HS 08023)
 United States	USA/1236	11/30/2016	01/24/2017	Food labelling
 United States	USA/1237	12/06/2016	01/03/2017	Treated railroad ties
 United States	USA/1238	12/06/2016	01/27/2017	Alkylpyrrolidones
 United States	USA/1239	12/06/2016	01/27/2017	Motor vehicles
 United States	USA/1240	12/07/2016	12/28/2016	Volatile organic compounds
 United States	USA/1241	12/07/2016	12/05/2016	Occupational safety
 United States	USA/1241/Add.1	12/12/2016	Not given	Occupational safety
 United States	USA/1242	12/07/2016	02/03/2017	Hazard materials transport
 United States	USA/1243	12/12/2016	02/06/2017	Passenger equipment safety standards
 United States	USA/1244	12/12/2016	Not given	Lighting efficiency
 United States	USA/1245	12/12/2016	01/01/2017	Pet food
 United States	USA/1246	12/12/2016	01/01/2017	Commercial feed
 United States	USA/827/Add.5	12/15/2016	Not given	Formaldehyde emissions, composite wood products
 United States	USA/828/Add.3	12/15/2016	Not given	Third-party certification framework for the formaldehyde standards
 United States	USA/974/Add.5	12/07/2016	Not given	Residential furnaces (HS 8416)
 United States	USA/214/Add.3/Corr.1	12/19/2016	Not given	Human and animal drugs (HS 3004)
 United States	USA/225/Add.2	12/19/2016	Not given	Electric motors and generators (HS 8501)
 United States	USA/777/Add.1	12/19/2016	Not given	Hybrid and electric vehicles
 United States	USA/566/Add.1	12/22/2016	Not given	Accessibility guidelines for transportation vehicles (ICS 11.180, 43.040; 43.160)
 United States	USA/787/Add.4	12/22/2016	Not given	Conventional cooking products
 United States	USA/945/Add.2	12/19/2016	Not given	Residential dishwashers (HS 8422.11)
 United States	USA/1223/Add.1	12/19/2016	Not given	Renewable fuels
 United States	USA/1247	12/22/2016	02/14/2017	Trichloroethylene
 United States	USA/1248	12/22/2016	Not given	Maritime radio equipment
 Uruguay	URY/13	12/07/2016	01/06/2017	Plastic packaging and equipment that come into contact with foodstuffs.
 Viet Nam	VNM/92	10/12/2016	12/11/2016	List of potential unsafe products and goods
 Zambia	ZMB/78	11/28/2016	01/27/2017	Fertilizers
 Zambia	ZMB/79	11/29/2016	01/27/2017	Fertilizers
 Zambia	ZMB/80	11/29/2016	01/27/2017	Fertilizers
 Zambia	ZMB/81	11/29/2016	01/28/2017	Fertilizers
 Zambia	ZMB/82	11/29/2016	01/28/2017	Fertilizers
 Zambia	ZMB/83	11/29/2016	01/28/2017	Fertilizers
 Zambia	ZMB/84	11/29/2016	01/28/2017	Sacks

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Zambia	ZMB/85	11/29/2016	01/28/2017	Low sulphur gas oil (LSGO)
 Zambia	ZMB/86	11/29/2016	01/28/2017	Portable rechargeable fire extinguishers (HS 842410)
 Zambia	ZMB/87	12/05/2016	02/04/2017	Portable rechargeable fire extinguishers - Fire extinguishers, whether or not charged (HS 842410)
 Zambia	ZMB/88	12/05/2016	02/04/2017	Fire extinguishers (HS 842410)

CBSA Advance Rulings

No new [advance rulings](#) were posted by the Canada Border Services Agency (CBSA) in December 2016.

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 CBP or its predecessor, the US Customs Service from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#). Over 193,000 such rulings are in the database.



CBP Rulings: Revocations or Modifications


During the past month, the weekly [Customs Bulletin and Decisions](#) did not publish any proposals or actions 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.

European Classification Regulations

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

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
(EU) 2016/2221 of 05-12-16	<p>An article consisting of three flexible tubes joined together with a Y-shaped connection piece. Each of the tubes has a Luer connector at the end. The article has a total length of approximately 16 cm and the diameter of the tubes is approximately 4 mm. The article is made of various plastics such as polyvinyl chloride and acrylic polymer.</p> <p>The Luer connector is used to connect the article to other tubes and/or devices (for example syringes) in a manner which</p>	3917 33 00	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Note 8 to Chapter 39 and by the wording of CN codes 3917 and 3917 33 00 .</p> <p>Upon presentation to customs the article is not identifiable as part of a medical instrument within the meaning of note 2 to Chapter 90. Consequently, classification under heading 9018 is excluded.</p> <p>Given its objective characteristics and properties, the article meets the terms of heading 3917 and</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>prevents leakage.</p> <p>The article is used in various fields such as medical environment, laboratory work, research and other environments where a connection which prevents leaking is required.</p> <p>See image →</p>		<p>fulfils the requirements of Note 8 to Chapter 39.</p> <p>It is therefore to be classified under CN code 3917 33 00 as other tubes, not reinforced or otherwise combined with other materials, with fittings.</p> 
<p>(EU) 2016/2223 of 05-12-16</p>	<p>An article (so-called 'digital microscope') in cylindrical form with a length of approximately 10 cm and a diameter of approximately 3 cm. The digital microscope is equipped with four light emitting diodes, a complementary metal-oxide-semiconductor (CMOS) sensor and a cable with a USB connector. The article functions only in conjunction with an automatic data-processing (ADP) machine and has no inbuilt recording capabilities.</p> <p>The article is capable of magnifying objects in a range of 10-200 times by means of an optical lens and capturing still images as well as video images that can subsequently be recorded on an ADP machine using dedicated software.</p> <p>See image ↓</p> 	<p>8525 80 19</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 5(E) to Chapter 84 and by the wording of the CN codes 8525 , 8525 80 and 8525 80 19 .</p> <p>The article is able to function as an input unit for an ADP machine, a television camera, and as a digital microscope.</p> <p>Classification as an input unit for an ADP machine of heading 8471 is excluded since the article performs a specific function other than data-processing.</p> <p>Classification as a compound optical microscope of heading 9011 is also excluded as this article does not have the characteristics of an article of that heading (see also the Harmonized System Explanatory Notes to heading 9011 first paragraph and second paragraph (I)).</p> <p>As an image of the magnified object can be displayed and if necessary recorded by an ADP machine only after being captured by the CMOS sensor, the article has a character of a television camera.</p> <p>Consequently, the article is to be classified under CN code 8525 80 19 as a television camera.</p>
<p>(EU) 2016/2224 of 05-12-16</p>	<p>An electrical apparatus (so-called 'wireless speaker adapter') in a housing with dimensions of approximately 52 × 52 × 13 mm and a weight of 26 g.</p> <p>The wireless speaker adapter consists of:</p> <ul style="list-style-type: none"> — a built-in rechargeable battery, — a digital/analogue converter, — a Bluetooth technology based transmitter and receiver (Advanced Audio Distribution Profile (A2DP), — a USB port for charging, and — a 3,5 mm audio port, for connection to a speaker system (not present upon presentation to customs). <p>The apparatus allows the user to listen to music from a smartphone or similar portable device on a home audio system or</p>	<p>8517 62 00</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 8517 and 8517 62 00 .</p> <p>As the apparatus can only send and receive audio signals wirelessly via Bluetooth (A2DP), and does not itself generate the audio signal or produce the sound it cannot be considered a sound reproducing apparatus. Classification under heading 8519 is therefore excluded.</p> <p>The function of the apparatus is to receive audio data wirelessly from a device (for example a mobile phone) and to transmit those data using cables to loudspeakers. The function of receiving, converting and transmitting data is covered by the wording of CN code 8517 62 00 .</p> <p>The apparatus is therefore to be classified under CN code 8517 62 00 as a machine for the reception, conversion and transmission of voice or</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>via separate loudspeakers.</p> <p>The audio signal is sent wirelessly via Bluetooth from the smartphone to the apparatus. In the apparatus, the digital signal is converted to an analogue signal and sent by cables to the home audio system or to separate loudspeakers. The apparatus has a pause/play button that allows stopping and starting the music, but does not allow for selection of music or volume control.</p>		other data.
<p>(EU) 2016/2225 of 05-12-16</p>	<p>A cylindrical article predominantly made of steel (other than of cast steel) of a length of approximately 35 cm and a diameter of approximately 19 cm at its widest point (so-called 'track roller'). It consists of the following main components: a cylindrical shell with a graduated cage for the chain guide; a highly polished shaft, and two bronze bushings and collars at both ends.</p> <p>The article is designed for use with the track chain of a crawler type excavator in conjunction with other similar track rollers for longitudinal and lateral guidance of the track chain.</p> <p>See image ↓</p> 	8431 49 80	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature (CN), note 2(b) to Section XVI, and by the wording of CN codes 8431 , 8431 49 and 8431 49 80 .</p> <p>Classification under heading 8708 as parts or accessories of the motor vehicles of headings 8701 to 8705 is excluded as the article is not designed for use with motor vehicles of those headings. The objective characteristics of the article (size and shape) are those of a track roller designed for use with the track chain of a crawler type excavator of heading 8429 .</p> <p>The article is therefore to be classified under CN code 8431 49 80 as parts suitable for use solely or principally with the machinery of headings 8425 to 8430 other than of cast steel.</p>

Amendments to the CN Explanatory Notes

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

Official Journal	CN code or page	Description of Articles
2016/C 457/04	8474 80 90 pg. 328	Insertion of new text

Section 337 Actions

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

month by the US International Trade Commission, the independent United States agency charged with enforcement of section 337.

Inv. №	Commodity	Action
337-TA-567 (Adv. Opinion Proceeding)	Certain Foam Footwear	Commission Determination to Adopt a Report Issued by the Office of Unfair Import Investigations as Its Advisory Opinion
337-TA-945	Certain Network Devices, Related Software and Components Thereof (II)	Notice of Request for Statements on the Public Interest
337-TA-951	Certain Lithium Metal Oxide Cathode Materials, Lithium-Ion Batteries for Power Tool Products Containing Same, and Power Tool Products with Lithium-Ion Batteries Containing Same	Commission's Final Determination; Issuance of a Limited Exclusion Order; Termination of the Investigation
337-TA-971	Certain Air Mattress Systems, Components Thereof, and Methods of Using the Same	Notice of Request for Statements on the Public Interest
337-TA-972	Certain Automated Teller Machines, ATM Products, Components Thereof, and Products Containing the Same	Notice of Request for Statements on the Public Interest
337-TA-976	Certain Woven Textile Fabrics and Products Containing Same	Commission Determination Not To Review an Initial Determination Finding a Violation of Section 337; Request for Written Submissions on Remedy, the Public Interest, and Bonding
337-TA-988	Certain Pumping Bras	Commission Determination to Review In-Part an Initial Determination Granting Complainant's Motion for Summary Determination of Section 337 Violation by Defaulted Respondents
337-TA-999	Certain Air Mattress Bed Systems and Components Thereof	Commission Determination Not to Review Two Initial Determinations Terminating the Investigation Based Upon a Consent Order Stipulation and Proposed Consent Order, a Settlement Agreement, and a Withdrawal of the Complaint; Issuance of a Consent Order; Termination of the Investigation
337-TA-1002	Certain Carbon and Alloy Steel Products	Commission Determination to Review an Initial Determination Granting Respondents' Motion to Terminate Complainant's Antitrust Claim; Request for Written Submissions and Setting of Date for Possible Oral Argument
337-TA-1007 337-TA-1021 (Consolidated*)	Certain Personal Transporters, Components Thereof, and Packaging and Manuals Therefor and Certain Personal Transporters and Components Thereof	Commission Determination Not to Review an Initial Determination Granting Complainants' Motion to Amend the Complaint and Notice of Investigation [<i>*Federal Register notice has 337-TA-007 in caption but -1007 is correct</i>]
337-TA-1008	Certain Carbon Spine Board, Cervical Collar, CPR Masks and Various Medical Training Manikin Devices, and Trademarks, Copyrights of Product Catalogues, Product Inserts and Components Thereof	Commission Determination Not To Review an Initial Determination Finding All Respondents in Default; Request for Written Submissions on Remedy, the Public Interest, and Bonding
337-TA-1031	Certain UV Curable Coatings for Optical Fibers, Coated Optical Fibers, and Products Containing Same	Institution of an investigation based on a petition filed on behalf of DSM Desotech, Inc. and DSM IP Assets B.V. alleging patent infringement
337-TA-1032	Certain Single-Molecule Nucleic Acid Sequencing Systems and Reagents, Consumables, and Software for Use with Same	Institution of an investigation based on a petition filed on behalf of Pacific Biosciences of California, Inc. alleging patent infringement

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

Ref. №	Commodity	Complaint filed on behalf of:
DN 3185	Certain Arrowheads with Arcuate Blades and Components Thereof	Flying Arrow Archery, LLC, Inc.
DN 3186	Certain Flash Memory Devices and Components Thereof	Memory Technologies, LLC
DN 3187	Certain Liquid Crystal Ewriters and Components Thereof	Kent Displays, Inc.
DN 3188	Certain Magnetic Tape Cartridges and Components Thereof	Sony Corporation; Sony Storage Media and Devices Corporation; Sony DADC US Inc.; and Sony Latin America Inc.
DN 3189	Certain Graphics Processors, DDR Memory Controllers, and Products Containing the Same	ZiiLabs Inc., Ltd.
DN 3190	Certain Electronic Devices, Including Mobile Phones, Tablet Computers, and Components Thereof	Nokia Technologies Oy

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, AS=countervailing duty or anti-subsidy; LTFV=less than fair value.



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

Case №	Merchandise/Country	Action
C-489-830	Steel Concrete Reinforcing Bar From Turkey	Postponement of Preliminary Determination in CVD Investigation
A-489-805	Certain Pasta From Turkey	Final Rescission of ADD New Shipper Review; 2014-2015
A-570-044	1,1,1,2-Tetrafluoroethane (R-134a) From China	Amended Preliminary Affirmative Determination of Sales at LTFV
A-469-805	Stainless Steel Bar From Spain	Notice of Final Results of ADD Changed Circumstances Review
A-427-428	Certain Carbon and Alloy Steel Cut-to-Length Plate From France	Amended Preliminary Determination of Sales at LTFV
A-201-843	Prestressed Concrete Steel Rail Tie Wire From Mexico	Rescission of ADD Administrative Review; 2015 – 2016
A-201-845	Sugar From Mexico	Administrative Review of ADD Suspension Agreement
C-201-846	Sugar From Mexico	Administrative Review of CVD Suspension Agreement
A-351-847 A-791-822 A-489-828	Certain Carbon and Alloy Steel Cut-to-Length Plate From Brazil, South Africa, and Turkey	Affirmative Final Determinations of Sales at LTFV and Affirmative Final Determinations of Critical Circumstances for Brazil and Turkey
A-557-816	Certain Steel Nails From Malaysia	Preliminary Results of the Changed Circumstances Review
A-570-863	Honey From China	Preliminary Intent to Rescind New Shipper Review
A-570-836	Glycine From China	Final Results of the Expedited Sunset Review of the ADD Order
A-201-805	Certain Circular Welded Non-Alloy Steel Pipe From Mexico	Preliminary Results, Preliminary Determination of No Shipments, and Partial Rescission of ADD Administrative Review; 2014-2015
A-580-809	Circular Welded Non-Alloy Steel Pipe From S. Korea	Preliminary Results of ADD Administrative Review; 2014-2015
A-570-900	Diamond Sawblades and Parts Thereof From China	Preliminary Results of ADD Administrative Review; 2014-2015


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

Case №	Merchandise/Country	Action
A-570-831	Fresh Garlic From China	Preliminary Results and Partial Rescission of the 21 st ADD Administrative Review; 2014-2015
A-570-992	Monosodium Glutamate from China	Final Results of ADD Administrative Review; 2014-2015
A-583-837	Polyethylene Terephthalate Film, Sheet, and Strip (PET Film) From Taiwan	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2014-2015
C-533-825	Polyethylene Terephthalate Film, Sheet, and Strip From India	Final Results of CVD Administrative Review; 2014
A-520-803	Polyethylene Terephthalate Film, Sheet, and Strip From the United Arab Emirates	Preliminary Results of ADD Administrative Review; 2014-2015
A-201-844	Steel Concrete Reinforcing Bar from Mexico	Preliminary Results of ADD Administrative Review; 2014-2015
C-489-819	Steel Concrete Reinforcing Bar from Turkey	Preliminary Results of CVD Administrative Review and Intent to Rescind the Review in Part; 2014
A-201-838	Seamless Refined Copper Pipe and Tube From Mexico	Preliminary Results of Antidumping Duty Administrative Review and Preliminary Determination of No Shipments; 2014-2015
C-570-991	Chlorinated Isocyanurates From China	Preliminary Results of CVD Administrative Review, and Preliminary Intent to Rescind Review, in Part; 2014
A-570-983	Drawn Stainless Steel Sinks From China	Partial Rescission of ADD Administrative Review; 2015-2016
A-570-001	Potassium Permanganate From China	Preliminary Results of the 2015 ADD Administrative Review
A-570-964	Seamless Refined Copper Pipe and Tube From China	Preliminary Results of Administrative Review; 2014-2015
A-533-840	Certain Frozen Warmwater Shrimp From India	Notice of Final Results of ADD Changed Circumstances Review
C-489-806	Pasta From Turkey	Final Results of CVD Administrative Review; 2014
A-427-828	Certain Carbon and Alloy Steel Cut-To-Length Plate From France	Correction to the Amended Preliminary Determination of Sales at LTFV
A-570-033	Large Residential Washers From China	Final Determination of Sales at LTFV and Final Negative Determination of Critical Circumstances
A-570-036	Certain Biaxial Integral Geogrid Products From China	Extension of Final Determination of ADD Investigation
C-570-052	Certain Hardwood Plywood Products From China	Initiation of CVD Investigation
A-570-051	Certain Hardwood Plywood Products From China	Initiation of LTFV Investigation
A-475-818	Certain Pasta From Italy	Final Results of ADD Administrative Review; 2014-2015
A-588-869	Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan	Final Results of ADD Administrative Review; 2013-2015
A-570-920	Lightweight Thermal Paper From China	Final Results of ADD Administrative Review; 2014-2015
A-533-810	Stainless Steel Bar From India	Initiation of ADD Changed Circumstances Review
A-570-849	Certain Cut-to-Length Carbon Steel Plate From China	Final Results of the 2014-2015 ADD Administrative Review
A-570-979	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From China	Final Results of Changed Circumstances Review
A-523-812 A-535-903 A-520-807	Circular Welded Carbon-Quality Steel Pipe From Oman, Pakistan, and the United Arab Emirates	Amended Final Affirmative ADD Determination and ADD Orders
A-533-824	Polyethylene Terephthalate Film, Sheet, and Strip From India	Final Results of ADD Administrative Review; 2014-2015
C-570-968	Aluminum Extrusions From China	Final Results and Partial Rescission of CVD Administrative Review; 2014
A-570-827	Certain Cased Pencils From China	Amended Final Results of ADD New Shipper Review; 2014-2015
A-589-839 A-583-833	Certain Polyester Staple Fiber From S. of Korea and Taiwan	Final Results of Expedited Sunset Review of the ADD Orders
A-489-501	Welded Carbon Steel Standard Pipe and Tube Products From Turkey	Final Results of ADD Administrative Review and Final Determination of No Shipments; 2014-2015


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

Case №	Merchandise/Country	Action
A-588-850 A-588-851 A-485-805	Certain Large Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe From Japan; Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe From Japan and Romania	Final Results of the Expedited Third Five-Year Sunset Reviews of the ADD Orders
A-570-898	Chlorinated Isocyanurates From China	Notice of Court Decision Not in Harmony With the Final Results and Amended Final Results of the ADD Administrative Review; 2010-2011
A-570-911	Circular Welded Carbon Quality Steel Pipe From China	Rescission of CVD Administrative Review; 2015
A-570-964 A-201-838	Seamless Refined Copper Pipe and Tube From China and Mexico	Continuation of ADD Orders
C-122-858	Certain Softwood Lumber Products From Canada	Initiation of CVD Investigation
A-122-857	Certain Softwood Lumber Products From Canada	Initiation of LTFV Investigation
A-570-979	Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, From China	Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2014-2015
A-570-964	Seamless Refined Copper Pipe and Tube From China	Preliminary Results of Administrative Review; 2014-2015
A-570-970	Multilayered Wood Flooring From China	Preliminary Results of ADD Administrative Review, Preliminary Determination of No Shipments, and Preliminary Partial Rescission of ADD Administrative Review; 2014-2015
A-570-970	Multilayered Wood Flooring From China	Preliminary Results and Partial Rescission of ADD New Shipper Reviews; 2014-2015
A-570-831	Fresh Garlic From China	Initiation of ADD New Shipper Review; 2015-2016
A-821-801	Solid Urea From the Russian Federation	Rescission of ADD Review; 2015 – 2016
A-821-801 A-823-801	Solid Urea From the Russian Federation and Ukraine	Final Results of Sunset Reviews and Revocation of ADD Orders
A-580-810	Welded ASTM A-312 Stainless Steel Pipe from S. Korea	Preliminary Results of ADD Administrative Review; 2014-2015


United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
701-TA-388, 389, 391 731-TA-817, 818, 821	Cut-to-Length Carbon-Quality Steel Plate From India, Indonesia, and Korea	(Third Review) Institution of Five-Year Reviews
731-TA-638	Stainless Steel Wire Rod From India	(Fourth review) Institution of a Five-Year Review
701-TA-566 731-TA-1342	Softwood Lumber Products From Canada	(Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations
731-TA-1315	Ferrovandium From Korea	(Final) Scheduling of the Final Phase of an ADD Investigation
731-TA-825-826	Polyester Staple Fiber From Korea and Taiwan	(Third Review) Scheduling of Expedited Five-Year Reviews
731-TA-718	Glycine From China	(Fourth review) Scheduling of an Expedited Five-Year Review
731-TA-1174-1175	Seamless Refined Copper Pipe and Tube From China and Mexico	(Review) Determination that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.
731-TA-287	Raw-In-Shell Pistachios From Iran	(Second Review) Scheduling of a full five-year review
731-TA-847, 849	Carbon and Alloy Seamless Standard, Line, and Pressure Pipe From Japan and	(Third Review) Institution of Five-Year Reviews



United States International Trade Commission (USITC)

Inv. №	Merchandise/Country	Action
	Romania	
701-TA-550 731-TA-1304-1305	Certain Iron Mechanical Transfer Drive Components From Canada and China	(Final) Determinations that an industry in the US is not materially injured or threatened with material injury, and the establishment of an industry in the US is not materially retarded by reason of subject imports that have been found by Commerce to be sold in the US at LTFV, and that have been found by Commerce to be subsidized by the government of China
701-TA-549 731-TA-1299, 1300, 1302, 1303	Circular Welded Carbon-Quality Steel Pipe From Oman, Pakistan, the United Arab Emirates, and Vietnam	(Final) Determinations that an industry in the United States is materially injured by reason of subject imports that have been found by Commerce to be sold in the US at LTFV. The Commission further determines that subject imports of CWP from Vietnam that have been found by Commerce to be sold in the US at LTFV and imports of CWP from Pakistan that are subsidized by the government of Pakistan are negligible and its investigations with regard to these imports are thereby terminated
731-TA-457-A-D	Heavy Forged Hand Tools From China	(Fourth Review) Determinations that revocation of the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time
701-TA-318 731-TA-538, 561	Sulfanilic Acid From China and India	(Fourth Review) Scheduling of expedited five-year reviews
701-TA-249 731-TA-262, 263, 265	Iron Construction Castings From Brazil, Canada, and China	(Fourth Review) Determination the ADD order on subject imports from Canada, and the ADD orders on subject imports from Brazil and China would be likely to lead to continuation or recurrence of material injury to industries in the US within a reasonably foreseeable time.
701-TA-470-471 731-TA-1169-1170	Certain Coated Paper Suitable for High-Quality Print Graphics Using Sheet-Fed Presses From China and Indonesia	(Review) Determinations that revocation of the CV and ADD orders on subject imports would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.



Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
PI-2016-003	<i>Dumping</i> : Certain Fabricated Industrial Steel Components originating in or exported from China, S. Korea, Spain, the United Arab Emirates and the UK. <i>Subsidizing</i> : the above-mentioned goods originating in or exported from China	Preliminary Determination of Injury



Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
GB 2016 IN	Certain gypsum board originating in or exported from the US, for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories (Western Canada).	Notice of Final Determination. Provisional duties will continue to apply on imports of subject goods from US until the date of the CITT's order or finding. Statement of Reasons
FISC 2016 IN	<i>Dumping</i> : Certain fabricated industrial steel	Notice of Extension of Investigations


Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
	components (FISC) originating in or exported from China, S. Korea, Spain, the United Arab Emirates and the UK; <i>Subsidizing</i> : FISC from China	
PJ2016ER	Certain Pup Joints originating in or exported from China	Statement of Reasons [For determination that expiry of finding is likely to result in continuation or resumption of dumping and subsidizing]


NAFTA Panels

Ref. Number	Merchandise/Country	Action
None this period		


Mexico - Ministry of Economy

Ref. Number	Merchandise/Country	Action
EA 15/16	Steel pipe carbon and alloyed with longitudinal seam section circular, square and rectangular originating in China, regardless of country of export	Resolution approving the request of an interested party and the initiation of the antidumping duties investigation is declared
EC 24/15	Multilayer paper sacks for lime and cement originating in Brazil, regardless of country of export	Final resolution of ADD review
EA 13/16	Steel pipe seamless carbon originating in S. Korea, Spain, India and Ukraine, regardless the country of export	Resolution approving the request of an interested party is accepted and the initiation of the ADD investigation is declared.
EA 23/15	High carbon ferro - manganese originating in the Republic of Korea, regardless of country of origin	Final Resolution ADD
Rev. 25/15	Cold-rolled steel from S. Korea, regardless of country of export	Preliminary review of the commitments made by POSCO and HyundaiHysco


European Union

Ref. Number	Merchandise/Country	Action
(EU) 2016/2133	Certain manganese oxides originating in Brazil, Georgia, India and Mexico	Commission Implementing Decision terminating the AD proceeding
(EU) 2016/2146	Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China	Commission Implementing Regulation withdrawing the acceptance of the undertaking for two exporting producers under Implementing Decision 2013/707/EU confirming the acceptance of an undertaking offered in connection with the AD and anti-subsidy proceedings for the period of application of definitive measures
2016/C 459/11	Certain corrosion resistant steels originating in China	Notice of initiation of an AD proceeding
(EU) 2016/2229	Sodium gluconate originating in China,	Commission Implementing Decision terminating the partial interim review of the AD measures applicable, limited to one Chinese exporting producer, Shandong Kaisen
2016/C 461/06	Certain seamless pipes and tubes of stainless steel originating in China	Notice of initiation of an expiry review of the AD measures
2016/C 461/07	Certain cast iron articles originating in China and in India	Notice of initiation of an AD proceeding
2016/C 466/11	Lever arch mechanisms originating in, or	Notice of the impending expiry of certain AD measures on



European Union

Ref. Number	Merchandise/Country	Action
	exported from China	05.9.2017
(EU) 2016/2257	Certain footwear with uppers of leather originating in China	Commission Implementing Regulation re-imposing a definitive ADD and collecting definitively the provisional duty imposed on imports produced by Chengdu Sunshine Shoes Co. Ltd, Foshan Nanhai Shyang Yuu Footwear Ltd and Fujian Sunshine Footwear Co. Ltd and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14
(EU) 2016/2303	Certain concrete reinforcement bars and rods originating in Belarus	Commission Implementing Regulation imposing a provisional ADD
2016/C 476/04	Biodiesel originating in Argentina and Indonesia	Notice of initiation regarding the AD measures in force following the recommendations and rulings adopted by the Dispute Settlement Body of the WTO in the EU — Anti-Dumping Measures on Biodiesel dispute (DS473)
2016/C 476/05	Trichloroisocyanuric acid originating in China	Notice of initiation of an expiry review of the AD measures



Australian Anti-Dumping Commission

Ref. Number	Merchandise/Country	Action
2016/128	Hollow Structural Sections	Extension of time granted to issue Final Report
2016/129	Aluminium Zinc Coated Steel From S. Korea	Initiation of a Review of AD Measures
2016/130	Zinc Coated (Galvanised) Steel From S. Korea	Initiation of a Review of AD Measures
2016/131	Various	Status Report as at 30 November 2016
2016/132	A4 Copy Paper from Brazil, China, Indonesia and Thailand	Third Preliminary Affirmative Determination and Imposition of Securities



Government of India Ministry of Finance (Department of Revenue)

Notification №	Merchandise/Country	Action
55/2016-Cus (ADD)	Soda Ash, originating in or exported from China PR, EU, Kenya, Pakistan, Iran, Ukraine and USA	Rescinds notification No.34/2012-Customs (ADD) dated 03.07.2012. This notification has been issued since the time limit of three months for issuing the notification is ending shortly. However, the operation of the said rescinding notification shall remain in abeyance, till the final decision of the High Court of Gujarat in Special Civil Applications 16426 and 16428 of 2016. Therefore, in effect, ADD under notification No.34/2012-Customs (ADD) dated 03.07.2012 [imposing ADD] will continue to be levied till the final decision of the High Court of Gujarat in the matter.
56/2016-Cus (ADD)	Soda Ash, originating in or exported from Russia and Turkey	Rescinds notification No.08/2013-Customs (ADD) dated 18.04.2013. This notification has been issued since the time limit of three months for issuing the notification is ending shortly. However, the operation of the said rescinding notification shall remain in abeyance, till the final decision of the High Court of Gujarat in Special Civil Applications 16427 and 16429 of 2016. Therefore, in effect, ADD under notification No.08/2013-Customs (ADD) dated 18.04.2013 [imposing ADD] will continue to be levied till the final decision of the High Court of Gujarat in the matter.
57/2016-Cus (ADD)	Various	Various amendments to HS numbers



Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
CAMEX Res. 126	Tableware originating in China, Indonesia and Argentina.	Extends the definitive ADD for a period of up to five (5) years
CAMEX Res. 127	n-butanol originating in South Africa and Russia	Imposes definitive ADD for a period of up to five (5) years
CAMEX Res. 128	High-strength, low strength 3-wire or 7-wire low carbon steel strands originating in China.	Imposes a provisional ADD, for a period of up to six (6) months,
CAMEX Res. 129	Polyvinyl chloride resins obtained by suspension process (PVC-S) originating in the United States And Mexico	Dismissal of the request for reconsideration submitted in the face of CAMEX Resolution No. No. 89, 2016, extending the definitive ADD.
CAMEX Res. 130	Polyvinyl chloride resins obtained by suspension process (PVC-S)	Dismissal of the request for reconsideration submitted in the face of CAMEX Resolution No. 97, 2016, which does not suspend, in the public interest, the definitive ADD applied
CAMEX Res. 131	Polypropylene resin originating in the United States.	Dismissal of the request for reconsideration submitted in the face of Camex Resolution No. 104, 2016, extending the definitive ADD

Opportunity to Request Administrative Review

In a December 1, 2016 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with December anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Carbon Steel Butt-Weld Pipe Fittings	A-351-602	12/1/15-11/30/16
Chile: Certain Preserved Mushrooms	A-337-804	12/1/15-11/30/16
Germany: Non-Oriented Electrical Steel	A-428-843	12/1/15-11/30/16
India: Carbazole Violet Pigment 23	A-533-838	12/1/15-11/30/16
Certain Hot-Rolled Carbon Steel Flat Products	A-533-820	12/1/15-11/30/16
Commodity Matchbooks	A-533-848	12/1/15-11/30/16
Stainless Steel Wire Rod	A-533-808	12/1/15-11/30/16
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products	A-560-812	12/1/15-11/30/16
Japan: Prestressed Concrete Steel Wire Strand	A-588-068	12/1/15-11/30/16
Non-Oriented Electrical Steel	A-588-872	12/1/15-11/30/16
Welded Large Diameter Line Pipe	A-588-857	12/1/15-11/30/16
Republic of Korea: Non-Oriented Electrical Steel	A-580-872	12/1/15-11/30/16
Welded Astm A-312 Stainless Steel Pipe	A-580-810	12/1/15-11/30/16
Welded Line Pipe	A-580-876	5/22/15-11/30/16
Russia: Certain Hot-Rolled Carbon Steel Flat Products	A-821-809	12/1/15-11/30/16
SR of Vietnam: Uncovered Innerspring Units	A-552-803	12/1/15-11/30/16
South Africa: Uncovered Innerspring Units	A-791-821	12/1/15-11/30/16
Sweden: Non-Oriented Electrical Steel	A-401-809	12/1/15-11/30/16
Taiwan: Carbon Steel Butt-Weld Pipe Fittings	A-583-605	12/1/15-11/30/16
Non-Oriented Electrical Steel	A-583-851	12/1/15-11/30/16
Steel Wire Garment Hangers	A-583-849	12/1/15-11/30/16
Welded Astm A-312 Stainless Steel Pipe	A-583-815	12/1/15-11/30/16
The PR of China: Carbazole Violet Pigment 23	A-570-892	12/1/15-11/30/16
Cased Pencils	A-570-827	12/1/15-11/30/16
Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules	A-570-979	12/1/15-11/30/16
Hand Trucks	A-570-891	12/1/15-11/30/16
Honey	A-570-863	12/1/15-11/30/16
Malleable Cast Iron Pipe Fittings	A-570-881	12/1/15-11/30/16
Melamine	A-570-020	6/18/15-11/30/16
Multilayered Wood Flooring	A-570-970	12/1/15-11/30/16
Non-Oriented Electric Steel	A-570-996	12/1/15-11/30/16
Porcelain-on-Steel Cooking Ware	A-570-506	12/1/15-11/30/16

www.bakermckenzie.com

For further information please contact:

Editor of International Trade Compliance Update

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

Contacts

Customs and FTA

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

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

Export Controls and Sanctions

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

Trade Remedies

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

WTO

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

Anti-corruption

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

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Silicomanganese	A-570-828	12/1/15-11/30/16
Turkey: Welded Line Pipe	A-489-822	5/22/15-11/30/16
Countervailing Duty Proceedings		
Canada: Supercalendered Paper	C-122-854	8/3/15-12/31/15
India: Carbazole Violet Pigment 23	C-533-839	1/1/15-12/31/15
Certain Hot-Rolled Carbon Steel Flat Products	C-533-821	1/1/15-12/31/15
Commodity Matchbooks	C-533-849	1/1/15-12/31/15
Indonesia: Certain Hot-Rolled Carbon Steel Flat Products	C-560-813	1/1/15-12/31/15
Taiwan: Non-Oriented Electrical Steel	C-583-852	1/1/15-12/31/15
Thailand: Certain Hot-Rolled Carbon Steel Flat Products	C-549-818	1/1/15-12/31/15
The PR of China: Melamine	C-570-021	4/20/15-12/31/15
Crystalline Silicon Photovoltaic Cells, Whether or		
Not Assembled Into Modules	C-570-980	1/1/15-12/31/15
Multilayered Wood Flooring	C-570-971	1/1/15-12/31/15
Non-Oriented Electrical Steel	C-570-997	1/1/15-12/31/15
Seamless Carbon and Alloy Steel Standard, Line, and		
Pressure Pipe	C-570-957	1/1/15-12/31/15
Turkey: Welded Line Pipe	C-489-823	3/20/15-12/31/15
Suspension Agreements		
Mexico: Sugar	A-201-845	12/1/15-11/30/16
Sugar	C-201-846	1/1/16-12/31/16

Advance Notification of Sunset Reviews

In a December 1, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year ("Sunset") reviews for January 2017.

AD/CVD Proceedings - Merchandise/Country	Case No.
Light-Walled Rectangular Welded Carbon Steel Pipe, Pipe and Tube from Taiwan	A-583-803 (4 th Review)
Furfuryl Alcohol from China	A-570-835 (4 th Review)

Requested Reviews

In a December 16, 2016 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with October anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Mexico: Carbon and Certain Alloy Steel Wire Rod	A-201-830	10/1/15 - 9/30/16
PR of China: Steel Wire Garment Hangers	A-570-918	10/1/15 - 9/30/16
Countervailing Duty Proceedings		
PR of China: Multilayered Wood Flooring	C-570-971	1/1/14 - 12/31/14
Suspension Agreements		
None		

Initiation of Sunset Reviews

In a December 1, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below. In addition, there was a [notice](#) correcting the case number for Gray Portland Cement Clinker from

Japan that was published November 1, 2016 (81 Fed. Reg. 75808). The correct number is A-588-815.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-533-817	731-TA-817	India	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)
A-533-808	731-TA-638	India	Stainless Steel Wire Rod (4 th Review)
A-560-805	731-TA-818	Indonesia	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)
A-580-836	731-TA-821	S. Korea	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)
C-533-818	701-TA-391	India	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)
C-560-806	701-TA-389	Indonesia	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)
C-580-837	701-TA-391	S. Korea	Certain Cut-To-Length Carbon-Quality Steel Plate (3 rd Review)

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