

# International Trade Compliance

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

BAKER & MCKENZIE

## Newsletter

March 2016 | Update

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*Note: Unless otherwise indicated, all Update information is taken from official websites, newsletters or press releases of international organizations (WTO, WCO, APEC, INTERPOL, etc.), the EU, EFTA, Customs Unions or government agencies. The specific source may usually be obtained by clicking on the blue hypertext link. Please note that as a general rule, information related to fisheries is not covered.*

### Register Now! 2016 International Trade Compliance Webinar Series

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

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

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

### Webinar Dates and Topics:

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

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

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

**Practice Group Chair:** Teresa A. Gleason, Chair, Global Customs Practice (Washington, DC), Tel: +1 202 452 7030, [teresa.gleason@bakermckenzie.com](mailto:teresa.gleason@bakermckenzie.com)

**REGISTER NOW**

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

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

**MCLE Credit:**

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



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

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

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

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

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

You may visit the site by clicking the button below.

**TPP Global Resource Center**

*For updates, please visit [www.internationaltradecomplianceupdate.com](http://www.internationaltradecomplianceupdate.com) regularly.*

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

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

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

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

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

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***A note on spelling, grammar and dates—***

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

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

**Credits:**

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

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

## World Trade Organization (WTO)

### Trade Policy Reviews: Morocco, Fiji

The fifth review of the trade policies and practices of Fiji took place on 2 and 4 February 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Fiji](#)

The third review of the trade policies and practices of Fiji took place on 23 and 25 February 2016. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Morocco](#).

### DSB activities

During the period covered by this update, the Dispute Settlement Body (DSB) or parties to a dispute took the following actions or reported the following activities. Requests for a panel are not listed (click on “DS” number to go to summaries of the case, click on “Activity” to go to the latest news or documents):

DS No.	Case Name	Activity	Date
<a href="#">DS 397</a>	European Communities — Definitive Anti-Dumping Measures on Certain Iron or Steel Fasteners from China: Recourse to Article 21.5 of the DSU by China (Complainant: China)	<a href="#">DSB adopts compliance report</a>	12-02-16
<a href="#">DS 456</a>	India – Certain Measures Relating to Solar Cells and Solar Modules (Complainant: United States)	<a href="#">Panel report issued</a>	24-02-16

### 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)

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

Date	Title
01-02-16	<a href="#">Strategic Planning and Risk Management Environmental Scan Support to Angola Revenue Administration (AGT)</a>
02-02-16	<a href="#">WCO attends opening of German Central Customs Authority offices in Bonn</a> <a href="#">Zika Outbreak</a> <a href="#">WCO supports the consolidation of the SAFE Framework of Standards and Coordinated Border Management in Peru</a>
03-02-16	<a href="#">PCA diagnostic mission conducted in Cambodia</a>
08-02-16	<a href="#">The Democratic Republic of the Congo adopts a new Harmonized System tool</a>
09-02-16	<a href="#">Launch of new Maldives Customs Service training module on Customs valuation</a>
10-02-16	<a href="#">The WCO works in partnership with Nicaragua Customs to support the design and implementation of an AEO pilot programme</a>
	<a href="#">WCO Addresses UN 1540 Committee</a>

Date	Title
	<a href="#">Iranian Customs Seizes 11,500 kilograms of drug precursors</a>
11-02-16	<a href="#">National Workshop on the Harmonized System in Costa Rica</a> <a href="#">National Workshop on the Harmonized System in El Salvador</a>
12-02-16	<a href="#">French Customs seizes hundreds of archeological objects and endangered wildlife products</a> <a href="#">WCO addresses US Interagency Committee and holds discussions with the US Department of State, the International Monetary Fund (IMF) and the Smithsonian Institution</a>
17-02-16	<a href="#">The WCO works in partnership with Timor-Leste Customs to support the design and delivery of training and to further build their intelligence and risk management capabilities</a>
18-02-16	<a href="#">Dubai Customs seized AED 17 million of counterfeit goods in 2015</a>
19-02-16	<a href="#">Next WCO/Japan Regional Customs Laboratories Programme starts in October 2016</a>
22-02-16	<a href="#">WCO continues to expand the pool of WCO accredited Customs Modernization Advisors and Mercator Programme Advisors</a>
23-02-16	<a href="#">Opening of the WCO-Korea 2nd EPCBA Programme at KookMin University (KISG) in Korea</a>
24-02-16	<a href="#">Latest edition of WCO News now available</a> <a href="#">WCO Meeting with the Private Sector Consultative Group</a>
25-02-16	<a href="#">First edition of the joint celebration of International Customs Day</a> <a href="#">National Workshop on WCO</a> <a href="#">The Gambia Revenue Authority enters the pilot phase of implementation of the competency-based Human Resource Management approach</a> <a href="#">WCO COPES Project – Third Regional Seminar in Santo Domingo in partnership with the UNODC-WCO Global Container Control Programme</a> <a href="#">Successful WCO National Workshop on API PNR Systems in Baku, Azerbaijan</a>
26-02-16	<a href="#">UNODC-WCO Container Control Programme (CCP) Theoretical Training in Lao PDR launched</a> <a href="#">Bosnia &amp; Herzegovina hosts a WCO National Workshop on the modernization of its Customs Laboratory</a>
29-02-16	<a href="#">First joint celebration of International Customs Day by ECCAS Member States in Libreville, Gabon</a> <a href="#">WCO Performance management mission to Oman customs</a> <a href="#">WCO Time Release Study (TRS) National Workshop in Tunis, Tunisia</a>

## Other International Matters

### Trans-Pacific Partnership (TPP)

#### TPP Agreement signed

On February 4, 2016, in Auckland, New Zealand the Trans-Pacific Partnership Agreement (TPP) was signed by representatives of the 12 countries that had negotiated the agreement: Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, the United States and Vietnam. The ministers who signed the agreement issued the following statement:

We, the Ministers representing Australia, Brunei Darussalam, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, United States, and Vietnam, are pleased to announce that we have today signed the Trans-Pacific Partnership agreement.

After more than five years of negotiations, we are honoured to be able to formalise our collective agreement of TPP which represents an historic achievement for the Asia-Pacific region.

TPP will set a new standard for trade and investment in one of the world's fastest growing and most dynamic regions. We signatories comprise nearly 40 percent of

global GDP, a market of more than 800 million people, and around one third of world trade. Our goal is to enhance shared prosperity, create jobs and promote sustainable economic development for all of our nations.

The signing of the agreement signals an important milestone and the beginning of the next phase for TPP. Our focus now turns to the completion of our respective domestic processes.

The TPP must now go through domestic ratification or accession procedures in each country.

## Asia Pacific Economic Cooperation (APEC)

### APEC Economies' implementation plans for tariff reductions on environmental goods

The APEC [website](#) has posted links to the Member Economies' Implementation Plans for Tariff Reductions on Environmental Goods. Click on the desired Economy in the table below to see the Member's plan:

<a href="#">Australia</a>	<a href="#">Japan</a>	<a href="#">Philippines</a>
<a href="#">Brunei Darussalam</a>	<a href="#">Korea</a>	<a href="#">Russia</a>
<a href="#">Canada</a>	<a href="#">Malaysia</a>	<a href="#">Singapore</a>
<a href="#">Chile</a>	<a href="#">Mexico</a>	<a href="#">Chinese Taipei</a>
<a href="#">China</a>	<a href="#">New Zealand</a>	<a href="#">Thailand</a>
<a href="#">Hong Kong, China</a>	<a href="#">Papua New Guinea</a>	<a href="#">United States</a>
<a href="#">Indonesia</a>	<a href="#">Peru</a>	<a href="#">Viet Nam</a>

## CITES

### CITES Notification to Parties

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) has issued the following [notifications to the parties](#):

Date	Title
05-02-16	2026/003 - Seventeenth meeting of the Conference of the Parties – Proposals to amend the Appendices related to marine species (republished on 08/02/2016 to add the email address of the Sri Lankan Management Authority)
	2016/004 - Guidelines for improving species-specific reporting requests by CITES working groups
	2016/005 - Use of Taxonomic Serial Numbers – Inputs on domestic systems for CITES trade data management using taxonomic serial numbers and their alternatives
	2016/006 - New implementation report format (formerly known as biennial report)
	2016/007 - New annual illegal trade report
10-02-16	2016/008 - Amendment to Appendix III
11-02-16	2016/009 - Nigeria – Withdrawal of a recommendation to suspend trade
	2016/010 - Angola – Recommendation to suspend trade
	2016/011 - Lao People's Democratic Republic – Recommendation to suspend trade
16-02-16	2016/012 - MIKE and ETIS Technical Advisory Group (TAG) – Terms of Reference and composition

## The Americas - Central America and Caribbean

### Cuba

#### Cuba and U.S. to restore commercial air service

On February 16, 2016, the U.S. and Cuban governments [announced](#) that the two countries have signed an arrangement that provides for the re-establishment of scheduled air services between the United States and Cuba. The new arrangement will facilitate visits for travelers that fall under [one of 12 categories authorized](#) by the U.S. Department of the Treasury's Office of Foreign Assets Control. There have been no scheduled flights between the United States and Cuba for over half a century.

Immediately following the signing, the U.S. Department of Transportation (DOT) issued an Order that invited U.S. air carriers to [apply for an allocation](#) of the new opportunities to provide scheduled passenger and cargo flights for the expected 110 daily flights to Cuba and expects to award the routes by summer. It is understood that the agreement allows 20 regular daily U.S. flights to Havana, in addition to the current 10-15 charter flights a day. The rest would be to other Cuban cities as the arrangement provides each country with the opportunity to operate up to 10 daily roundtrip flights between the United States and each of Cuba's nine other international airports. The arrangement does not limit charter services, meaning that no DOT allocation procedures are needed and charter flights can continue as before.

The DOT Order initiates a proceeding for DOT to select which U.S. carriers will be able to offer scheduled flights to Cuba, and from which U.S. points. In making its selection, the Department said it will consider which proposals will offer and maintain the best service to the traveling and shipping public. DOT's order states that applications are due March 2, 2016; answers to applications are due March 14, 2016; and replies to those answers are due March 21, 2016. Interested parties can track the progress of the case and view the publicly available documents at [www.regulations.gov](http://www.regulations.gov), Docket DOT-OST-2016-0021.

### El Salvador

#### Documents

Date	Series and №	Subject
08-02-16	<a href="#">DGA 004-2016</a>	Customer service in the Customs during holidays for 2016
	<a href="#">DGA 005-2016</a>	Products that do not require a visa of the National Medicines (published February 8, 2016)
19-02-16	<a href="#">DGA 006-2016</a>	Preventing Parcel managers to present their bond transaction

### Nicaragua

#### Nicaraguan Classification Resolutions (Customs Rulings)

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

Date	Series and №	Subject
04-02-16	<a href="#">CT 015-2016</a>	<a href="#">Inspection Procedure for Living Things That Can Not Be X Rayed By Nonintrusive Inspection Through Scanner</a>
	<a href="#">CT 016-2016</a>	<a href="#">Procedure for the Application for Reimbursement of Customs Duties to Imports (DAI) Paid by Goods Originating in the European Union Under the Partnership Agreement Between the EU and CA.</a>
18-02-16	<a href="#">CT 019-2016</a>	<a href="#">Authorization Permits for import or export of Pesticides for household and professional use.</a>

## Panama

### Official Gazette

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

Publication Date	Title
01-02-16	Food Safety Authority: <a href="#">Resolution № 001-CTI-16 (05-01-16) Ordering the temporary suspension of the marketing of fishery products from the Republic of Vietnam until their health authorities clarify strong form and technical and scientific methods under that they are free of bacteria "Vibrio Cholerae" and therefore they may be imported and marketed in safely in the Republic Of Panama.</a>
24-02-16	Office of the Comptroller General of the Republic: <a href="#">Decree No. 20-2016- DMySC (19-01-16) Approving the document entitled "Guide to Transfer to the National Customs Authority Overdue Warranties of Deposits of Guarantees and Other Procedures of Customs Regime" National Customs Authority.</a>
25-02-16	NCS: Res. № 050 (04-02-16) <a href="#">for which establishes the control of valuation of potatoes, rice and onions in accordance with article VII of the General Agreement on Tariffs and Trade 1994 (GATT).</a>

## The Americas - North America

### Canada

#### Canada relaxes sanctions targeting Iran

On February 5, 2016, the Government of Canada [announced changes](#) to its comprehensive economic and trade sanctions against Iran. The changes signal Canada's willingness to re-engage in dialogue with Iran and follow the International Atomic Energy Agency's announcement, on January 16, 2016, that Iran had fulfilled all necessary commitments under the Joint Comprehensive Plan of Action (JCPOA). January 16, 2016 is known as "Implementation Day". On that date, the United Nations Security Council ("UNSC"), in accordance with [Resolution 2231](#), repealed certain previous UNSC resolutions on Iran, and the European Union, Switzerland, and the United States relaxed their trade sanctions on Iran.

Canada imposes trade sanctions against Iran under the *Special Economic Measures Act* (SEMA) and, in accordance with UNSC resolutions, under the *United Nations Act* (UN Act). With respect to Iran, the February 5, 2016 changes amend both the *Special Economic Measures (Iran) Regulations* (SEMA Regulations) and the *Regulations Implementing the United Nations Resolutions on Iran* (UN Regulations). While it may appear that Iran is now "open for business", [we caution that significant restrictions to trade with Iran remain in place](#) and both individuals and organizations continue to face significant compliance risks. Before

engaging in any new activities involving Iran or Iranian parties, companies should carefully consider the restrictions that remain in place.

Below, we provide additional information about the changes adopted by Canada on February 5, 2016.

### Expanded Jurisdiction

Before February 5, 2016, both the SEMA Regulations and UN Regulations applied to: (i) all persons in Canada, regardless of nationality; and (ii) Canadians outside Canada. “Canadian” was defined as “a person who is a citizen within the meaning of the *Citizenship Act* or a body corporate incorporated or continued by or under the laws of Canada or of a province.”

On February 5, 2016, the jurisdiction of the UN Regulations was expanded. The definition of “Canadian” under the UN Regulations now includes not only Canadian citizens and corporations, but also permanent residents as defined in subsection 2(1) of the *Immigration and Refugee Protection Act*. There was no corresponding change made to the definition of “Canadian” under the SEMA Regulations.

This change to the definition of “Canadian” may require fresh consideration by companies of whether any employees holding Canadian permanent resident status are subject to the UN Regulations. We note that an individual who has permanent resident status, as defined in the UN Regulations, continues to have permanent resident status even if they are physically located outside Canada.

### Scope of Prohibited Activities

Amendments have been made to the SEMA Regulations and UN Regulations to significantly reduce the scope of prohibited activities. Generally speaking, the amendments bring Canadian trade sanctions in line with the EU sanctions legislation and the US sanctions legislation, that is, the Canadian restrictions that remain in force are focused on nuclear-related activity, Iran’s ballistic missile activities, and dealings with certain named individuals and entities (known as designated persons or listed persons).

#### 1. SEMA Regulations

Previously, the SEMA Regulations imposed broad restrictions on almost all trade and economic activity related to Iran, including broad restrictions on financial services related to Iran, importing, purchasing or acquiring goods from Iran, exporting, selling or shipping goods to Iran, and making investments in Iranian entities.

The amended SEMA Regulations have repealed many of the broad restrictions relating to Iran, including the trade embargo, the prohibitions on providing or obtaining financial services, and investing in Iranian entities. However, the broad trade embargo has been replaced by a prohibition on trade in certain listed goods and technology. These are generally goods and technology with potential nuclear or military applications. The SEMA Regulations also continue to prohibit facilitation activity, that is, causing, facilitating or assisting, or intending to cause, facilitate or assist, any act or thing that is prohibited thereunder.

In addition, the list of named persons under the SEMA Regulations (previously defined as “designated persons” but now referred to under the SEMA Regulations

as “listed persons”) has been shortened, but remains significant. Where there were previously over 500 entities and 83 individuals listed, there are now 161 entities and 41 individuals. The broad prohibition on almost all dealings with listed persons means that companies continue to face significant compliance risks if they are not thorough in screening potential suppliers, customers, or partners against the listed persons list.

## 2. UN Regulations

The UN Regulations implement into Canadian law the UNSC resolutions imposed against Iran that focus on Iran nuclear-related activities.

Canada has amended the UN Regulations in accordance with the changes made to the UNSC resolutions on Iran on Implementation Day. The UN Regulations continue to impose prohibitions on trade in specific products and technologies related to nuclear or military applications, goods and technology related to ballistic missiles, as well as making available property or providing financial or related services related to uranium mining in Canada, or to the production or use of certain nuclear materials and technology in Canada. The UN Regulations also continue to prohibit facilitation activity, that is, causing, facilitating or assisting, or intending to cause, facilitate or assist, any act or thing that is prohibited thereunder.

The designated persons subject to the UN Regulations are those found on the list published by the UNSC pursuant to UNSC Resolution 2231. As with the SEMA Regulations discussed above, the broad prohibition in the UN Regulations on almost all dealings with designated persons means that companies continue to face significant compliance risks if they are not thorough in screening potential suppliers, customers, or partners against the designated persons list.

## Export Controls / Export Permits

Pursuant to the *Export and Import Permits Act*, an exporter may apply to the Export Controls Division of Global Affairs Canada for a permit to export items listed on the Export Control List. In its announcement on February 5, 2016, the Government of Canada also issued a Notice to Exporters indicating that while all applications for export permits for controlled goods and technology destined to Iran will be considered on a case-by-case basis, permit applications to export to Iran certain items on the Export Control List will normally be denied. Items that will normally be denied export permits to Iran include, in part, all items in Group 2 (Munitions List), Group 3 (Nuclear Non-Proliferation List), Group 4 (Nuclear-Related Dual-Use List), and certain items in the remaining groups, including, for example, telecommunications intercept, surveillance and jamming equipment (Group 1, Dual-Use), certain nuclear and military items (Group 5, Miscellaneous Goods and Technology), and certain toxic chemicals and biological weapon agents (Group 7, Chemical and Biological Weapons Non-Proliferation List).

- Exports of items listed on the Export Control List to Iran - SER 196 (Feb. 5, 2016)
- Regulations Amending the Special Economic Measures (Iran) Regulations (SOR/2016-15, Feb. 5, 2016)
- Regulations Amending the Regulations Implementing the United Nations Resolutions on Iran (SOR/2016-14, Feb. 5, 2016)

For additional information, please contact Paul Burns, Brian Cacic or Erica Lindberg of our Toronto office. Please check our Sanctions blog for updates.

## 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
02-06-16	Environment: <a href="#">Ministerial Condition No. 18419 (Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999)</a> [ substance poly(oxy-1,2-ethanediyl), a,a'-(iminodi-2,1-ethanediyl)bis[ω- hydroxy-, N-[3-(C10-16-alkyloxy)propyl] derivs., di-Et sulfate-quaternized, Chemical Abstracts Service No. 70983-58-3]
	Environment: <a href="#">Ministerial Condition No. 18420 (Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999)</a> [substance poly(oxy-1,2-ethanediyl), a,a'-(iminodi-2,1-ethanediyl)bis[ω- hydroxy-, N-[3-(C10-16-alkyloxy)propyl] derivs., di-Et sulfate-quaternized, Chemical Abstracts Service No. 70983-58-3]
	Environment: <a href="#">Order 2016-66-01-02 Amending the Non-domestic Substances List</a> pursuant to subsection 66(2) of the Canadian Environmental Protection Act, 1999 (O)
	Environment: <a href="#">Order 2016-87-01-02 Amending the Non-domestic Substances List</a> pursuant to subsection 87(5) of the Canadian Environmental Protection Act, 1999 (O)
02-10-16	Environment/Health: <a href="#">Early stakeholder engagement to help inform the plan to address the remaining 1 550 substances under the Chemicals Management Plan (N)</a>
	Natural Resources: <a href="#">Order Amending the Schedule to the Export and Import of Rough Diamonds Act (SOR/2016-6, Jan. 29, 2016)</a> pursuant to the <a href="#">Export and Import of Rough Diamonds Act (O)</a>
02-13-16	Health: <a href="#">Notice to interested parties — Proposal regarding the scheduling of W-18 under the Controlled Drugs and Substances Act and its regulations (PR)</a>
02-20-16	Environment: <a href="#">Order 2016-87-03-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (O)</a>
02-24-16	<a href="#">Order 2016-87-03-01 Amending Domestic Substances List (SOR/2016-17, Feb. 10, 2016)</a> pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Health: <a href="#">Regulations Amending the Precursor Control Regulations (APAAN) (SOR/2016-12, Feb. 5, 2016)</a> pursuant to the Controlled Drugs and Substances Act (R)
	Health: <a href="#">Order Amending Schedule VI to the Controlled Drugs and Substances Act (APAAN) (SOR/2016-13, Feb. 5, 2016)</a> pursuant to the Controlled Drugs and Substances Act (O)
02-27-16	Environment: <a href="#">Waiver of information requirements for a substance (subsection 81(9) of the Canadian Environmental Protection Act, 1999)</a>
	Environment: <a href="#">Waiver of information requirements for living organisms (subsection 106(9) of the Canadian Environmental Protection Act, 1999)</a>
	Health: <a href="#">Notice to interested parties — Proposal regarding the scheduling of methylphenidate under the Controlled Drugs and Substances Act and its regulations (N)</a>
	Transport: <a href="#">Proposed Regulations Amending the Motor Vehicle Safety Regulations (Interpretation and Standards 108 and 108.1) (PR)</a>
	Transport: <a href="#">Proposed Regulations Amending the Motor Vehicle Safety Regulations (Standard 214) (PR)</a>
	Transport: <a href="#">Proposed Regulations Amending the Motor Vehicle Safety Regulations (Standard 226) (PR)</a>

## 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
24-02-16	<a href="#">Regulations Amending the Special Economic Measures (Iran) Regulations (SOR/2016-15, Feb. 5, 2016)</a>
	<a href="#">Regulations Amending the Regulations Implementing the United Nations Resolutions on Iran (SOR/2016-14, Feb. 5, 2016)</a>

## CBSA advance rulings

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

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

## D-Memoranda and CNs revised or cancelled

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

Date	Reference	Action	Title
02-15-16	<a href="#">CN 16-05</a>	New	Amendments to the Iran Sanctions as of February 5, 2016
02-24-16	<a href="#">D19-6-3</a>	Revised	Importation of Energy-using Products
02-25-16	<a href="#">CN 16-07</a>	New	eManifest Requirements for Tow Truck Operators

## Antidumping and countervailing duty cases

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

## Mexico

### Mexico amends the list of exports that require permits

On February 9, 2016, the Ministry of Economy published in the *Diario Oficial de la Federación* (the Official Gazette) an [Acuerdo](#) which adds to, or modifies, the list of conventional weapons, their parts and components, dual-use goods, software and technologies susceptible to diversion for the manufacture and proliferation of conventional weapons and weapons of mass destruction, for which export permits are required from the Ministry of Economy.

The amendments and modifications include certain types of agitators, protective footwear for use in biological, radioactive or chemical warfare agents, certain furnaces, incinerators. See the Acuerdo for the complete list with tariff numbers and descriptions.

## Diario Oficial

The following documents of interest to international traders were published in the *Diario Oficial de la Federación*: 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
02-03-16	Economy: <a href="#">Acuerdo amending the Acuerdo establishing the classification and codification of goods whose import and export is subject to regulation by the agencies that make up the Interministerial Commission for the Control Process and Use of Pesticides, Fertilizers and Toxic Substances.</a>
02-05-16	Economy: <a href="#">Acuerdo amending the Acuerdo establishing the classification and codification of goods whose import and export is subject to regulation by the agencies that make up the Interministerial Commission for the Control Process and Use of Pesticides, Fertilizers and Toxic Substances.</a>
	Economy: <a href="#">Acuerdo amending the Acuerdo establishing the classification and codification of goods and products whose import, export, output is subject to sanitary regulations by the Ministry of Health.</a>
	Economy: <a href="#">Acuerdo announcing the Decision No. 81 of the Administrative Commission of the Free Trade Agreement between the United Mexican States and the Republic of Colombia, adopted on 18 December 2015.</a>
02-09-16	Economy: <a href="#">Acuerdo amending the Acuerdo requiring prior permission from the Ministry of Economy for the export of conventional weapons, their parts and components, dual-use goods, software and technologies likely to divert to the manufacture and proliferation of conventional weapons destruction and massive.</a>
02-23-16	Energy: <a href="#">Notice by reporting that from April 1, 2016, the Energy Department may issue permits import of gasoline and diesel to any interested party that meets the applicable legal provisions.</a>

## Antidumping and countervailing duty cases

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

## United States

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

## Presidential documents

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

Date	Subject
02-02-16	<a href="#">Memorandum of January 29, 2016 - Delegation of Certain Authority and Assignment of Certain Functions Under Section 103(a)(1)(A) and Section 103(b)(1) of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (To USTR)</a>
02-05-16	<a href="#">Notice of February 3, 2016 - Continuation of the National Emergency With Respect to the Situation in or in Relation to Côte d'Ivoire</a>
02-24-16	<a href="#">Notice of February 22, 2016 - Continuation of the National Emergency With</a>

Date	Subject
	<a href="#">Respect to Libya</a>
02-25-16	<a href="#">Proclamation 9398—Modifying and Continuing the National Emergency With Respect to Cuba and Continuing To Authorize the Regulation of the Anchorage and Movement of Vessels</a>

## President modifies national emergency with respect to Cuba

On February 25, 2016, the *Federal Register* published [Proclamation 9398—Modifying and Continuing the National Emergency With Respect to Cuba and Continuing To Authorize the Regulation of the Anchorage and Movement of Vessels](#) which modifies and continues the national emergency declared in Proclamation 6867 of March 1, 1996, and expanded by Proclamation 7757 of February 26, 2004 because the descriptions of the national emergency set forth in those Proclamations no longer reflect the international relations of the United States related to Cuba.

The proclamation directs the Secretary of Homeland Security (the “Secretary”) to make rules and regulations governing the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, which may be used, or is susceptible of being used, for voyage into Cuban territorial waters and that may create unsafe conditions, or result in unauthorized transactions, and thereby threaten a disturbance of international relations. Any rule or regulation issued pursuant to this proclamation may be effective immediately upon issuance as such rule or regulation shall involve a foreign affairs function of the United States.

The Secretary is authorized, to the extent consistent with international law, to inspect any vessel, foreign or domestic, in the territorial waters of the United States, at any time; to place guards on any such vessel; and, take full possession and control of any such vessel and remove the officers and crew and all other persons not specifically authorized by the Secretary to go or remain on board the vessel when necessary to secure the rights and obligations of the United States.

The Secretary is authorized to request assistance from such departments, agencies, officers, or instrumentalities of the United States as the Secretary deems necessary to carry out the purposes of the proclamation. Such departments, agencies, officers, or instrumentalities shall, consistent with other provisions of law and to the extent practicable, provide requested assistance.

The Secretary may seek assistance from State and local authorities in carrying out the purposes of the proclamation. Because State and local assistance may be essential for an effective response to this emergency, the President urges all State and local officials to cooperate with Federal authorities and to take all actions within their lawful authority necessary to prevent the unauthorized departure of vessels intending to enter Cuban territorial waters.

The Secretary is authorized to delegate all powers and authorities in the proclamation to other officers and agents of the United States Government unless otherwise prohibited by law. Any provisions of Proclamation 6867 of March 1, 1996, and expanded by Proclamation 7757 of February 26, 2004, that are inconsistent with the provisions of the proclamation are superseded to the extent of such inconsistency.

## President extends national emergency with respect to Libya

On February 24, 2016, the *Federal Register* published Presidential [Notice of February 22, 2016 - Continuation of the National Emergency With Respect to Libya](#), which extends the measures first established by Executive Order (EO) 13566 (February 25, 2011) for an additional year. In EO 13396, the President declared a national emergency, to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of Colonel Muammar Qadhafi, his government, and close associates, who took extreme measures against the people of Libya, including by using weapons of war, mercenaries, and wanton violence against unarmed civilians. In addition, there was a serious risk that Libyan state assets would be misappropriated by Qadhafi, members of his government, members of his family, or his close associates if those assets were not protected. The foregoing circumstances, the prolonged attacks, and the increased numbers of Libyans seeking refuge in other countries caused a deterioration in the security of Libya and posed a serious risk to its stability.

The measures are being extended for an additional year because the situation in Libya continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States, and it is necessary to protect against the diversion of assets or other abuse by certain members of Qadhafi's family and other former regime officials.

## New North Korean sanctions signed into law

On February 18, 2016, the President signed into law the [North Korea Sanctions and Policy Enhancement Act of 2016](#) (Pub. L. 114-122; 130 stat. 93) (the "NKSPEA"), which passed Congress by an overwhelming majority in the U.S. House of Representatives and a unanimous vote in the U.S. Senate. NKSPEA sets out several new sanctions against North Korea, including the following:

**1. Blocking of the Government of North Korea:** Section 104(c) of NKSPEA requires imposition of a "blocking" order (*i.e.*, asset freeze) against the Government of North Korea, the Workers' Party of Korea, and certain persons designated pursuant to Section 104(a) and (b) of NKSPEA (as well as persons determined to be owned or controlled by, or acting on behalf of, any of the foregoing). As a result, all property or interests in property of such persons would be blocked (or "frozen") if it comes within the United States or the possession or control of a US person. US persons are broadly prohibited from dealing with blocked persons, whether directly or indirectly.

**2. Additional Designation Requirements and Authorities:** Section 104(a) of NKSPEA requires designation of persons determined to have knowingly engaged in certain targeted activities, including, but not limited to:

- Importing or exporting controlled goods, services or technology to or from North Korea for WMD proliferation purposes;
- Facilitating human rights abuses or censorship by the Government of North Korea;
- Engaging in significant activities undermining cybersecurity against foreign persons on behalf of the Government of North Korea; or
- Selling, supplying or transferring a significant amount of precious metal, graphite, raw or semi-finished metals or aluminum, steel, coal or software, for WMD proliferation or other targeted uses.

Section 104(b) allows for discretionary designation of UN-sanctioned parties or parties contributing to bribery or misappropriation of public funds. Persons designated under Section 104(a) or (b) would be subject to the blocking restrictions described above and

likely added to the List of Specially Designated Nationals and Blocked Persons (“SDN List”).

**3. Government Procurement Ban:** In addition to the blocking requirements, Section 204(a) of NKSPEA imposes a government procurement and contracting ban on any person designated under Section 104(a).

**4. Potential Designation as a “Jurisdiction of Primary Money Laundering Concern”:** Section 201(b) on NKSPEA requires the administration to determine whether there are reasonable grounds to designate North Korea as a “jurisdiction of primary money laundering concern.” This designation would block North Korean access to the US financial system and require the imposition of “special measures” against designated financial institutions.

**5. Export Licensing Requirement:** Section 203(a) of NKSPEA imposes a new export licensing requirement for all items classified on the US Commerce Control List for anti-terrorism (AT) reasons. This requirement has limited effects beyond existing export controls, which impose a licensing requirement for almost all exports to North Korea of items “subject to US jurisdiction,” (i.e., of US origin, exported from the United States, or containing more than 10% controlled US content), except for uncontrolled (i.e., EAR99) food or medicine. The effect of this new requirement is to remove the availability of certain license exceptions for various categories of AT-controlled exports, including humanitarian donations, personal baggage, and news media equipment. Such exports now require a validated license. There is an exception to this requirement for the “provision of assistance for human rights, democracy, rule of law, or emergency humanitarian purposes.”

With the exception of the procurement ban under Section 204, the sanctions above are subject to a waiver authority set out in Section 208 for humanitarian assistance, i.e., “assistance to meet humanitarian needs, including needs for food, medicine, medical supplies, clothing, and shelter” or for certain human rights purposes. This waiver must be affirmatively exercised by the President to be effective, and it is unclear at this time how specific or broad this waiver must be with respect to particular activities or organizations.

For additional information, please contact by [Meghan Hamilton](#), [Maria H. van Wagenberg](#), [Paul E. Amberg](#) or any member of the U.S. outbound practice with whom you normally work. Check our [Sanctions blog](#) for updates.

## President continues national emergency with respect to Côte d'Ivoire

On February 5, 2016, the *Federal Register* published Presidential [Notice of February 3, 2016 - Continuation of the National Emergency With Respect to the Situation in or in Relation to Côte d'Ivoire](#) which extends the measures first established in Executive Order (EO) 13396 (February 7, 2006) for an additional year. In EO 13396, the President declared a national emergency, to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the situation in or in relation to Côte d'Ivoire and ordered related measures blocking the property of certain persons contributing to the conflict in Côte d'Ivoire. The situation in or in relation to Côte d'Ivoire, which has been addressed by several UN Security Council Resolutions, has resulted in the massacre of large numbers of civilians, widespread human rights abuses, significant political violence and unrest, and fatal attacks against international peacekeeping forces.

The national emergency is being extended because, while the Government of Côte d'Ivoire and its people continue to make progress towards consolidating democratic gains and peace and prosperity, the situation in or in relation to Côte d'Ivoire continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

## President signs 'Customs Bill' into law

On February 24, 2016, President Obama signed Trade Facilitation and Trade Enforcement Act of 2015 (the Act) and it became Pub. L. 114-125. This 160 page bipartisan Act is the first real Customs modernization legislation in nearly two decades. On February 11, 2016, the U.S. Senate, by a vote of 75-20 adopted the Conference Report the Act, which is more commonly referred to as the "Customs Re-authorization Bill" or the "Customs Bill," after a cloture vote. The Conference Report passed the U.S. House of Representatives in a 256-158 roll-call vote in December 2015, but was stalled in the Senate over a non-customs related internet tax issue that had been added during the House and Senate Conference which had to reconcile different versions of the original bill that passed each House last year.

Although the Act officially authorizes various ongoing CBP programs (such as ACE/ITDS, risk assessment, CEEs, NIPRCC, partnership programs – such as C-TPAT and CSI, etc.), it also contains information sharing requirements with Immigration and Customs Enforcement (ICE) and other Federal Agencies, establishes agency priorities, training requirements (including the use of non-government persons), Congressional reporting requirements, performance standards and enforcement provisions. It also contains many substantive legal requirements that will impact importers, customs brokers and intellectual property rights owners, including:

- The establishment of an importer of record program with sufficient information to identify linkages and criteria to determine changes in organization structure;.
- The establishment of an importer risk assessment program to adjust bond amounts and increase or decrease screening of imports;
- The establishment of an interagency Import Safety Working Group;
- Mandating regulations to require customs brokers to establish programs to verify the identity of their importer clients to CBP and require brokers to maintain records collected by the broker concerning the importer's identity;
- An amendment to the Tariff Act of 1930 [new Section 628A] to permit CBP to share unredacted samples and packaging materials (including labels) of goods bearing recorded trademarks or recorded copyrighted material (and devices for circumvention) with intellectual property rights holders (unless it would compromise an ongoing law enforcement investigation or national security) to assist Customs and Border Protection in determining whether they are counterfeit;
- An amendment to section 596 of the Tariff Act of 1930 to allow the seizure of technology, services, products, device, components (or parts thereof) used to circumvent protections [see 17 U.S.C. §1201];
- Provisions to enforce copyrights that are pending with the Copyright Office;
- Improved enforcement of antidumping and countervailing duty (AD/CVD) laws with the establishment of a new Trade Remedy Law Enforcement Division to address AD/CVD duty evasion and a new section 517 of the Tariff Act of 1930 establishing investigative procedures. In addition, the Act eliminates the current option for importers of merchandise subject to AD/CV duties from a "new shipper" currently under review to post a bond rather than pay a cash deposit of estimated duties.;
- The Act requires the establishment of a honey transshipment database;
- Increased enforcement of illicitly imported, exported or trafficked cultural property, fish, wildlife or plants;
- Establishment of a Trade Enforcement Trust Fund;

- Elimination of the consumptive demand exception to 19 U.S.C. §1307 (ban on imports of goods made with forced or prison labor);
- Clarification in 19 U.S.C. §1501 that CBP reliquidations must be made within 90 days of original liquidation date, not notice of the liquidation;
- Changes in classification and duty rates for recreational performance outerwear and protective active footwear imports to correct several drafting errors to the trade preferences legislation passed in June 2015 that changed certain tariff classifications and significantly increased (from 4% to 27.7% and from 20 to 37.5%) the tariff rates. Under the Act, these products will still have separate tariff classifications, but their general duty rates will return to their original level;
- Trade assistance and tariff preferences for Nepal;
- Authorizes U.S. to join APEC countries in certain environmental goods tariff reductions;
- Changes in country of origin marking for certain castings;
- Increase administrative duty free entry from \$200 to \$800;
- Amend heading 9802, HTS;
- Exemption from duty for residue bulk cargo in Instruments of International Traffic (IITs) exported previously;
- Drawback revisions (substitution by 8 digit HTS number, recordkeeping and documentation, revision of amounts from 99% to refund based on formula.
- Export promotion, state programs and small business provisions

Details of the various changes will be covered in future Updates.

### USTR requests Peru timber verification

On February 26, 2016, the U.S. Trade Representative [announced](#) that it has requested the Government of Peru to verify that a 2015 timber shipment exported to the United States from Peru complied with all applicable Peruvian laws and regulations. This is the first such [verification request](#) under the *United States-Peru Trade Promotion Agreement* (PTPA), which entered into force in 2009. The timber verification provision is a monitoring tool provided for in the PTPA to ensure enforcement of Peruvian forestry laws throughout the supply chain, so that U.S. timber importers and consumers can be confident that the timber they buy from Peru is legally harvested and exported.

The U.S. and Peru have an active record of engagement to monitor implementation of obligations under the PTPA Environment Chapter and Forest annex. The Forest Annex has catalyzed meaningful reform in Peru's forestry sector since its entry into force, including Peru's actions to:

- establish key forest sector institutions, such as an independent forestry oversight body - Organismo de Supervisión de los Recursos Forestales y de Fauna Silvestre (OSINFOR) -which has performed over 600 supervisions of 2.0 million hectares during 2014 alone, resulting in thousands of resolutions to sanction illegal activity or mandate corrective actions to improve forest management;
- amend its criminal code to include substantial penalties for illegal logging and wildlife trafficking;
- adopt laws and other measures necessary to comply with the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES); and
- enact a new Forestry and Wildlife Law and implementing regulations that improve forest sector governance.

## USTR seeks comments on 2015/2016 GSP review

On February 29, 2016, the Office of the U.S. Trade Representative (USTR) published in the *Federal Register* a [notice](#) announcing the availability of full 2015 calendar year import statistics relating to competitive need limitations (CNLs) under the *Generalized System of Preferences* (GSP) program. The USTR will accept public comments submitted by April 1, 2016, regarding: (1) Possible de minimis CNL waivers; and (2) possible redesignations of articles currently not eligible for GSP benefits because they previously exceeded the CNL thresholds. The notice also announces the withdrawal by the petitioners of certain previously accepted CNL waiver petitions.

## U.S. and Laos sign TIFA

On February 18, 2016, the U.S. Trade Representative (USTR) website [announced](#) that the U.S. Trade Representative and the Lao Minister of Industry and Commerce signed a bilateral *Trade and Investment Framework Agreement*. This agreement creates a forum for the United States and Laos to engage on bilateral trade and investment issues, such as intellectual property, labor, environment, and capacity building; as well as to coordinate on multilateral and regional issues, including related to the Association of Southeast Asian Nations (ASEAN).

## ITC provides schedule for 2016 U.S. Services Trade report, opportunity to provide input

On February 4, 2016, the U.S. International Trade Commission (ITC) published in the *Federal Register* a [notice](#) [Investigation No. 332-345] providing the schedule for the 2016 Report on *Recent Trends in U.S. Services Trade*, and providing an opportunity to submit information. The 2016 report, which the ITC plans to publish in September 2016, will provide aggregate data on cross-border trade in services for the period ending in 2014, and transactions by affiliates based outside the country of their parent firm for the period ending in 2013. The report's analysis will focus on financial services (banking, insurance, and securities services). The ITC is inviting interested members of the public to furnish information and views in connection with the 2016 report. The deadline for filing written submissions is March 30, 2016. The anticipated date for publishing the report is September 30, 2016. The ITC has prepared and published annual reports in this series under investigation No. 332-345, *Recent Trends in U.S. Services Trade*, since 1996.

## ITC investigations

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

Investigation No. and title	Requested by:
<a href="#">Inv. No. 332-345 Recent Trends in U.S. Services Trade, 2016 Annual Report</a> (RFC)	Annual Report

## European Commission and US Authorities reach agreement on Transatlantic data flows

After months of intense negotiations, the European Commission and the US Government announced today an [agreement on the EU-US Privacy Shield](#). This new arrangement replaces the US-EU Safe Harbor Privacy Arrangement ("Safe Harbor"), which was struck down by the Court of Justice of the European Union on October 6, 2015. The EU-US Privacy Shield builds upon the original Safe Harbor, and establishes a range of additional protections for European personal data, particularly on the issues of public authority access to data. The new arrangement is a critical achievement to help assure continuity of transatlantic data flows, which are vital to the digital economies in both Europe and the United States. The negotiators on both sides of the Atlantic should be praised for this achievement as it is a "win-win" for data protection and the transatlantic digital economy.

### What are the requirements of the new EU-US Privacy Shield?

Although the details of the arrangement still require further study, key features appear to include:

#### 1. Clear safeguards and transparency obligations on US government access

US authorities have, for the first time, given written assurances to their European counterparts that law enforcement and national security access to personal data will be subject to clear limitations, safeguards, and oversight mechanisms to assure proportionality and necessity. There will be an annual joint review of the arrangement, including the national security access issue.

#### 2. Strong obligations on companies handling Europeans' personal data and robust enforcement

Under the Privacy Shield, US recipients of personal data from the EU will be required to commit to robust obligations on how personal data is processed and individual rights are guaranteed. The US Department of Commerce will monitor that companies publish their commitments to the Privacy Shield, and will otherwise assure application of enforcement authority by the US Federal Trade Commission under US law.

#### 3. Effective protection of EU citizens' rights with several redress possibilities

Any EU citizen who considers that their personal data has been misused under the new arrangement will have several redress possibilities. European Data Protection Authorities can refer complaints to the US Department of Commerce and the Federal Trade Commission. There will be deadlines for responding to complaints, and alternative dispute resolution will be free of charge. In addition, a new Ombudsman will be created within the US Department of State to handle complaints about national intelligence authority access to European personal data.

### What are the next steps?

The European Commission will prepare a draft adequacy decision for the arrangement, which could then be adopted following consultation with the Article 31 committee of Member State representatives, and after obtaining the advice of the Article 29 Working Party of data protection authorities. On the US side, the US authorities will in the meantime proceed to take the necessary steps to formalize their commitments in writing. The European Commission has expressed its hope that these procedures can be completed within three (3) months, and it is expected that US companies participating in Safe Harbor will have some time to decide whether to join the new arrangement. In the meantime, companies should continue to pursue appropriate data transfer and data processing agreements and monitor updates from data protection authorities regarding transition periods and enforcement of existing laws.

For additional information on this topic, please contact the authors [Brian Heng-esbaugh](#) (Chicago) or [Prof. Dr. Michael Schmidl](#) (Munich).

## CBP opens Global Entry to German citizens

On February 16, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) [CBP Dec. No. 16-04] announcing that CBP is concluding a limited pilot program (established in 2013) through which certain citizens of Germany were eligible to apply for participation in its Global Entry program and expanding eligibility in the program to include all German citizens. Additionally, the notice announces that certain U.S. citizens may apply for membership in EasyPASS, Germany's registered traveler program. CBP has established the Global Entry international trusted traveler program at most major U.S. airports. Global Entry allows preapproved participants dedicated CBP processing into the United States using Global Entry kiosks located at designated airports.

The effective date was applications from German citizens was February 16, 2016.

## CBP modifies PGA message set for toxic substances requiring EPA certification

On February 10, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify the National Customs Automation Program (NCAP) test concerning the transmission of electronic filings of data to the Automated Commercial Environment (ACE), known as the Partner Government Agency (PGA) Message Set test. This modification expands the use of the ACE PGA Message Set for the transmission of Environmental Protection Agency (EPA) *Toxic Substances Control Act* (TSCA) certification data. CBP invites public comment concerning the test program.

The modified PGA Message Set test will commence no earlier than February 10, 2016, and will continue until concluded by way of announcement in the *Federal Register*. Comments will be accepted through the duration of the test.

## EPA makes changes in reporting and recordkeeping for ozone depleting imports and exports for ITDS

On February 9, 2016, the Environmental Protection Agency (EPA) published in the *Federal Register* a [direct final rule](#) [EPA-HQ-OAR-2015-0309; FRL-9941-82-OAR] on minor conforming edits to the stratospheric protection regulations to implement the International Trade Data System. This system allows businesses to transmit the transactional data required by multiple Federal agencies for the import and export of cargo through a single "window." As businesses currently must submit trade data to multiple agencies, in multiple ways, and often on paper, the transition to electronic filing is expected to save businesses time and money. Specifically, this rule removes the requirement that the petition for used ozone depleting substances accompany the shipment through U.S. Customs and removes references to Customs forms that are obsolete under the new system.

The rule is effective on May 9, 2016 without further notice, unless EPA receives adverse comment by March 10, 2016. If EPA receives adverse comment, EPA will publish a timely withdrawal in the *Federal Register* informing the public that the rule will not take effect.

EPA also published a separate document that will serve as the [proposed rule](#) to make the edits if adverse comments are received on the direct final rule. Written comments must be received by March 10, 2016. If EPA receives no adverse comment, it will not take further action on this proposed rule. If EPA receives adverse comment, it will withdraw the direct final rule and it will not take effect. EPA would address all public comments in any subsequent final rule based on this proposed rule.

### CBP solicits comments on domestic party petition re: tariff classification of a steel tubing fitting

On February 9, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) [USCBP-2016-0007] soliciting comments on a petition submitted on behalf of a domestic interested party (pursuant to 19 U.S.C. § 1516 and 19 C.F.R. § 175.21) requesting the reclassification under the *Harmonized Tariff Schedule of the United States* (HTSUS) of a steel tube fitting from Taiwan. CBP classified the steel tube fitting under subheading 7307.99.50, HTSUS, which provides for: "Tube or pipe fittings (for example, couplings, elbows, sleeves), of iron or steel: Other: Other: Other." The 2015 column one, general rate of duty is 4.3 percent ad valorem. Petitioner contends that the proper classification for the steel tube fitting is under subheading 8412.90.90, HTSUS, which provides for: "Other engines and motors, and parts thereof: Parts: Other." Petitioner asserts that some of its competitors are classifying all or a substantial portion of similar fittings as parts of hydraulic systems, under subheading 8412.90.90, HTSUS, which is duty free, thus placing Petitioner at a competitive disadvantage. The document invites comments with regard to the correctness of the current classification by CBP. Comments must be received on or before April 11, 2016.

### CBP publishes quarterly interest rates

On February 8, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [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 remain unchanged from the previous quarter. For the calendar quarter beginning January 1, 2016, the interest rates for overpayments will be 2 percent for corporations and 3 percent for non-corporations, and the interest rate for underpayments will be 3 percent for both corporations and non-corporations. Effective: January 1, 2016

### Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
02-08-16	<a href="#">Agency Information Collection Activities: Application for Exportation of Articles Under Special Bond (N)</a>
	<a href="#">Agency Information Collection Activities: Country of Origin Marking Requirements for Containers or Holders (N)</a>
	<a href="#">Approval of SGS North America, Inc., as a Commercial Gauger (N) [Texas City, TX]</a>
	<a href="#">Approval of SGS North America, Inc., as a Commercial Gauger (N) [Sulphur, LA]</a>
02-11-16	<a href="#">Agency Information Collection Activities: Application to Establish a Centralized</a>

F.R. Date	Subject
	<a href="#">Examination Station (N) [19 C.F.R. 118.11]</a>
	<a href="#">Agency Information Collection Activities: Application-Permit-Special License Unlading-Lading-Overtime Services (N) [CBP Form 3171]</a>
	<a href="#">Agency Information Collection Activities: Regulations Relating to Recordation and Enforcement of Trademarks and Copyrights (N) [19 C.F.R. Part 133]</a>
	<a href="#">Accreditation and Approval of Camin Cargo Control, Inc., as a Commercial Gauger and Laboratory (N) [Long Beach, CA]</a>
	<a href="#">Accreditation and Approval of Pan Pacific Surveyors, Inc., as a Commercial Gauger and Laboratory (N) [Wilmington, CA]</a>
	<a href="#">Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory (N) [St. Rose, LA]</a>
	<a href="#">Accreditation and Approval of SGS North America, Inc., as a Commercial Gauger and Laboratory (N) [East Alton, IL]</a>
02-12-16	<a href="#">Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory (N) [Yorktown, VA]</a>
	<a href="#">Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory (N) [Paulsboro, NJ]</a>
	<a href="#">Accreditation and Approval of Saybolt LP as a Commercial Gauger and Laboratory (N) [Deer Park, TX]</a>
	<a href="#">Accreditation and Approval of Inspectorate America Corporation, As a Commercial Gauger and Laboratory (N) [Aston, PA]</a>
02-16-16	<a href="#">Agency Information Collection Activities: Delivery Ticket (N)</a>
	<a href="#">Agency Information Collection Activities: Protest (N) [CBP Form 19]</a>
02-22-16	<a href="#">Agency Information Collection Activities: Declaration for Free Entry of Returned American Products (N)</a>
	<a href="#">Agency Information Collection Activities: Petroleum Refineries in Foreign Trade Sub-Zones</a>
	<a href="#">Accreditation and Approval of AmSpec Services, LLC, as a Commercial Gauger and Laboratory (N) [Texas City, TX]</a>
	<a href="#">Accreditation and Approval of Amspec Services, LLC, as a Commercial Gauger and Laboratory (N) [Savannah, GA]</a>
02-23-16	<a href="#">Privacy Act of 1974; Department of Homeland Security, U.S. Customs and Border Protection-009 Electronic System for Travel Authorization System of Records [Docket No. DHS-2016-0014]</a>
02-26-16	<a href="#">Agency Information Collection Activities: Application for Identification Card (N) [CBP Form 3078]</a>
	<a href="#">Agency Information Collection Activities: Declaration for Free Entry of Unaccompanied Articles (N) (Form 3299).</a>

### CBP issues final determinations in procurement cases

CBP has published in the *Federal Register* the following determinations concerning the country of origin of merchandise for purposes of US Government procurement under the *Trade Agreements Act*. A copy of the final determination may be reviewed by clicking on the ruling number. Any party-at-interest may seek judicial review of the final determination within 30 days of the date of publication in the *Federal Register*.

F.R. Date	Ruling Reference (Date Issued) and Product	Country of Origin
02-22-16	<a href="#">HQ H268858 (February 12, 2016) Certain Data Protection Software Products ((1) WebALARM; (2) WebALARM [Embedded]; (3) TheGRID Basic; and (4) TheGRID Beacon.</a>	United States

## CBP announces ACE as sole system for electronic entry and entry summary filings

On February 29, 2016, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [notice](#) announcing that the Commercial Environment (ACE) will be the sole electronic data interchange (EDI) system authorized by the Commissioner of U.S. Customs and Border Protection (CBP) for processing certain electronic entry and entry summary filings as of the effective dates of this notice. As of the effective dates of this notice, ACE will be the sole CBP-authorized EDI system for merchandise subject only to the import requirements of CBP and also to the *Lacey Act* import requirements of the Animal and Plant Health Inspection Service (APHIS), or the import requirements of the National Highway Traffic Safety Administration (NHTSA), or the import requirements of both APHIS (Lacey) and NHTSA, as well as CBP. This document also announces that the Automated Commercial System (ACS) will no longer be a CBP authorized EDI system for purposes of processing the electronic filings specified in the notice. This document further announces the conclusion of the ACE/International Trade Data System (ITDS) pilots for APHIS (Lacey) and NHTSA. Electronic entry and entry summary filings for merchandise subject to the import requirements of other Partner Government Agencies (PGAs) can be submitted in ACE pursuant to an ongoing PGA pilot, or in ACS, until further notice.

Effective March 31, 2016: ACE will be the sole CBP-authorized EDI system for:

- Electronic entry summaries for merchandise that is subject only to the import requirements of CBP, associated with the following entry types: 01 (consumption), 03 (consumption— antidumping/countervailing duty), 11 (informal), 23 (temporary importation under bond), 51 (Defense Contract Administration Service Region), and 52 (government—dutiable); and
- electronic entries and corresponding entry summaries associated with the above entry types, for merchandise subject to the *Lacey Act* import requirements of the Animal and Plant Health Inspection Service (APHIS), or to the import requirements of the National Highway Traffic Safety Administration (NHTSA), and no other PGA requirements. Effective May 28, 2016: ACE will be the sole CBP-authorized EDI system for:
- electronic entries for merchandise that is subject only to the import requirements of CBP, associated with the following entry types: 01 (consumption), 03 (consumption— antidumping/countervailing duty), 11 under bond), 51 (Defense Contract Administration Service Region), and 52 (government—dutiable); and
- electronic entries and corresponding entry summaries associated with entry type 06 (consumption—foreign trade zone), for merchandise that is subject only to the import requirements of CBP; or for merchandise subject to the import requirements of APHIS (*Lacey Act*) or NHTSA, and no other PGA requirements.

## CBP assesses automation of USVI trade entry process

On February 2, 2016, CBP [announced](#) that it continues to assess a viable way to incorporate the U.S. Virgin Islands (USVI) into the Automated Commercial Environment (ACE) to expedite the importation process.

San Juan Field Office Assistant Director for Trade, Edward Ryan, and ACE Single Window Director, Stephen Hilsen, recently visited the Area Port of St. Thomas to gather information about the current cargo clearance process in the USVI in which all custom entries are made by Customs Business Service companies (“filers”) and/or importers in person.

The current process lacks electronic communication from the filers to CBP, hence, a heavy paper environment is created in all USVI ports of entry.

CBP also visited local USVI customs business service companies to gather information about the needs of the trade community that can improve and facilitate the customs declaration process. Automation would also make CBP more efficient and provide better support to CBP's partner government agencies.

CBP requirements in the USVI are unique because it operates under the Danish Public Law 64; a law that remains in effect since 1914, when the Danes sold the islands to the U.S. Federal statutes require CBP to collect customs duties on behalf of the USVI.

## CBP issues guidance on recordkeeping under ACE

U.S. Customs and Border Protection has posted [Guidance on Recordkeeping in the Automated Commercial Environment \(ACE\)](#) on its website. The guidance, which is dated January 28, 2016, states:

**Summary:** As a matter of policy, CBP will not request an entry filer to produce the data (formerly contained in CBP Forms 7501, 3461, 214 or 7512) that the filer previously transmitted to and was retained by CBP unless CBP has a need for such records. If CBP needs such records, the filer may re-transmit or otherwise provide the data electronically or reproduce the entry/entry summary data using an ACE report.

**Limitations:** The following CBP recordkeeping guidance is for entries/entry summaries and FTZ admissions filed in ACE. Note that supporting documentation that was used to create the data transmitted to CBP must be maintained by the filer and is not covered by this recordkeeping guidance regardless of whether the entry or FTZ admission was filed in ACE or ACS. Moreover, original documents must be retained by the entry filer and produced to CBP upon demand even if a digital copy of the original document was previously transmitted electronically to CBP. This guidance does not apply to or impact in any way the recordkeeping requirements or entry/entry summary production requirements of the United States Court of International Trade.

**Background:** In the ACE environment, the data required for CBP Form 7501, CBP Form 3461 in the Simplified Entry (Cargo Release) process, CBP Form 214 in the FTZ admission process, and CBP Form 7512 for Transportation Entries is transmitted electronically in discrete data sets, not in paper form, i.e., the data previously contained in these forms is now transmitted to CBP via ABI. Once transmitted and accepted by CBP, that data is stored by CBP. The filer's electronic transmission of that data through ABI fulfills the filer's entry and FTZ admissions obligation for these particular data sets. However, the filer must maintain, as is currently required, the underlying backup or supporting information from which the submitted information is derived.

**Requests for Data:** As a matter of policy, CBP will not request entry and FTZ data previously transmitted to and retained by CBP, unless CBP has a need for such records. If CBP needs such records, the filer may re-transmit or otherwise provide the data electronically or reproduce the entry/entry summary data using an ACE report. Note that entry data and information previously presented to and retained by CBP is not subject to a recordkeeping penalty for non-production if such data or information is subsequently requested.

**Versions:** Filers must retain all versions of entries, entry summaries and FTZ admissions submitted to CBP in order to comply with their recordkeeping requirements. All versions are received and processed by CBP, regardless of status. Consequently, all versions submitted to CBP must be retained by the filer. As a policy matter, CBP will not require the production of the non-final version of a data submission unless it is necessary for analytical, statistical, investigative or other purposes.

**Accessibility:** How a broker/filer provides copies of the transmissions to the importer of record is a business decision between the importer and the broker/filer. However, as entry summary information is accessible via the ACE Portal, an ACE Portal report, as for example, ESM-7008, would be an acceptable format for that purpose. CBP

plans on continuously expanding and improving ACE reports functionality that will assist a filer in responding to a request for records.

## CBP publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised publications and fact sheets (also see CSMS messages below):

- [Guidance on Recordkeeping in the Automated Commercial Environment \(ACE\)](#)
- [ATF Supplemental Guidance for ACE \(Ver 1.11\)](#)
- [NHTSA PGA Message Set Implementation Guide](#)
- [ACE Entry Summary Business Rules and Process](#)
- [ACE Filing Guide for TTB Regulated Commodities](#)
- [USDA Agriculture Marketing Service PGA Message Set](#)
- [Process for Participating in ACE Certification PGA Testing](#)
- [Process for Participating in ACE Production PGA Pilots](#)
- [PGA Pilot Information and Contact Points](#)
- [Overview of ACE PGA Pilots](#)
- [ACE Reports for Retirement \(Trade\)](#)
- [Updated ACE Transition Timeline](#)

## Revocations or modifications of CBP rulings

No revocations or modifications of CBP rulings were published or proposed in the *Customs Bulletin* during February 2016.

## CSMS messages

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

Date	CSMS#	Title
02-01-16	<a href="#">16-000071</a>	ACE SO Cargo Release Status messages with PGA delayed
02-02-16	<a href="#">16-000072</a>	ACE/ITDS PGA Pilot Participant Survey is Now Available
02-02-16	<a href="#">16-000073</a>	ACE PRODUCTION deployment Wednesday 2/3/2016 0600 ET, impact ACE Cargo Rel & Entry Summary
02-03-16	<a href="#">16-000074</a>	ACE Cargo Release Status Notification SO70 format issue
	<a href="#">16-000075</a>	Local Closure - Port of New Orleans, LA (2002)- February 9, 2016
	<a href="#">16-000076</a>	UPDATE: ACE Cargo Release Status Notification SO70 format issue
	<a href="#">16-000077</a>	ACE PRODUCTION deployment Thursday February 4, 2016 0600 ET, impacting ACE Entry Summary
	<a href="#">16-000078</a>	ACE CERTIFICATION deployment Thursday February 4, 2016 0630ET, impacting ACE Entry Summary
	<a href="#">16-000079</a>	POSTPONED: ACE deployments Thursday February 4, 2016 0600/0630ET, for ACE Entry Summary
02-04-16	<a href="#">16-000080</a>	Reminder - ACE/ITDS PGA Pilot Participant Survey is Now Available
02-05-16	<a href="#">16-000081</a>	Network Issues affecting CBP ACE Manifest & Portal, Friday, February 5, 2016

Date	CSMS#	Title
02-08-16	<a href="#">16-000082</a>	ACE Portal Exporter Account and AESDirect Filing Training Information Resources
	<a href="#">16-000084</a>	FDA Oasis System Maintenance
	<a href="#">16-000086</a>	ACE CERTIFICATION Deployment, Saturday, Feb 6,2016 1900ET, impact ACE CargoRel & EntrySumm
	<a href="#">16-000087</a>	ACE Cargo Release CERTIFICATION Deployment, Friday afternoon, February 5, 2016
02-08-16	<a href="#">16-000088</a>	Publication of Draft ACE Entry Summary Query CATAIR Chapter
	<a href="#">16-000090</a>	ACE Cargo Release Fix Now Available in Certification
	<a href="#">16-000091</a>	Publication of Supporting PGA Documents
	<a href="#">16-000092</a>	Updated ACE Transition Guidance
	<a href="#">16-000093</a>	
	<a href="#">16-000094</a>	ACE PRODUCTION deployment Tues. February 9, 2016 0600ET, impact ACE Cargo Rel & EntrySumm
	<a href="#">16-000096</a>	ACE PRODUCTION and CERTIFICATION Entry Summary deploy Tues Feb 9, 2016 0600 and 0630 ET
02-09-16	<a href="#">16-000097</a>	Reminder: Update on ACE Reports
	<a href="#">16-000098</a>	
	<a href="#">16-000099</a>	ACE CERTIFICATION OUTAGE Wednesday Feb. 10,2016 from 0600-0900 ET, impact Manifest & Accts
	<a href="#">16-000100</a>	NMFS Proposed Rule Webinar
	<a href="#">16-000101</a>	Updated ACE CATAIR Appendix V - Government Agency Codes Document Posted on CBP.GOV
	<a href="#">16-000102</a>	Updated ACE Filing Instructions for TTB Regulated Commodities, V7.3 Updated Jan 13, 2016
	<a href="#">16-000103</a>	Instructions for Transitioning to ACE with the PGA Pilots!
02-10-16	<a href="#">16-000104</a>	Revised Transition Dates for AESDirect and AESPcLink Users
	<a href="#">16-000105</a>	New Federal Register Notice Published Concerning ACE and TSCA
	<a href="#">16-000106</a>	
	<a href="#">16-000107</a>	Correction: New Federal Register Notice Published Concerning ACE and TSCA
	<a href="#">16-000108</a>	
02-11-16	<a href="#">16-000109</a>	Updated ACE Entry Summary Business Rules and Process Document Available on CBP.gov
	<a href="#">16-000110</a>	ABI Batch and Block Control Chapter Update, Version 4.4
	<a href="#">16-000111</a>	Initiation of ADCVD Investigations Regarding New Pneumatic Off-the-Road Tires
	<a href="#">16-000112</a>	
	<a href="#">16-000113</a>	Initiation of ADCVD Investigations: Certain Biaxal Geogrid Products
	<a href="#">16-000114</a>	
	<a href="#">16-000115</a>	ACE Cargo Release FTZ Issue Resolved
	<a href="#">16-000116</a>	Initiation of Antidumping Duty Investigation: Large Residential Washers
02-15-16	<a href="#">16-000121</a>	ACE PRODUCTION deployment Tues. February 16, 2016 0600ET, impact ACE CargoRel & EntrySumm
02-16-16	<a href="#">16-000122</a>	ACE Emergency break-fix deployment today, February 16 at 2pm ET
02-17-16	<a href="#">16-000126</a>	ACE and Refactored AESDirect Customer Support Teams. Who do you call?
	<a href="#">16-000127</a>	ACE PRODUCTION deployment Thurs February 18, 2016 0600 ET, impact ACE CargoRel & EntrySumm
	<a href="#">16-000128</a>	Update: ACE PRODUCTION deployment Thurs February 18, 2016 0600 ET, impact ACE CR & ES
02-19-16	<a href="#">16-000130</a>	New and Updated ACE CATAIR Chapters Posted On CBP.gov
02-22-16	<a href="#">16-000131</a>	New ACE Queries in ACE CERTIFICATION
	<a href="#">16-000132</a>	AESTIR Updates Available
	<a href="#">16-000133</a>	ACE CERTIFICATION deployment Mon, February 22,2016 1730 ET, impact ACE CargoRel & EntrySumm
02-23-16	<a href="#">16-000134</a>	Revision - ACE CATAIR - Draft SU-Statement Update Chapter
02-24-16	<a href="#">16-000135</a>	Updated ACE Cargo Release Status Notification SO70 (PGA data disposition)
02-25-16	<a href="#">16-000136</a>	Initiation of AD/CVD Investigations: Certain Amorphous Silica

Date	CSMS#	Title
		Fabric from the PRC
	<a href="#">16-000137</a>	Initiation of AD/CVD Investigations: Truck and Bus Tires from the PRC
	<a href="#">16-000138</a>	Updated AMS and ATF ACE/ITDS Implementation Guides
	<a href="#">16-000139</a>	
	<a href="#">16-000140</a>	ACE CATAIR Appendices PGA, B and C Have Been Posted to CBP.gov
	<a href="#">16-000141</a>	Updated National Highway Traffic Safety Administration (NHTSA) PGA Message Set Manual, Feb 16
	<a href="#">16-000142</a>	
	<a href="#">16-000143</a>	ACE PRODUCTION deployment Friday, February 26,2016 0600 ET, impact ACE CargoRel & EntrySumm
	<a href="#">16-000144</a>	Updated ACE Cargo Release Business Processes Document Posted on CBP.gov
02-26-16	<a href="#">16-000147</a>	ACE Partner Government Agency Queries Available in ACE CERTIFICATION
	<a href="#">16-000148</a>	ACE CERTIFICATION deployment, Saturday Feb 27,2016 @1300ET, impact ACE CargoRel & EntrySumm
	<a href="#">16-000149</a>	Draft ACE Future Courtesy Notice document posted to CBP.GOV
02-29-16	<a href="#">16-000150</a>	Reminder: Revised Transition Dates for AESDirect and AESPcLink Users
	<a href="#">16-000151</a>	New ACE FRN Concerning Entry and Entry Summary Filings
	<a href="#">16-000152</a>	ACE Emergency Production Deployment for NHTSA Reject Issue
	<a href="#">16-000153</a>	ACE CERTIFICATION deployment, Monday Feb 29,2016 @1800 ET, impact ACE CargoRel & EntrySumm
	<a href="#">16-000154</a>	ACE PRODUCTION deployment, Tuesday March 1, 2016 @ 0600ET, impact ACE CargoRel & EntrySumm

## Foreign Trade Zones

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

F.R. Date	Document
02-03-16	<a href="#">Foreign-Trade Zone (FTZ) 196—Fort Worth, Texas; Notification of Proposed Production Activity, General Electric Transportation (Locomotives, Drill Equipment, Off-Highway Vehicle Wheels, Inverters and Brake Systems); Fort Worth and Haslet, Texas [B-4-2016]</a>
	<a href="#">Foreign-Trade Zone 279—Terrebonne Parish, Louisiana; Application for Subzone; Thoma-Sea Marine Constructors, LLC, Houma and Lockport, Louisiana [S-8-2016]</a>
02-11-16	<a href="#">Foreign-Trade Zone (FTZ) 183 – Austin, Texas - Authorization of Production Activity - Flextronics America, LLC (Automatic Data Processing Machines) Austin, Texas [B-67-2015]</a>
02-12-16	<a href="#">Foreign-Trade Zone (FTZ) 279—Terrebonne Parish, Louisiana; Notification of Proposed Production Activity; Thoma-Sea Marine Constructors, L.L.C. (Shipbuilding); Houma, Louisiana [B-5-2016]</a>
02-16-16	<a href="#">Foreign-Trade Zone 116—Port Arthur, Texas; Expansion of Subzone 116C; Premcor Refining Group Inc.; Jefferson County, Texas [B-6-2016]</a>
02-18-16	<a href="#">Application for Additional Production Authority - The Coleman Company, Inc. Subzone 1191 (Textile-Based Personal Flotation Devices) Change of Location for Public Hearing [B-53-2015]</a>
02-22-16	<a href="#">Foreign-Trade Zone 23—Buffalo, New York, Application for Subzone, Cummins, Inc., Lakewood and Jamestown, New York [B-8-2016]</a>
	<a href="#">Foreign-Trade Zone (FTZ) 134—Chattanooga, Tennessee; Notification of Proposed Production Activity; Volkswagen Group of America Chattanooga Operations, LLC; (Motor Vehicles); Chattanooga, Tennessee [B-7-2016]</a>
02-23-16	<a href="#">Foreign-Trade Zone 27 – Boston, Massachusetts; Application for Subzone, Barrett Distribution Centers, Inc., Franklin, Massachusetts [B-9-2016]</a>
	<a href="#">Foreign-Trade Zone (FTZ) 102 – St. Louis, Missouri; Authorization of Production [B-10-2016]</a>

F.R. Date	Document
	<a href="#">tion Activity: H-J Enterprises, Inc./H-J International, Inc. (Electrical Transformer Bushing Assemblies), High Ridge, Missouri [B-68-2015]</a>
02-24-16	<a href="#">Foreign-Trade Zone 70—Detroit, Michigan: Application for Reorganization (Expansion of Service Area) Under Alternative Site Framework [B-10-2016]</a>

### State accepting applications for DTAG membership

On February 3, 2016, the Department of State published in the *Federal Register* a [notice](#) [Public Notice: 9431] announcing that the U.S. Department of State's Bureau of Political-Military Affairs' Defense Trade Advisory Group (DTAG) is accepting membership applications. The Bureau of Political- Military Affairs is interested in applications from subject matter experts from the United States defense industry, relevant trade and labor associations, academic, and foundation personnel.

The DTAG was established as an advisory committee under the authority of 22 U.S.C. 2651a and 2656 and the *Federal Advisory Committee Act*, 5 U.S.C. App. (FACA). The purpose of the DTAG is to provide the Bureau of Political-Military Affairs with a formal channel for regular consultation and coordination with U.S. private sector defense exporters and defense trade organizations on issues involving U.S. laws, policies, and regulations for munitions exports. The DTAG advises the Bureau on its support for and regulation of defense trade to help ensure that impediments to legitimate exports are reduced while the foreign policy and national security interests of the United States continue to be protected and advanced in accordance with the *Arms Export Control Act* (AECA), as amended. Major topics addressed by the DTAG include (a) policy issues on commercial defense trade and technology transfer; (b) regulatory and licensing procedures applicable to defense articles, services, and technical data; (c) technical issues involving the U.S. Munitions List (USML); and (d) questions relating to actions designed to carry out the AECA and *International Traffic in Arms Regulations* (ITAR).

Members are appointed by the Assistant Secretary of State for Political- Military Affairs on the basis of individual substantive and technical expertise and qualifications, and must be representatives of United States defense industry, relevant trade and labor associations, academic, and foundation personnel. In accordance with the DTAG Charter, all DTAG members must be U.S. citizens, and DTAG members will represent the views of their organizations. All DTAG members shall be aware of the Department of State's mandate that arms transfers must further U.S. national security and foreign policy interests. DTAG members also shall be versed in the complexity of commercial defense trade and industrial competitiveness, and all members must be able to advise the Bureau on these matters. While members are expected to use their expertise and provide candid advice, national security and foreign policy interests of the United States, as well as the interests of the entities they represent, shall be the bases for all policy and technical recommendations.

For member responsibilities and instructions on how to file an application, please see the [Federal Register notice](#).

### BIS updates legal authorities and citations

On February 29, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 160212107-6107-01] that updates the Code of Federal Regulations (C.F.R.) legal authority citations in the *National Se-*

urity Industrial Base Regulations (NSIBR) and the *Export Administration Regulations* (EAR). The citation updates reflect recent editorial reclassifications within the United States Code, the repeal of certain statutory authorities, the continuation of an emergency declared in an executive order, and minor stylistic edits. This is a nonsubstantive rule that only updates legal authority paragraphs of the NSIBR and the EAR. It does not alter any right, obligation or prohibition that applies to any person under the NSIBR or the EAR. The rule is effective February 29, 2016.

### BIS revises Entity List

On February 23, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 151209999-5999-01] that amends the *Export Administration Regulations* (EAR) by adding eight persons under eight entries to the Entity List. The eight 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 eight persons will be listed on the Entity List under the destination of the United Arab Emirates (U.A.E.). This final rule also removes nine persons from the Entity List, as the result of a request for removal submitted by these persons, a review of information provided in the removal request in accordance with the procedure for requesting removal or modification of an Entity List entity and further review conducted by the End-User Review Committee (ERC). Finally, this rule is also revising six existing entries in the Entity List. One entry under Iran is modified to correct the entry by updating the *Federal Register* citation. Five entries on the Entity List under the destinations of Armenia, Greece, India, Pakistan and the United Kingdom (U.K.) are modified to reflect a removal from the Entity List.

The rule was effective upon publication.

### BIS and State propose revisions to EAR/CCL and ITAR/USML for fire control, laser, imaging, and guidance and control equipment

On February 19, 2016, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [proposed rule](#) [Docket No. 140221170-5728-02] that describes how articles the President determines no longer warrant control under Category XII (Fire Control, Laser, Imaging, and Guidance and Control Equipment) of the United States Munitions List (USML) of the *International Traffic in Arms Regulations* (ITAR) would be controlled under the Commerce Control List (CCL) of the *Export Administration Regulations* (EAR) by amending Export Control Classification Number (ECCN) 7A611 and creating new “600 series” ECCNs 7B611, 7D611, and 7E611. In addition, for certain dual-use infrared detection items, this proposed rule would expand controls for certain software and technology, eliminate the use of some license exceptions, revise licensing policy, and expand license requirements for certain transactions involving military end users or foreign military commodities. This proposed rule would also harmonize provisions within the EAR by revising controls related to certain quartz rate sensors and uncooled thermal imaging cameras.

BIS published a proposed rule entitled “*Revisions to the Export Administration Regulations (EAR): Control of Fire Control, Range Finder, Optical, and Guidance and Control Equipment the President Determines No Longer Warrant Control Under the United States Munitions List (USML)*

Also on February 19, 2016, the Department of State published a [proposed rule](#) [Public Notice: 9445] to amend the ITAR to revise Category XII (fire control, laser, imaging, and guidance and control equipment) of the USML to describe more precisely the articles warranting control on the USML. The Department also proposes to amend USML Categories VIII, XIII, and XV to reflect that items now described in those Categories will be in the revised Category XII.

The proposed changes described in the BIS proposed rule and the corresponding changes in the State Department's proposed amendment to USML Category XII are based, in part, on a review of public comments submitted in response to the May 5 proposed rule.

Comments on each proposed rule must be received by the respective agency by April 4, 2016.

### **BIS and State propose rules to clarify and revise certain export license requirements for military aircraft, gas turbine engines and related items**

On February 9, 2016, the BIS published in the *Federal Register* a [proposed rule](#) [Docket No. 151030999-5999-01] that would modify the Commerce Control List (CCL) entries for two types of items: military aircraft and related items, and military gas turbine engines and related items. The rule would add clarifying text to the descriptions of the types of military aircraft controlled on the CCL. The lists of items that are subject only to the anti-terrorism reason for control would be clarified and expanded. This proposed rule is based on a review of the military aircraft and gas turbine engine related entries that were added to the CCL on October 15, 2013. That review was intended to ensure that the regulatory changes made by the October 15, 2013 rule are clear, do not inadvertently control items in normal commercial use, account for technological developments, and properly implement the national security and foreign policy objectives of the export control reform effort. This proposed rule is being published simultaneously with a proposed rule by the Department of State, which is based on a review of Categories VIII and XIX of the United States Munitions List (USML) [See below]. This document also furthers the retrospective regulatory review directed by the President in Executive Order 13563.

Also on February 9, 2016, the Department of State published a [proposed rule](#) [Public Notice: 9395] to amend the *International Traffic in Arms Regulations* (ITAR) to revise Categories VIII (aircraft and related articles) and XIX (gas turbine engines and associated equipment) of the U.S. Munitions List (USML) to describe more precisely the articles warranting control on the USML. The revisions contained in this rule are part of the President's Export Control Reform (ECR) effort and the Department of State's retrospective plan under E.O. 13563.

Comments on each of the proposed rules must be received by the respective agency by March 25, 2016.

### **Notices of export related meetings**

The following meetings relating to exports were published in the *Federal Register*:

F.R. Date	Subject
02-17-16	BIS: <a href="#">Materials Technical Advisory Committee; Notice of Partially Closed Meeting</a> on March 3, 2016

F.R. Date	Subject
	BIS: <a href="#">Transportation and Related Equipment; Technical Advisory Committee; Notice of Partially Closed Meeting</a> on March 2, 2016
	BIS: <a href="#">Emerging Technology and Research Advisory Committee; Notice of Open Meeting</a> on March 10, 2016
	BIS: <a href="#">Materials Processing Equipment Technical Advisory Committee; Notice of Open Meeting</a> on March 8, 2016
02-25-16	BIS: <a href="#">President's Export Council Subcommittee on Export Administration Notice of Open Meeting</a> on March 16, 2016
	BIS: <a href="#">Regulations And Procedures Technical Advisory Committee; Notice of Partially Closed Meeting</a> on March 23, 2016

## 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
02-02-16	OFAC: <a href="#">Sanctions Actions Pursuant to Executive Orders 13224 (N) [1 individual and 1 entity]</a>
02-04-16	OFAC: <a href="#">Sanctions Actions Pursuant to Executive Orders 13224 (N) [2 individuals and 1 entity]</a>
02-08-16	OFAC: <a href="#">Nationals and Blocked Persons Pursuant to Executive Order 13288, as Amended by Executive Order 13391, and Executive Order 13469 (N) [five individuals and three entities – Zimbabwe]</a>
	OFAC: <a href="#">Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to the Foreign Narcotics Kingpin Designation Act (N) [two individuals]</a>
	OFAC: <a href="#">Sanctions Action Pursuant to Executive Order 13712 (N) [updated information for one individual]</a>
02-09-16	OFAC: <a href="#">Sanctions Actions Pursuant to the Sergei Magnitsky Rule of Law Accountability Act of 2012 (N) [five individuals]</a>
02-10-16	OFAC: <a href="#">Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to the Foreign Narcotics Kingpin Designation Act (N) [four individuals and two entities]</a>
02-16-16	OFAC: <a href="#">Sanctions Actions Pursuant to Executive Order 13224 (N) [1 individual]</a>
02-17-16	OFAC: <a href="#">Sanctions Actions Pursuant to Executive Order 13224 (N) [3 individuals]</a>
02-22-16	OFAC: <a href="#">Designation of Two Individuals Pursuant to Executive Order 13581, "Blocking Property of Transnational Criminal Organizations" (N) [two individuals]</a>

## FTC challenge to 'Made in USA' and other U.S. origin claims

We wanted to let you know about a lawsuit the Federal Trade Commission (FTC) recently filed contesting an Ohio company's use of U.S.-origin claims. The complaint, filed earlier this week in U.S. District Court for the Northern District of Ohio, alleges that the company deceived consumers by making unqualified U.S.-origin claims. More specifically, the complaint alleges that the company used unqualified "Made in the USA" and "Proudly Made in the USA" claims for its glue products, when a significant proportion of the cost of the chemical inputs (~55%) are attributable to imported chemicals. A copy of the complaint can be found [here](#). As you know, the FTC has strict requirements for making unqualified U.S.-origin claims, such as "Made in USA". Specifically, the FTC rules require, among other things that the product contain "all or virtually all" U.S. content (generally,

viewed as 95%+ US content by cost) in order to be eligible for an unqualified U.S.-origin claim.

This case is important for a couple of reasons:

First, the case serves as an important reminder to all companies that utilize U.S.-origin claims on their products (or that sell other companies' products that contain U.S.-origin claims) that they need to be extra vigilant in this area. Given that the rules for making such claims can seem counterintuitive (e.g., just because a product is made, or even last substantially transformed, here in the United States does not automatically mean it can be labeled "Made in USA"), such claims are often a trap for the unwary.

Second, it is important to note that the FTC is pursuing this action through litigation. Typically, the FTC's policy is to police these types of claims administratively (i.e., closing the case without action if there is no violation, or getting the company to enter into an administrative consent order if there is a violation). Here, the FTC could not resolve the matter administratively, so is forced to sue the company in U.S. district court. This could result in the court considering whether the FTC's "all or virtually all" U.S.-content test is appropriate/sustainable.

Author: [Ted Murphy, Partner, Washington, DC..](#)

### 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
02-11-16	FTC: <a href="#">Energy Labeling Rule</a> (FR) [new ranges of comparability for required EnergyGuide labels on clothes washers]
02-16-16	FTC: <a href="#">Regulatory Review Schedule</a> (N/RFC)

### 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. Also included are TTB filing instructions for the new ITDS/ACE:

Date	Subject
02-09-16	<a href="#">Updated ACE Filing Instructions for TTB Regulated Commodities, V7.3 Updated Jan 13, 2016</a>

### 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
02-16-16	<a href="#">Proposed Pilot Project(s) Under the Drug Supply Chain Security Act; Public Workshop; Request for Comments</a> [Docket No. FDA-2016-N-0407] (N/RFC)
02-17-16	<a href="#">Pilot Program for Tobacco Product Manufacturers; Center for Tobacco Products eSubmissions Portal</a> [Docket No. FDA-2016-N-0160] (N)

F.R. Date	Subject
02-23-16	<a href="#">Food Labeling: Nutrient Content Claims; Alpha-Linolenic Acid, Eicosapentaenoic Acid, and Docosahexaenoic Acid Omega-3 Fatty Acids; Small Entity Compliance Guide; Availability</a> [Docket No. FDA-2016-N-0585] (N)
	<a href="#">Food Labeling; Gluten-Free Labeling of Fermented or Hydrolyzed Foods; Re-opening of Comment Period</a> [Docket No. FDA-2014-N-1021] (PR/RO)
02-26-16	<a href="#">The Food and Drug Administration Food Safety Modernization Act: Prevention-Oriented Import System Regulations and Implementation; Public Meeting</a> [Docket No. FDA-2015-N-0797] (N/H)

### FAS accepting affidavits for eligible wool products duty refunds

On February 1, 2016, the Foreign Agricultural Service (FAS) published in the *Federal Register* a [notice](#) announcing that it will accept affidavits from individuals or firms to substantiate eligibility for distributions from the Refund of Duties Paid on Imports of Certain Wool Products program (the Refund program) authorized under Section 12315 of the *Agricultural Act of 2014* (Pub. L. 113– 79) (the Act). For calendar year 2016 distributions, affidavits must be electronically filed with FAS no later than March 1, 2016.

Section 12315 transferred the Refund program to the U.S. Department of Agriculture in FY 2016, from Customs and Border Protection, Department of Homeland Security. The Refund program is one of several programs authorized by Congress within the Agriculture Wool Apparel Manufacturers Trust Fund for each of calendar years 2016 through 2019. The purpose of the Refund program is to compensate wool manufacturers of men's and boy's wool suits, suit type jackets, or trousers of imported worsted wool fabrics of the kind described in heading 9902.51.11 or 9902.51.12; manufacturers of worsted wool fabrics who import wool yarn of the kind described in heading 9902.51.13; and manufacturers of wool yarn or fabric who import wool fiber or top of the kind described in heading 9902.51.14 of the *Harmonized Tariff Schedule of the United States* for customs duties paid on imported wool in 2000, 2001 and 2002. To claim a distribution from the Refund program manufacturers are directed to submit an affidavit that follows the statutory procedures specified under Section 12315(b) of the Act, and also as described on the [FAS Web site](#). Because section 12315 is self effectuating, FAS will not be issuing regulations to implement the program this year. The notice announces the deadline and [email address](#) to which claims, affidavits and supporting documents must be sent.

### 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
02-01-16	FAS: <a href="#">The Refund of Duties Paid on Imports of Certain Wool Products</a> (N)
02-04-16	APHIS: <a href="#">Importation of Orchids in Growing Media From Taiwan</a> [Docket No. APHIS-2014-0041] (FR)
02-05-16	GIPSA: <a href="#">Reauthorization of the United States Grain Standards Act Correction</a> (PR)
02-10-16	AMS: <a href="#">Classification of Foreign-Growth Cotton</a> [AMS-CN-15-0051] (FR)
02-11-16	APHIS: <a href="#">Importation of Phalaenopsis Spp. Plants for Planting in Approved Grow-</a>

F.R. Date	Subject
	<a href="#">Import Media From China to the Continental United States [Docket No. APHIS-2014-0106] (FR)</a> <a href="#">FSIS: Codex Alimentarius Commission: Codex Committee on Contaminants in Food [Docket No. FSIS-2015-0047] (H/RFC)</a>
02-22-16	<a href="#">GIPSA: Reauthorization of the United States Grain Standards Act (PR/C)</a> <a href="#">AMS: National Organic Program: USDA Organic Regulations [Document Number AMS-NOP-16-0001; NOP-15-13] (N) [2016 sunset review]</a> <a href="#">AMS: Softwood Lumber Research, Promotion, Consumer Education and Industry Information Order; Continuance Referendum [Document No. AMS-SC-15-0079] (Order)</a> <a href="#">AMS: Blueberry Promotion, Research and Information Order; Continuance Referendum [Document No. AMS-SC-15-0076] (Order)</a> <a href="#">APHIS: Recognizing European Union (EU) and EU Member State Regionalization Decisions for African Swine Fever (ASF) by Updating the APHIS List of Regions Affected with ASF [Docket No. APHIS-2015-0011] (N)</a>
02-23-16	<a href="#">FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Pesticide Residues [Docket No. FSIS-2016-0006] (N/H) 3-23-2016</a> <a href="#">FSIS: Educational Meetings on the Final Rule on Mandatory Inspection of Fish of the Order Siluriformes and Products Derived From Such Fish; Educational Meetings for Importers Inspection [Docket No. FSIS-2016-0009] (N/H)</a> <a href="#">GIPSA: Reauthorization of the United States Grain Standards Act; Extension of Comment Period (N/E)</a>
02-24-16	<a href="#">FSIS: Codex Alimentarius Commission: Meeting of the Codex Committee on Food Labeling [Docket No. FSIS-2016-0003] (N/H/RFC)</a> <a href="#">AMS: Livestock Mandatory Reporting: Revision of Lamb Reporting Requirements [Doc. No. AMS-LPS-15-0071] (FR)</a> <a href="#">AMS: Livestock Mandatory Reporting: Reauthorization of Livestock Mandatory Reporting and Revision of Swine and Lamb Reporting Requirements [Doc. AMS-LPS-15-0070] (PR)</a>
02-26-16	
02-29-16	

## 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](#).

- Argentina - [Requirement for Label Pre-Approval by Sec. of Commerce Revoked](#)
- Australia - [FAIRS - Certification](#)
- Bangladesh - [Biosafety Guidelines of Bangladesh](#)
- China - [Admin Measures of Inspection and Quarantine for Entry and Exit Grain](#)
- China - [China Announces Standards for Code of Hygienic Practice for the Livestock and Poultry Slaughtering Enterprise](#)
- China - [China Announces Standards for Code of Hygienic Practice for the Storage, Distribution and Sale of Meat and Meat Products](#)
- China - [China announces standards for Food Contact Metal Materials](#)
- China - [China announces standards for Food Contact Plastic Materials](#)
- China - [China announces standards for Fresh and Frozen Livestock and Poultry](#)
- China - [China announces standards for Pollen](#)
- China - [China announces standards for Reconstituted cereal products](#)
- China - [China announces standards for Resins for Food Contact Plastic Material](#)
- China - [China announces standards for Vegetable Protein for Food Industry](#)
- China - [FAIRS - Certification](#)
- China - [SPS 1007-Yeasts Used for Food Processing](#)

- China - [SPS 1041-Natural Mineral Water](#)
- EAEU - [Draft Amendments to EAEU Food Labeling Regulation](#)
- Egypt - [FAIRS - Certification](#)
- EU - [FAIRS - Certification](#)
- EU - [New EU Rules on Dietetic Foods - Update](#)
- Germany - [FAIRS - Narrative](#)
- Guatemala - [FAIRS - Narrative](#)
- Honduras - [FAIRS - Certification15](#)
- India - [2016 Food Import Regulations](#)
- India - [FAIRS - Certification](#)
- India - [Final Amendment on Biotoxin Limits in Fish and Fish Products](#)
- India - [Final Amendment on Standards for Salted and Dried Salted Fish](#)
- India - [GOI Amends Standards for Proprietary Food](#)
- India - [GOI Invites Comments from WTO TBT Members on Food Import Regulations](#)
- India - [WTO Notified – GOI's New Standards for Proprietary Food](#)
- India - [WTO Notified- Draft Amendment on Standards for Fruits and Vegetables](#)
- Italy - [FAIRS - Certification](#)
- Kazakhstan - [FAIRS - Certification](#)
- Kenya - [FAIRS - Certification](#)
- Kenya - [FAIRS - Narrative](#)
- Malaysia - [FAIRS - Certification](#)
- Mexico - [Mexico's SISI Program Offers Expedited Entry for Low-Risk Products](#)
- Netherlands - [FAIRS - Narrative](#)
- Panama - [FAIRS - Certification](#)
- Russia - [Russia Restricts Imports of US Corn and Soybeans](#)
- Serbia - [FAIRS - Narrative](#)
- Thailand - [FAIRS- Certification](#)
- UK - [Exporter Guide](#)
- Venezuela - [FAIRS - Certification](#)
- Vietnam - [GVN stipulates Fortification of Micronutrients in Food](#)
- Vietnam - [MARD Releases List of Animal Products Subject to Quarantine](#)
- Vietnam - [MOH revises Regulation on Food Safety Inspection for Import Foods](#)

## Commerce publishes quarterly subsidy list for in-quota cheese

On February 4, 2016, the International Trade Administration, Commerce (ITA) published in the *Federal Register* the [quarterly update](#) to annual listing of foreign government subsidies on articles of cheese subject to an in-quota rate of duty, as required by section 702 of the *Trade Agreements Act of 1979*, as amended. The only country with a subsidy program was Canada (Export Assistance on Certain Types of Cheese) with a gross and net subsidy of \$0.45/pound.

## Energy reopens comment period on import certifications

On February 17, 2016, the Department of Energy (DOE) published in the *Federal Register* a [notice of a public meeting and reopening of the comment period](#) [Docket No. EERE-2015-BT-CE-0019] on its notice of proposed rulemaking published in the *Federal Register* on December 29, 2015, proposing that a person importing into the United States any covered product or equipment subject to an applicable energy conservation standard provide, prior to importation, a certification of admissibility to the DOE. The comment period ended February 12, 2016. After receiving several requests for additional time to prepare and submit comments, DOE has decided to reopen the period for submitting comments. In addition, DOE announces a public meeting and webinar regarding its proposal. DOE

is reopening the comment period until February 29, 2016. DOE will accept comments, data, and information in response to the notice of proposed rulemaking received no later than February 29, 2016.

## Government procurement: DoD to negotiate reciprocal MOU with Estonia

On February 26, 2016, the Department of Defense (DoD) published in the *Federal Register* a [notice](#) [Docket No. DARS-2016-0005] stating that, on behalf of the U.S. Government, DoD is contemplating negotiating and concluding a Reciprocal Defense Procurement (RDP) Memorandum of Understanding (MOU) with the Ministry of Defense of Estonia. DoD is requesting industry feedback regarding its experience in public defense procurements conducted by or on behalf of the Estonian Ministry of Defense or Armed Forces. Written comments must be submitted to the address shown in the notice on or before March 28, 2016.

## 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
02-03-16	Energy (DOE): <a href="#">Appliance Standards and Rulemaking Federal Advisory Committee: Notice of Intent To Establish a Working Group for Circulator Pumps To Negotiate a Notice of Proposed Rulemaking for Energy Conservation Standards</a> [Docket Number EERE-2016-BT-STD- 0004] (N/H)
	Environmental Protection Agency (EPA): <a href="#">Cyazofamid; Pesticide Tolerances</a> [EPA-HQ-OPP-2015-0263; FRL-9940-46] (FR)
02-04-16	International Trade Administration, Commerce (ITA): <a href="#">Quarterly Update to Annual Listing of Foreign Government Subsidies on Articles of Cheese Subject to an In-Quota Rate of Duty</a> (N)
02-05-16	Drug Enforcement Administration (DEA): <a href="#">Schedules of Controlled Substances: Placement of PB-22, 5F-PB-22, ABFUBINACA and ADB-PINACA into Schedule I</a> [Docket No. DEA-433] (PR)
	DEA: <a href="#">Schedules of Controlled Substances: Temporary Placement of the Synthetic Cannabinoid MAB-CHMINACA Into Schedule I</a> [Docket No. DEA-421F] (FR)
	DEA: <a href="#">Schedules of Controlled Substances: Extension of Temporary Placement of PB-22, 5F-PB-22, AB-FUBINACA and ADB-PINACA in Schedule I of the Controlled Substances Act</a> [Docket No. DEA-385E] (FR)
	EPA: <a href="#">Pesticide Product Registration; Receipt of Applications for New Uses</a> [EPA-HQ-OPP-2014-0749; FRL-9941-41] (N)
	Federal Maritime Commission: <a href="#">International Ocean Transportation Supply Chain Engagement; Order</a> [to engage with supply chain stakeholders to identify solutions to certain unresolved supply chain issues with focus on San Pedro Bay ports in LA and Long Beach] (FR)
02-08-16	National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): <a href="#">Trade Monitoring Procedures for Fishery Products; International Trade in Seafood; Permit Requirements for Importers and Exporters; Public Meeting</a> (N/H)
	DEA: <a href="#">Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Vicks® Vapolhaler®</a> [Docket No. DEA-367] (FR)
	DEA: <a href="#">Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/ Vapor Inhaler</a> [Docket No. DEA-409] (FR)
	EPA: <a href="#">Additions to List of Categorical Non-Waste Fuels</a> [EPA-HQ-RCRA-2013-0110; FRL-9929-56-OLEM] (FR)
	National Highway Traffic Safety Administration (NHTSA): <a href="#">Federal Motor Vehicle Safety Standards; Lamps, Reflective Devices, and Associated Equipment</a> [Docket No. NHTSA-2014-0073] (FR)

F.R. Date	Subject
02-09-16	EPA: <a href="#">Protection of Stratospheric Ozone: Revisions to Reporting and Record-keeping for Imports and Exports</a> [EPA-HQ-OAR-2015-0309; FRL-9941-82-OAR] (FR)
	EPA: <a href="#">Protection of Stratospheric Ozone: Revisions to Reporting and Record-keeping for Imports and Exports</a> [EPA-HQ-OAR-2015-0309; FRL-9941-81-OAR] (PR)
	EPA: <a href="#">Receipt of a Pesticide Petition Filed for Residues of Pesticide Chemicals in or on Various Commodities</a> [EPA-HQ-OPP-2015-0742; FRL-9941-42] (N)
02-10-16	EPA: <a href="#">Pesticide Product Registration; Receipt of Applications for New Uses; Correction and Reopening of Comment Period</a> [EPA-HQ-OPP-2015-0324; FRL-9941-67] (N/C/RO)
	<a href="#">Poly(oxy-1,2-ethanediyl), α-(3-carboxy-1-oxosulfopropyl)-ω-hydroxy-, alkyl (C<sub>10</sub>-C<sub>16</sub>) Ethers, Disodium Salts; Exemption From the Requirement of a Tolerance</a> [EPA-HQ-OPP-2015-0232; FRL-9941-15] (FR)
02-11-16	<a href="#">Certain New Chemicals; Receipt and Status Information for December 2015</a> [EPA-HQ-OPPT-2015-0507; FRL-9942-09] (N)
	<a href="#">Registration Review Interim Decisions; Notice of Availability; Correction</a> [EPA-HQ-OPP-2015-0393; FRL-9941-55] (N/C)
02-12-16	<a href="#">NMFS, NOAA: Trade Monitoring Procedures for Fishery Products; International Trade in Seafood; Permit Requirements for Importers and Exporters; Public Meeting; Correction</a> (N/H/C)
	<a href="#">Significant New Use Rule on Certain Chemical Substances</a> [EPA-HQ-OPPT-2013-0399; FRL-9941-56] (FR)
	<a href="#">Diflubenzuron; Pesticide Tolerances</a> [EPA-HQ-OPP-2014-0672; FRL-9939-59] (FR)
	<a href="#">Benzyl acetate; Exemption From the Requirement of a Tolerance</a> [EPA-HQ-OPP-2014-0783; FRL-9941-49] (FR)
02-16-16	<a href="#">NHTSA: Federal Motor Vehicle Safety Standards; Denial of Petition for Rule-making</a> (N)
	DOE: <a href="#">Flint Hills Resources, LP; Application for Long-Term, Multi-Contract Authorization To Export Liquefied Natural Gas to Non-Free Trade Agreement Nations</a> [FE Docket No. 15-168-LNG] (N)
	<a href="#">Inquiry To Learn Whether Businesses Assert Business Confidentiality Claims Regarding Waste Import and Export</a> [EPA-HQ-OECA-2016-0015; FRL-9942-34-OECA] (N/RFC)
02-17-16	<a href="#">NHTSA: Notice of Receipt of Petition for Decision That Nonconforming Model Year 2014 Mercedes-Benz SLK Class Passenger Cars Are Eligible for Importation</a> [Docket No. NHTSA-2015-0083; Notice 1] (N)
	<a href="#">DOE: Energy Conservation Program: Energy Conservation Standards for Standby Mode and Off Mode for Microwave Ovens; Correction</a> [Docket No. EERE-2011-BT-STD-0048] (FR/C)
	<a href="#">DOE: Energy Conservation Program: Certification and Enforcement—Import Data Collection; Notice of Public Meeting and Reopening of Comment Period</a> [Docket No. EERE-2015-BT-CE-0019] (H/PR/RO)
02-18-16	<a href="#">EPA: Fluridone; Pesticide Tolerances</a> [EPA-HQ-OPP-2014-0913; FRL-9941-69] (FR)
	<a href="#">State: Delegation of Authority 250-1: Further Assignment of Functions under the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (the “Act”) to Other Departments and Agencies of the Executive Branch</a> (N)
	<a href="#">EPA: Pyriproxyfen; Pesticide Tolerances</a> [EPA-HQ-OPP-2011-1012; FRL-9941-38] (FR)
02-22-16	<a href="#">Internal Revenue Service (IRS): Reporting of Specified Foreign Financial Assets</a> [TD 9752] (FR)
	<a href="#">Federal Motor Carrier Safety Administration (FMCSA): Commercial Zones at International Border With Mexico</a> [Docket No FMCSA-2015-0372] (FR/IR/RFC)
02-24-16	<a href="#">Financial Crimes Enforcement Network (FinCEN): Financial Crimes Enforcement Network; Withdrawal of Finding and Notice of Proposed Rulemaking Regarding Liberty Reserve S.A.</a> (PR/W)
	<a href="#">EPA: Triclopyr; Pesticide Tolerances</a> [EPA-HQ-OPP-2014-0314 and EPA-HQ-OPP-2014-0489; FRL-9941-87] (FR)

F.R. Date	Subject
02-26-16	EPA: <a href="#">D-Glucitol, 1-deoxy-1-(methylamino)-.N-C<sub>8-10</sub> acyl derivatives; Exemption From the Requirement of a Tolerance</a> [EPA-HQ-OPP-2015-0249; FRL-9942-43] (FR)
	EPA: <a href="#">Trifloxystrobin; Pesticide Tolerances</a> [EPA-HQ-OPP-2014-0709; FRL-9941-92] (FR)

## Antidumping and countervailing duty cases

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

## The Americas - South America

### Argentina

#### Boletin Oficial publications

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

BO Date	Subject
02-02-16	National Administration of Drugs, Food and Medical Technology (ANMATM): <a href="#">Disposition 823 /2016 (27-01-16) Prohibition of the use and marketing.of certain cosmetic products</a>
15-02-16	Mercosur Common Nomenclature <a href="#">Decree 349/2016 (12-02-16) Export duties, quotas – [fixes the rate at zero percent (0%) the right to export goods under tariff headings in Chapters 25 and 26 of the Mercosur Common Nomenclature (NCM)].</a>
	ANMATM: <a href="#">Disp. 1210/2016 (05-02-16) Disposition 823 /2016 (27-01-16) Prohibition of the use and marketing.of medical products</a>
17-02-16	Mercosur Common Nomenclature <a href="#">Decree 361 /2016 (16-02-16) Export right. Decree No. 133/2015. Modification</a>
24-02-16	ANMATM: <a href="#">Disposition 1569 /2016 (19-02-16) Prohibition of the use and distribution of Medical Products</a>

## Antidumping and countervailing duty cases

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

### Brazil

#### Diário Oficial da União publications

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

DOU Date	Subject
02-02-16	<a href="#">SECEX Ordinance № 07 (01-02-16) Closed the special procedure of non-preferential origin check with disqualification Malaysian origin for the product "porcelain objects to the table, regardless of their degree of porosity "(NCM 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00), declared as produced by</a>

DOU Date	Subject
	<a href="#">the company Uniglance SDN. Bhd.</a> <a href="#">SECEX Ordinance № 08 (01-02-16) Closed the special procedure of non-preferential origin check with the disqualification of Bangladesh origin for the product "porcelain objects to the table, regardless of their degree of porosity "(NCM 6911.10.10, 6911.10.90, 6911.90.00 and 6912.00.00), declared as produced by Paragon Ceramic Industries Ltd.</a>
19-02-16	<a href="#">CAMEX Res. № 8 (18-02-16) Changes to 2% (two percent) the rates of import duty levied on Informatics and Telecommunications Goods, the ex-tariff condition.</a>
	<a href="#">CAMEX Res. № 14 (18-02-16) Repealing art. 3º the CAMEX Resolution n ° 43 of May 20, 2015</a>
	<a href="#">CAMEX Res. № 15 (18-02-16) Changes the Brazilian Exceptions List of the Common External Tariff of Mercosur</a>
23-02-16	<a href="#">SECEX Ordinance № 09 (22-02-16) establishes criteria for quota allocation for import, determined by CAMEX Resolution No. 15 of February 18, 2016 and changes the allocation criteria quota for imports, determined by CAMEX Resolution No. 122, of December 17, 2015</a>

## Antidumping and countervailing duty cases

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

## Chile

### National Customs postings and Diario Oficial

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

Date	Subject
12-02-16	Foreign Affairs: <a href="#">Decree 227 - Establishing measures to implement decisions of the Security Council of the United Nations Organization stating in matters relating to the prevention and suppression of terrorism and terrorist financing</a>
13-02-16	Hacienda: <a href="#">Decree № 52 Applicable Rebates of Customs Duties to Imports of Wheat and Wheat Flour Meslin (Meslin)</a>
19-02-16	NCS: <a href="#">Res. № 830 Amending Chapter IV of the Compendium of Customs Regulations</a>
24-02-16	National Administration of Drugs, Food and Medical Technology (ANMATM): <a href="#">Disp. 1570/2016 (19-02-16) Prohibition on the use and marketing of certain household products</a>
	ANMATM: <a href="#">Disp. 1569/2016 (19-02-16) Prohibition on the use and marketing of certain medical products</a>

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

The National Customs Service has recently redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present and [Classification Opinions](#) (Dictámenes de Clasificación) from 1993-2009 are available. Post entry [Classification, valuation and origin decisions on claims](#) (fallos de reclamaciones) at the first and second instance levels from 2003 to the present are also available.

## Colombia

### 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 on the [DIAN website here](#). For prior years, please see the [listing 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
03-02-16	<a href="#">Circular externa_000001_2016 - Delivery Form 530 international travelers - Baggage Declaration, Cash and securities representing money - Travelers.</a>
11-02-16	<a href="#">Circular_000005_2016 - Reference Prices of Agricultural Products</a>
15-02-16	<a href="#">Circular_2294_2016 - Ad valorem taxes applicable to agricultural products concerned, their substitutes, agro products or byproducts</a>

## Peru

### Tariff Classification database

A searchable [Tariff Classification Resolution \(ruling\) database](#) (from 2006 through the present) is available. It may be searched by the tariff number, resolution number, or description. The database currently has approximately 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
09-02-16	Agriculture and Irrigation: <a href="#">Directorial Resolution No. 0004-2016-MINAGRI-SENASA-DSA</a> Suspend imports of live birds SPF eggs hatching eggs and other poultry products capable of transmitting or serving as a vehicle of avian influenza from various departments of France and the state of Indiana in the United States of America
10-02-16	Agriculture and Irrigation: <a href="#">Directorial Resolution No. 0006-2016-MINAGRI-SENASA-DSV</a> Approved procedure for Phytosanitary Inspection and Sampling for Phytosanitary Diagnostics in importing Sexual Seed
11-02-16	Agriculture and Irrigation: <a href="#">Directorial Resolution No. 0007-2016-MINAGRI-SENASA-DSV</a> - Phytosanitary requirements necessary to establish compliance importing in vitro potato plants with inoculation of virus for research of origin and provenance Scotland

Date	Subject
17-02-16	SUNAT: <a href="#">Draft resolution amending the General Procedure for international fairs or exhibitions INTA-approved by Resolution p.15 National Administration of Customs No. 007-2010-SUNAT / A</a>
20-02-16	Economy and Finance: <a href="#">vice Ministerial Resolution No. 004-2016-EF / 15.01</a> CIF reference prices for the application of additional variable duty or tariff reduction referred to in Supreme Decree No. 115-2001-EF imports of sugar corn rice and whole milk powder
22-02-16	National Customs and Tax Administration (SUNAT): <a href="#">Resolution No. 052-2016 / SUNAT</a> Establish a derogation for enrollment in the registry for the Control of Controlled Goods and the Special Register for Zones declared a state of emergency due to the effects of El Niño
23-02-16	National Institute of Antitrust and Protection of Intellectual Property (INDECOPI): <a href="#">Resolution No. 021-2016 / CDB-INDECOPI</a> Delay in Introduction of anti-dumping duties imposed on imports of woven poplin type originating in the People's Republic of China
	Economy: <a href="#">Supreme Decree № 350-2015-EF Approves Regulations No. 30225, Law on Government Procurement</a>
	SUNAT: <a href="#">Draft Resolution amending the specific procedure "Freezing, Seizure and Legal Determination of Goods" INPCFA-PE.00.01 (version 6)</a>
25-02-16	Agriculture and Irrigation: <a href="#">Directive Resolution No. 0006-2016-MINAGRI-SENASA-DSA</a> - Suspension Lifted established by RD No. 0017-2015-MINAGRI-SENASA-DSA concerning the importation of live birds SPF eggs fertile eggs and other poultry products capable of transmitting or serve as vehicles of avian influenza from various US states.

## 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.]*

### What to expect: ASEAN 2025: Forging Ahead Together

The ASEAN Economic Community (AEC) Blueprint 2025, adopted by 10 ASEAN Member States namely Brunei Darussalam, Cambodia, Indonesia, Lao PDR, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam, at the 27th ASEAN Summit on 22 November 2015 in Kuala Lumpur, Malaysia, provides broad directions through strategic measures for the AEC from 2016 to 2025. Along with the ASEAN Community Vision 2025, and the ASEAN Political-Security Community Blueprint 2025 and the ASEAN Socio-Cultural Community Blueprint 2025, the AEC Blueprint 2025 forms part of ASEAN 2025: Forging Ahead Together. It succeeds the AEC Blueprint 2015, which was adopted in 2007.

The AEC Blueprint 2025 builds on the AEC Blueprint 2015 and aims to enhance the following five interrelated and mutually reinforcing characteristics in the ASEAN region:

- (i) a highly integrated and cohesive economy;
- (ii) a competitive, innovative, and dynamic ASEAN;
- (iii) enhanced connectivity and sectoral cooperation;
- (iv) a resilient, inclusive, people-oriented, and people-centred ASEAN; and
- (v) a global ASEAN.

To read more, please click [here](#) to download the full PDF. For additional information, contact any of the individuals in our Bangkok, Ho Chi Minh City, Jakarta, Kuala Lumpur, Manila, Singapore or Yangon offices listed in the full PDF.

## Australia

### New duty rates for certain tobacco and tobacco products on 1 Mar.

[Department of Immigration and Border Protection \(DIBP\) Notice No. 2016/05](#) (25 February 2016), announced that, in accordance with the indexation provisions in section 19AB of the *Customs Tariff Act 1995* (the Tariff Act), the customs duty rates on certain tobacco and tobacco products, in Schedule 3 of the Tariff Act, will increase on 1 March 2016. The Notice sets out the new customs duty rates for excise-equivalent goods (Table 1) and excise duty rates (Table 2).

The new rates also apply to goods subject to indexation in Schedule 5 (US originating goods), Schedule 6 (Thai originating goods), Schedule 7 (Chilean originating goods), Schedule 8 (ASEAN-Australia-New Zealand originating goods), Schedule 9 (Malaysian originating goods), Schedule 10 (Korean originating goods), Schedule 11 (Japanese originating goods) and Schedule 12 (Chinese originating goods) in the Tariff Act.

The DIBP will arrange for the publication of a Notice of Substituted Rates of Customs Duty for Excise-Equivalent Goods Notice (No. 2) 2016 in the *Commonwealth Gazette* on 1 March 2016.

### Iran sanctions changes

The Department of Foreign Affairs and Trade (DFAT) has [announced](#) that the Australian Government is implementing changes to Australia's sanctions on Iran in line with its international obligations under UN Security Council resolutions.

The Australian Government will apply the changes to UN sanctions on Iran as required by UN Security Council Resolution 2231, although others will remain in place.

The Australian Government has decided to suspend certain autonomous sanctions on Iran, while others will remain in place. For more information, please read DFAT's [Iran Frequently Asked Questions](#).

The [Iran sanctions website](#) will be amended to reflect the changes to Australian sanction laws as they take legislative effect. Australia has lifted all nuclear-related economic and financial sanctions. However, some restrictions remain in force, including restrictions on the transfer of proliferation sensitive goods, the arms and ballistic missiles embargoes and the restrictive measures against some designated persons and entities.

### 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
25-02-16	<a href="#">DIBP 2016/05</a>	Biannual indexation of customs duty rates for certain tobacco and tobacco products – 1 March 2016

### 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
03-02-16	<a href="#">TC16-04</a>
10-02-16	<a href="#">TC16-05</a>
17-02-16	<a href="#">TC16-06</a>
17-02-16	<a href="#">Autonomous Sanctions (Export Sanctioned Goods – Iran) Amendment Specification 2016</a> C2016G00073

## Australian Tariff Precedents

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

## Antidumping and countervailing duty cases

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

## China (including Hong Kong SAR)

### MOFCOM and GAC notices

The following Ministry of Commerce (MOFCOM) and General Administration of Customs (GAC) notices were posted during the period covered by this Update. All originals are in Simplified Chinese and have been translated with an automated program (mm-dd-yy):

Date	Series and №	Subject
02-01-16	<a href="#">MOFCOM/GAC Joint Ann. № 5, 2016</a>	Automatic import licensing paperless customs clearance announcement
	<a href="#">GAC Ann. № 6, 2016</a>	On aircraft aviation equipment repair tax collection and related issues notice
	<a href="#">GAC Ann. № 7, 2016</a>	Revises GAC № 7, 2015
02-02-16	<a href="#">MIIT, NDRC, MS&amp;T, MOFCOM, MEPA, AQSIQ, and GAC 2016 Joint order No. 32</a>	Electrical and electronic products restrict the use of hazardous substances management approach to make on release
02-04-16	<a href="#">GAC Ann. № 8, 2016</a>	On the revision of aircraft operating lease validation dutiable value
02-22-16	<a href="#">GAC Ann. № 10, 2016</a>	Publication of subheadings and comments in the PRC Import and Export Tariff –effective 03-01-16
02-25-16	<a href="#">GAC Ann. № 11, 2016</a>	Commodity classification decision published in 2016

## Antidumping and Countervailing Duty Cases

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

## India

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

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

Date	Series and №	Subject
02-02-16	<a href="#">07/2016-Cus.(T)</a>	Seeks to further amend notification No. 12/2012- Customs dated 17.03.2012.
03-02-16	<a href="#">Cir. 03/2016</a>	Extending the Indian Customs Single Window to other locations and other Participating Government Agencies [F.No.450/147/2015-Cus-IV]
05-02-16	<a href="#">08/2016-Cus.(T)</a> <a href="#">19/2016-Cus.(NT)</a>	Exempts the goods described in Schedule I annexed hereto, when imported into India for display or use at an event specified in Schedule II List of developing countries
08-02-16	<a href="#">22/2016-Cus.(NT)</a>	Amending Notification No. 110/2015-Cus (NT) dated 16.11.2015 thereby making certain changes in Schedule of All Industry rates of Drawback. Changes are effective from 11.2.2016
09-02-16	<a href="#">23/2016-Cus.(NT)</a> <a href="#">Cir. 04/2016</a> <a href="#">Cir. 05/2016</a> <a href="#">Cir. 06/2016</a>	Tariff Notification in respect of Fixation of Tariff Value of Edible Oil, Brass, Poppy Seed, Areca Nut, Gold and Silver Procedure for renewal of SVB orders and ongoing SVB inquiries under circular no. 11/2001 - Cus dated 23rd February 2001 [F. No. 465/12/2010-Cus V] Procedure for investigation of related party import cases and other cases by the Special Valuation Branches [F. No. 465/12/2010-Cus V] Amendments effective 11.2.2016 to the All Industry Rates of Duty Drawback [F.No. 609/98/2015-DBK]
15-02-16	<a href="#">25/2016-Cus.(NT)</a> <a href="#">DGEP/FTP/07/2015</a> <a href="#">DGEP/FTP/07/2015</a>	Tariff Notification in respect of Fixation of Tariff Value of Edible Oil, Brass, Poppy Seed, Areca Nut, Gold and Silver Regarding process of extension of re-warehousing period of Bonded capital goods Regarding practice of issuance of Procurement Certificate (P.C) and obtaining countersignature of Jurisdictional AC/DC
16-02-16	<a href="#">09/2016-Cus.(T)</a>	Customs duty on electricity imported or cleared from SEZ to DTA
17-02-16	<a href="#">10/2016-Cus.(T)</a> <a href="#">F.No.450/15/2016-CUS-IV</a>	Seeks to further amend notification No. 12/2012- Customs, dated 17.03.2012 Minimum Import Price (MIP) on Iron and Steel under Chapter 72 of ITC (HS), 2012- Schedule-I (Import Policy): amendment in Import Policy Conditions
01-02-16	<a href="#">DGFT 35/2015-2020</a>	Amendment in Para 5.01(g) of Foreign Trade Policy (FTP) 2015-2020
02-02-16	<a href="#">DGFT 36/2015-2020</a>	Amendment in policy condition No.9 of Chapter 87 of ITC (HS), 2012 -Schedule - 1 (Import Policy).
03-02-16	<a href="#">DGFT 37/2015-2020</a>	Procedure for export of sesame seeds to the European Union countries.
05-02-16	<a href="#">DGFT 38/2015-2020</a>	Minimum Import Price (MIP) on Iron and Steel under Chapter 72 of ITC (HS), 2012 - Schedule - 1 (Import Policy): amendment in import Policy Conditions.
11-02-16	<a href="#">DGFT 39/2015-2020</a>	Procedure for export of sesame seeds to the European Union countries - Deferment of implementation regarding.
15-02-16	<a href="#">DGFT 40/2015-2020</a>	Amendment in export policy of Pulses.

### Antidumping and countervailing duty cases

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

## Japan

### Japan imposes sanctions on N. Korea

The on-line newspaper Japan Today (and several others) [reported](#) that Prime Minister Abe announced that on February 10, 2016, Japan imposed new sanctions against the Democratic People's Republic of Korea (DPRK or North Korea) because of the DPRK's most recent launch of a new long-range rocket on February 7. The sanctions prohibit the entry of all North Korean ships to Japanese ports and travel activities between the two countries. In addition, money transfers of more than 100,000 yen (about U.S.\$870) to North Korea are banned, except those which are intended for humanitarian aid. The Japanese Government has not yet posted the text of the sanctions.

### Japan revises its 'End User List'

On January 22, 2016, the Ministry of Economy, Trade and Industry (METI) [announced](#) that it has revised its [End User List](#) providing exporters with information on foreign entities for which concern cannot be eliminated regarding involvement in activities such as the development of weapons of mass destruction and other items, for the purpose of enhancing the effectiveness of the "catch-all control" on cargos and other loads relating to weapons of mass destruction and other items. Catch-all control is a system that obliges exporters to submit an application for an export license for goods that may be used for the development of weapons of mass destruction even if they are not subject to export restrictions under international agreements.

The End User List has been revised based on the latest information to contain 457 entities (decreased by 70 entities from the previous version) in 11 countries and regions.

## Korea

### South Korea shuts down Gaesong Industrial Complex

On February 10, 2016, the South Korean Ministry of Unification [announced](#) that as a result of the recent launching of a long-range missile after a nuclear test, it was shutting down the Gaeseong (also spelled Kaesong) Industrial Complex, which is located in the north and uses North Korean workers and South Korean managers. The announcement said:

To date, the total amount of cash that flowed into North Korea through the Gaeseong Industrial Complex is 616 billion won (560 million dollars), with 132 billion won (120 million dollars) in cash having flowed into North Korea last year alone, and the Government and the private sector have invested a total of 1.019 trillion won. It appears that such funds have not been used to pave the way to peace as the international community had hoped, but rather to upgrade its nuclear weapons and long-range missiles.

This tramples on the efforts of the Korean Government and the 124 businesses that have set up shop in the Gaeseong Industrial Complex, and puts at risk the lives and safety of the Korean people.

The Government has notified the North Korean authorities of the decision and called on them to extend such cooperation as is rendered necessary by the complete shutdown of the Gaeseong Industrial Complex, including the safe return of South Korean citizens. The Government said it will move expeditiously forward with all steps to ensure the safe return of its citizens, and will set up a Govern-

ment Task Force under the Office for Government Policy Coordination to provide the necessary whole-of-government assistance to our businesses.

## Malaysia

### Federal Government Gazette

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

Date	Matter
15-02-16	<a href="#"><u>P.U. (A) 39/2016 - Central Bank of Malaysia (Implementation of the United Nations Security Council Resolutions Relating to the Republic of Yemen) Regulations 2016 - Central Bank Of Malaysia Act 2009</u></a>
16-02-16	<a href="#"><u>P.U. (B) 60/2016 - Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967</u></a>
	<a href="#"><u>P.U. (B) 61/2016 - Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967</u></a>
23-02-16	<a href="#"><u>P.U. (B) 78/2016 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967</u></a>

## 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

### New Zealand removes UN sanctions against Iran

On 19 February 2016, Foreign Minister M. McCully announced that New Zealand has completed the domestic processes required to lift the United Nations sanctions against Iran. The [United Nations \(Iran—Joint Comprehensive Plan of Action\) Regulations 2016](#) (SR 2016/9), which come into force on 19 February 2016, replace the current [United Nations Sanctions \(Iran\) Regulations 2010](#) by imposing a new suite of restrictions in relation to Iran to give effect to [UN Security Council Resolution 2231](#), adopted under the United Nations Charter on 20 July 2015.

Resolution 2231 has replaced the sanctions imposed on Iran by resolution 1747 (2007) and related resolutions with a number of restrictions relating to—

- nuclear-related material, equipment, or technology;
- ballistic missile-related technology;
- Iran's investment in the nuclear industry;
- specified military equipment and other arms;
- the property of designated persons;
- entry and transit of designated persons into and through New Zealand.

A summary of the [United Nations \(Iran—Joint Comprehensive Plan of Action\) Regulations 2016](#) follows:

Regulations 1 and 2 provide for the title and commencement of these regulations.

Regulation 3 provides a scheme of revocation of groups of provisions of these regulations according to a timeline set out in resolution 2231.

Regulation 4 is an interpretation provision, containing definitions and support provisions and a provision relating to the publication of external material that these regulations incorporate by reference.

Regulations 5 to 11 concern nuclear-related material, equipment, or technology. Restrictions are imposed on the exportation of such goods to Iran, or for use in or for the benefit of Iran. Such exportation must be approved in advance by the Security Council and must be supported by an end-user guarantee accepted by the Secretary of Foreign Affairs and Trade. Associated provisions are concerned with the loading and carriage of these restricted goods onto New Zealand craft, providing related assistance and training, engaging in associated commercial transactions, and the application of the Customs and Excise Act 1996.

Regulation 12 restricts persons from engaging in financial transactions with Iran in relation to the nuclear industry. The intended effect is to limit Iranian investment in that industry.

Regulations 13 to 20 concern ballistic missile-type technology. Restrictions are imposed on both exportation to Iran and importation from Iran. In addition, a number of associated provisions similar to those that apply to nuclear-related material, equipment, or technology are included.

Regulations 21 to 28 concern arms. The importation of all arms from Iran is restricted, while exportation to Iran is restricted only in relation to certain specified arms. Associated provisions are again included.

Regulations 29 to 31 implement an asset freeze against designated individuals and entities by prohibiting certain transactions with those persons.

Regulation 32 prohibits individuals who are designated persons from entering or transiting through New Zealand.

Regulations 33 and 34 create offences and require the consent of the Attorney-General for certain prosecutions.

Regulation 35 revokes the United Nations Sanctions (Iran) Regulations 2010, which these regulations replace.

Companies trading with Iran will no longer need to register with the Ministry of Foreign Affairs and Trade.

Further information can be found on the [MFAT website](#).

## New law for food importers from 1 March 2016

The Ministry for Primary Industries (MPI) reminds importers that the law on importing food is changing with the *Food Act 2014* that comes into force on 1 March 2016. The posted reminder states:

The *Food Act 2014* strengthens food safety in New Zealand. It requires importers to show the food they sell is safe.

The most significant change is that people or businesses wishing to import food into New Zealand must either register with the Ministry for Primary Industries (MPI) as a food importer or use a registered food importer to import on their behalf. Under the current rules, food importers must only 'list' with MPI.

Registration will help MPI communicate with importers, for example if there is a food safety incident.

It will also help other businesses contact importers. The register of food importers will be available on this website. Registration will help assure customers that the food they buy is safe.

All currently listed importers are deemed registered until the 1st anniversary of their current listing that falls after 1 July 2016.

From 1 March 2016

Food must be imported through a registered importer.

Registered importers must:

- start paying a fee to register
- renew registration each year
- keep or have access to records to show where food has come from and that it's safe (under the current law you must keep records yourself, under the new law, someone else can keep records for you)
- get food safety clearance for foods of high regulatory interest (formerly called prescribed foods) – there will be a few changes to how you do this.

For more information about the requirements from 1 March 2016, read our guidance documents:

- [What you need to know before importing food into New Zealand](#) [PDF, 316 KB]
- [How to import food into New Zealand](#) [PDF, 225 KB]

## New Zealand Gazette

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

Date	Matter
19-01-16	<a href="#">Tariff Concession Approvals, Withdrawals and Declines Notice (No. 1) 2016</a> <a href="#">Tariff Concession (Advertisement) Notice No. 2016/1</a>
21-01-16	<a href="#">Customs (Advance Notice of Departure) Amendment Rules 2016</a>
26-01-16	<a href="#">Tariff Concession (Advertisement) Notice No. 2016/2</a>
02-02-16	<a href="#">Tariff Concession Approvals, Withdrawals and Declines Notice (No. 3) 2016</a> <a href="#">Tariff Concession Approvals, Withdrawals and Declines Notice (No. 4) 2016</a>
09-02-16	<a href="#">Tariff Concession (Advertisement) Notice No. 2016/4</a>
16-02-16	<a href="#">Tariff Concession Approvals, Withdrawals and Declines Notice (No. 5) 2016</a> <a href="#">Tariff Concession (Advertisement) Notice No. 2016/5</a>

## Vietnam

### Government documents

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

Date	Reference and Matter
02-02-16	<a href="#">Decision No. 190 / QĐ-TCHQ of the General Administration of Customs operations recognized as agents of customs procedures</a>
04-02-16	<a href="#">Official Letter No. 1108 / TCHQ-GSQL Customs Department to answer concerns about the priority now</a>
	<a href="#">Official Letter No. 1104 / TCHQ-GSQL of General Department of Customs guiding the mineral export procedures</a> <a href="#">Official Letter No. 1091 / TCHQ-GSQL's General Administration of Customs on the import of duty-free document publication by the airline Qatar Airways Ltd.</a>
05-02-16	<a href="#">Official Letter No. 1122 / TCHQ-GSQL General Administration of Customs on checking the validity of the C / O</a>
	<a href="#">Official Letter No. 1120 / TCHQ-TXNK of the General Department of Customs on</a>

Date	Reference and Matter
	<a href="#">VAT refund for foreigners</a>
17-02-16	<a href="#">Official Letter No. 1171 / TCHQ-GSQL General Administration of Customs on customs procedures for goods GC, production of exported goods, EPE</a>

## Europe

### European Union (EU) and European Free Trade Association (EFTA)

#### EU revises Belarus sanctions

On 27 February 2016, the *Official Journal* published [Council Decision \(CFSP\) 2016/280 of 25 February 2016 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus](#) (the Decision), [Council Regulation \(EU\) 2016/277 of 25 February 2016 amending Regulation \(EC\) No 765/2006 concerning restrictive measures in respect of Belarus](#) (the Regulation) and [Council Implementing Regulation \(EU\) 2016/276 of 25 February 2016 implementing Article 8a\(1\) of Regulation \(EC\) No 765/2006 concerning restrictive measures in respect of Belarus](#) (the Implementing Regulation). The Decision extends certain restrictive measures against Belarus until 28 February 2017 and maintains the asset freeze and travel ban for four persons listed in Annex I (renamed "Annex") to Decision 2012/642/CFSP but deletes Annex II in its entirety. The Regulation and Implementing Regulation make conforming amendments to Regulation (EC) No 765/2006.

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

#### UK schedules referendum on EU membership

On 20 February 2016, Prime Minister Cameron made a [statement](#) in which he announced that after the agreement in Brussels on a new settlement with the EU for Britain (see below) that he updated the Cabinet and they agreed that the government's position will be to recommend that Britain remains in a reformed European Union. The Prime Minister stated in part:

I am the first to say that there are still many ways in which Europe needs to improve – and that the task of reforming Europe does not end with yesterday's agreement.

And I will never say that our country couldn't survive outside Europe.

We are Great Britain – we can achieve great things.

That is not the question in this referendum.

The question is will we be safer, stronger and better off working together in a reformed Europe or out on our own. I believe we will be safer in a reformed Europe, because we can work with our European partners to fight cross border crime and terrorism.

I believe Britain will be stronger in a reformed Europe because we can play a leading role in one of the world's largest organisations from within, helping to make the big decisions on trade and security that determine our future.

And I believe we will be better off in a reformed Europe because British businesses will have full access to the free trade single market, bringing jobs, investment and lower prices.

Let me be clear. Leaving Europe would threaten our economic and our national security.

Those who want to leave Europe cannot tell you if British businesses would be able to access Europe's free trade single market or if working people's jobs are safe or how much prices would rise.

All they are offering is risk at a time of uncertainty – a leap in the dark.

Our plan for Europe gives us the best of both worlds.

It underlines our special status through which families across Britain get all the benefits of being in the EU, including more jobs, lower prices and greater security.

But our special status also means we are out of the parts of Europe that don't work for us.

So we will never join the euro, we will never be part of eurozone bailouts, never be part of the passport-free no borders area, or a European army or an EU superstate.

Three years ago I committed to the British people that I would renegotiate our position in the European Union and hold an in-out referendum.

Now I am delivering that commitment.

You will decide.

The Prime Minister then announced that on 22 February he will commence the process set out under our Referendum Act and go to Parliament and propose that the British people decide Britain's future in Europe through an in-out referendum on 23 June 2016.

## European Council agrees to new status for the UK if it remains in EU

At its 18-19 February 2016 meeting, the [European Council agreed](#) that the following set of arrangements will become effective on the date the Government of the United Kingdom (UK) informs the Secretary-General of the Council that the UK has decided to remain a member of the EU, constitute an appropriate response to the concerns of the UK, as expressed in a [letter from the British Prime Minister dated 10 November 2015](#):

- a Decision of the Heads of State or Government, meeting within the European Council, concerning a new settlement for the United Kingdom within the European Union (Annex I);
- a statement containing a draft Council Decision on specific provisions relating to the effective management of the banking union and of the consequences of further integration of the euro area which will be adopted on the day the Decision referred to in point (a) takes effect (Annex II);
- a Declaration of the European Council on competitiveness (Annex III);
- a Declaration of the Commission on a subsidiarity implementation mechanism and a burden reduction implementation mechanism (Annex IV);
- a Declaration of the European Commission on the indexation of child benefits exported to a Member State other than that where the worker resides (Annex V);
- a Declaration of the Commission on the safeguard mechanism referred to in paragraph 2(b) of Section D of the Decision of the Heads of State or Government (Annex VI);
- a Declaration of the Commission on issues related to the abuse of the right of free movement of persons (Annex VII).

The Heads of State or Government declared that:

- this Decision gives legal guarantee that the matters of concern to the United Kingdom as expressed in the letter of 10 November 2015 have been addressed;

- the content of the Decision is fully compatible with the Treaties;
- this Decision is legally binding, and may be amended or repealed only by common accord of the Heads of State or Government of the Member States of the European Union;
- this Decision will take effect on the date the Government of the United Kingdom informs the Secretary-General of the Council that the United Kingdom has decided to remain a member of the European Union.

It is understood that, should the result of the referendum in the United Kingdom be for it to leave the European Union, the set of arrangements referred to above will cease to exist.

### Commission establishes a procedure to implement Court of Justice judgments in footwear dumping cases

On 18 February 2016, the *Official Journal* published [Commission Implementing Regulation \(EU\) 2016/223 of 17 February 2016](#) establishing a procedure for assessing certain market economy treatment (MET) and individual treatment (IT) claims made by exporting producers from China and Vietnam, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14. The Regulation provides that:

National customs authorities, which have received a request for re-imbursement, based on Article 236 of the *Community Customs Code*, of anti-dumping duties imposed by Regulation (EC) No 1472/2006 or Implementing Regulation (EU) No 1294/2009 and collected by national customs authorities, which is based on the fact that a non-sampled exporting producer had requested MET or IT, shall forward that request and any supporting documents to the Commission.

Within eight months of the receipt of the request and any supporting documents, the Commission shall verify whether the exporting producer had indeed lodged an MET and IT claim. If so, the Commission shall assess that claim and re-impose the appropriate duty by means of a Commission Implementing Regulation, after disclosure pursuant to Article 20 of the basic Regulation.

The national customs authorities shall await the publication of the relevant Commission Implementing Regulation re-imposing the duties before deciding on the claim for repayment and remission of anti-dumping duties.

### EU begins public consultation concerning possible change to PRC anti-dumping methodology

The EU has launched an [online consultation](#) concerning a possible change in the methodology to establish dumping in trade defence investigations concerning the People's Republic of China (PRC).

On 11 December 2016, certain provisions of the Accession Protocol to the WTO of the PRC expire. As a result of this expiry, the European Commission is analysing the possible impact on the EU's anti-dumping legislation ([Regulation \(EC\) No 1225/2009](#)). Should an amendment of the anti-dumping legislation be deemed necessary, this may result in lower anti-dumping duties which may not offset the negative effects of dumping and may further increase dumped imports causing further injury to the EU industries concerned. This in turn may result in putting a number of jobs in the EU at risk.

The aim of the online consultation launched today is to collect stakeholders' input regarding the options on how to respond to the expiry of certain provisions of the Accession Protocol to the WTO of the PRC. The consultation aims to ensure that all relevant stakeholders have an opportunity to comment on the economic and

social impacts of the options under consideration.

The Commission will utilise the results of the consultation to help it identify the most suitable regulatory and non-regulatory actions to put into effect and decide whether – and how, in a sensible, effective and efficient manner – to propose amendments to [Regulation \(EC\) N° 1225/2009](#) and [Regulation \(EC\) N°597/2009](#).

The received contributions to the online consultation, together with the identification data of the respondent, will be published on the internet, unless the respondent objects to publication of their identification data by clicking the appropriate box in the questionnaire (see section 1 in the questionnaire). The closing date for the consultation is 20 April 2016.

- [Questionnaire in pdf](#)
- [Link to the public on line consultation](#)
- [Specific privacy statement](#)

### IP implications of EU customs law development

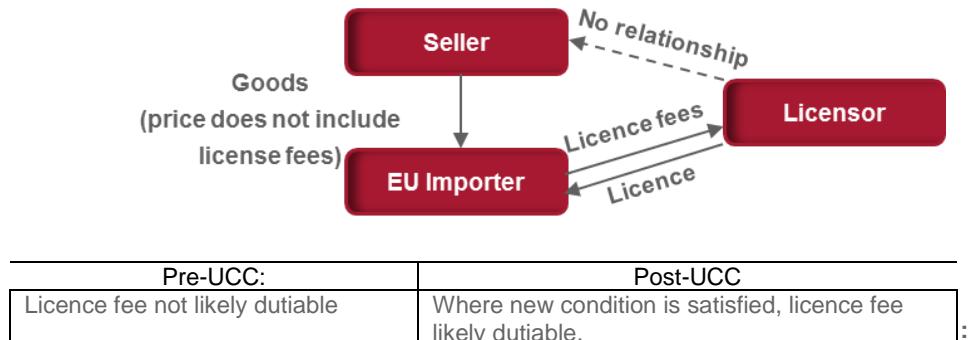
We wanted to bring to your attention an important EU customs law development. That may sound like it doesn't have much to do with Intellectual Property (IP), but it does!

The following is from a detailed Client Alert entitled [Significant increase in circumstances when royalties and licence fees will be dutiable](#), that was prepared by [Michelle Blunt](#) (London IP Practice) and the European Trade and Commerce Practice.

From 1 May 2016, EU customs legislation will begin to undergo a complete overhaul. One of the key changes relates to royalties and IP licence fees for goods imported into the EU. These changes will result in a significant increase in cases where those payments are dutiable and therefore need to be included in the customs value of the imported goods. This will in turn result in an increase in the amount of customs duty and import VAT payable on the goods. The key changes are:

- Significant expansion of the "condition of sale" requirement. It will be now considered fulfilled if the buyer of the goods being valued cannot purchase the goods without paying the royalty and/or licence fee.

#### Diagram - Impact of new condition



- Removal of the distinction between trademark royalties and other royalties and licence fees. Trademark royalties will be subject to the same requirements as other royalties and licence fees.

It is advisable to review how royalty/licence fees are structured for goods you import into the EU. If those payments will be caught by the changes we can provide advice on possible ways to mitigate that impact. In some cases that may involve making changes to the terms of your licence agreements.

Further information is set out in the [Client Alert](#). If you have any questions or would like to discuss how you may be able to best prepare for these changes, please do not hesitate to contact us.

### Commission issues tariff classification regulations

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

### Amendments to the CN Explanatory Notes

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

### Binding Tariff Information

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

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

### Official Journal documents

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

OJ Date	Subject
02-02-16	<a href="#">Commission Delegated Regulation (EU) 2016/127 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for infant formula and follow-on formula and as regards requirements on information relating to infant and young child feeding</a>
	<a href="#">Commission Delegated Regulation (EU) 2016/128 of 25 September 2015 supplementing Regulation (EU) No 609/2013 of the European Parliament and of the Council as regards the specific compositional and information requirements for food for special medical purposes</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/129 of 1 February 2016</a>

OJ Date	Subject
03-02-16	<a href="#">amending Regulation (EU) No 37/2010 as regards the substance 'Purified semi-solid extract from <i>Humulus lupulus</i> L. containing approximately 48 % of beta acids (as potassium salts)'</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/131 of 1 February 2016 approving C(M)IT/MIT (3:1) as an existing active substance for use in biocidal products for product-types 2, 4, 6, 11, 12 and 13</a>
	<a href="#">Council Decision (EU) 2016/134 of 16 November 2015 on the position to be adopted 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, as regards the replacement of Protocol 2 to that Agreement, concerning the definition of the concept of 'originating products' and methods of administrative cooperation, by a new protocol which, as regards the rules of origin, refers to the Regional Convention on pan-Euro-Mediterranean preferential rules of origin</a>
	<a href="#">Commission Implementing Decision (EU) 2016/135 of 29 January 2016 postponing the expiry date of approval of flocoumafén, brodifacoum and warfarin for use in biocidal products for product-type 14</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/138 of 2 February 2016 concerning the non-approval of the active substance 3-decen-2-one, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market</a>
04-02-16	<a href="#">Commission Implementing Regulation (EU) 2016/139 of 2 February 2016 renewing the approval of the active substance metsulfuron-methyl, as a candidate for substitution, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011</a>
	<a href="#">Notice to undertakings intending to import or export controlled substances that deplete the ozone layer to or from the European Union in 2017 and undertakings intending to produce or import these substances for essential laboratory and analytical uses in 2017 [2016/C 040/7]</a>
05-02-16	<a href="#">Commission Regulation (EU) 2016/143 of 18 January 2016 amending Annex IV to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards COS-OGA, cerevisane, calcium hydroxide, lecithins, <i>Salix</i> spp cortex, vinegar, fructose, <i>Pepino</i> mosaic virus strain CH2 isolate 1906, <i>Verticillium albo-atrum</i> isolate WCS850 and <i>Bacillus amyloliquefaciens</i> subsp. <i>plantarum</i> strain D747</a>
	<a href="#">Council Decision (EU) 2016/123 of 26 October 2015 on the signing, on behalf of the European Union, and provisional application of the Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part</a> <ul style="list-style-type: none"> <li><a href="#">Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part</a></li> </ul>
05-02-16	<a href="#">Commission Implementing Regulation (EU) 2016/145 of 4 February 2016 adopting the format of the document serving as evidence for the permit issued by the competent authorities of Member States allowing establishments to carry out certain activities concerning invasive alien species of Union concern pursuant to Regulation (EU) No 1143/2014 of the European Parliament and of the Council</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/146 of 4 February 2016 renewing the approval of the active substance lambda-cyhalothrin, as a candidate for substitution, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/147 of 4 February 2016 renewing the approval of the active substance iprovalicarb in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011</a>

OJ Date	Subject
	<a href="#">Commission Implementing Regulation (EU) 2016/148 of 4 February 2016 amending Annex I to Regulation (EC) No 798/2008 as regards the entry for the United States in the list of third countries, territories, zones or compartments from which certain poultry commodities may be imported into or transit through the Union in relation to highly pathogenic avian influenza of the subtype H7N8</a>
06-02-16	<a href="#">Commission Regulation (EU) 2016/156 of 18 January 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 boscalid, clothianidin, thiamethoxam, folpet and tolclofos-methyl in or on certain products</a>
	<a href="#">Commission Implementing Decision (EU) 2016/159 of 4 February 2016 laying down the procedures for the submission of applications for grants and requests for payment, and the information relating thereto, in respect of the emergency measures against plant pests referred to in Regulation (EU) No 652/2014 of the European Parliament and of the Council (notified under document C(2016) 524)</a>
	<a href="#">Commission Implementing Decision (EU) 2016/160 of 5 February 2016 on the approval of the Toyota Motor Europe efficient exterior lighting using light emitting diodes as an innovative technology for reducing CO2 emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council</a>
09-02-16	<a href="#">Commission Delegated Regulation (EU) 2016/161 of 2 October 2015 supplementing Directive 2001/83/EC of the European Parliament and of the Council by laying down detailed rules for the safety features appearing on the packaging of medicinal products for human use</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/166 of 8 February 2016 laying down specific conditions applicable to the import of foodstuffs containing or consisting of betel leaves ('Piper betle') from India and amending Regulation (EC) No 669/2009</a>
	<a href="#">Commission Implementing Decision (EU) 2016/168 of 5 February 2016 amending the Annexes to Decision 2003/467/EC establishing the official tuberculosis, brucellosis and enzootic-bovine-leukosis-free status of certain Member States and regions of Member States as regards bovine herds (notified under document C(2016) 602)</a>
10-02-16	<a href="#">Commission Implementing Decision (EU) 2016/169 of 5 February 2016 amending Decision 2010/221/EU as regards national measures for preventing the introduction of certain aquatic animal diseases into Ireland, Finland, Sweden and the United Kingdom (notified under document C(2016) 605)</a>
	<a href="#">Commission Implementing Decision (EU) 2016/175 of 8 February 2016 on a measure taken by Spain pursuant to Directive 2006/42/EC of the European Parliament and of the Council, to prohibit the placing on the market of a type of pressure washer (notified under document C(2016) 670)</a>
	<a href="#">Corrigendum to Decision No 2/2016 of the EU-Switzerland Joint Committee of 3 December 2015 amending Protocol 3 to the Agreement between the European Economic Community and the Swiss Confederation concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2016/121] ( OJ L 23, 29.1.2016 )</a>
11-02-16	<a href="#">Corrigendum to Decision No 1/2016 of the Community/Switzerland Inland Transport Committee of 16 December 2015 amending Annexes 1, 3, 4 and 7 to the Agreement between the European Community and the Swiss Confederation on the carriage of goods and passengers by rail and road [2016/122] ( OJ L 23, 29.1.2016 )</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/177 of 10 February 2016 approving the active substance benzovindiflupyr, as a candidate for substitution, in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Implementing Regulation (EU) No 540/2011</a>
	<a href="#">Commission Regulation (EU) 2016/178 of 10 February 2016 amending Annex I to Regulation (EC) No 1334/2008 of the European Parliament and of the Council as regards removal from the Union list of certain flavouring substances</a>
	<a href="#">Commission Implementing Decision (EU) 2016/180 of 9 February 2016 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States, as</a>

OJ Date	Subject
12-02-16	<a href="#">regards the entries for Estonia, Lithuania and Poland (notified under document C(2016) 686)</a>
	<a href="#">Commission Delegated Regulation (EU) 2016/155 of 29 September 2015 amending Annex II to Regulation (EU) No 1233/2011 of the European Parliament and of the Council on the application of certain guidelines in the field of officially supported export credits</a>
	<a href="#">Commission Decision of 8 February 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 the former Yugoslav Republic of Macedonia, of the other part, to take account of the accession of the Republic of Croatia to the European Union [2016/C 052/3]</a>
	<a href="#">Commission Decision of 8 February 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 the Republic of Montenegro of the other part, to take account of the accession of the Republic of Croatia to the European Union [2016/C 052/4]</a>
	<a href="#">Commission Decision of 8 February 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 the Republic of Albania, of the other part, to take account of the accession of the Republic of Croatia to the European Union [2016/C 052/5]</a>
	<a href="#">Commission Decision of 8 February 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 the Republic of Serbia, of the other part, to take account of the accession of the Republic of Croatia to the European Union [2016/C 052/6]</a>
13-02-16	<a href="#">Commission Implementing Regulation (EU) 2016/182 of 11 February 2016 renewing the approval of the active substance pyraflufen-ethyl in accordance with Regulation (EC) No 1107/2009 of the European Parliament and of the Council concerning the placing of plant protection products on the market, and amending the Annex to Commission Implementing Regulation (EU) No 540/2011</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/183 of 11 February 2016 amending Implementing Regulation (EU) No 686/2012 allocating to Member States, for the purposes of the renewal procedure, the evaluation of the active substances whose approval expires by 31 December 2018 at the latest</a>
	<a href="#">Commission communication in the framework of the implementation of Directive 2013/53/EU of the European Parliament and of the Council of 20 November 2013 on recreational craft and personal watercraft and repealing Directive 94/25/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 054/1]</a>
	<a href="#">Commission communication in the framework of the implementation of Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008, Decision No 768/2008/EC of the European Parliament and of the Council of 9 July 2008, Regulation (EC) No 1221/2009 of the European Parliament and of the Council of 25 November 2009 (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2016/C 054/2]</a>
	<a href="#">Commission communication in the framework of the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Publication of references of European Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011) [2016/C 054/3]</a>
16-02-16	<a href="#">Commission Implementing Regulation (EU) 2016/190 of 12 February 2016 amending Implementing Regulation (EU) 2015/1164 fixing the quantitative limit for the exports of out-of-quota sugar until the end of the 2015/2016 marketing year and amending Implementing Regulation (EU) 2015/1803</a>
	<a href="#">Council Decision (EU) 2016/202 of 12 February 2016 establishing the position</a>

OJ Date	Subject
	<a href="#">to be taken on behalf of the European Union within the EPA Committee set up by the interim Agreement with a view to an Economic Partnership Agreement between the European Community and its Member States, of the one part, and the Central Africa Party, of the other part, regarding the adoption of its Rules of Procedure</a>
	<a href="#">Council Decision (EU) 2016/203 of 12 February 2016 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XXI (Statistics) to the EEA Agreement (health care expenditure statistics)</a>
	<a href="#">Council Decision (EU) 2016/204 of 12 February 2016 on the position to be adopted, on behalf of the European Union, within the EEA Joint Committee concerning an amendment to Annex XI (Electronic communication, audiovisual services and information society) to the EEA Agreement (ultra-wide band)</a>
17-02-16	<a href="#">Commission Regulation (EU) 2016/217 of 16 February 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 cadmium</a>
	<a href="#">Commission Implementing Decision of 11 February 2016 adopting Union import decisions for certain chemicals pursuant to Regulation (EU) No 649/2012 of the European Parliament and of the Council and amending Commission Decisions 2005/416/EC and 2009/966/EC [2016/C 061/6]</a>
18-02-16	<a href="#">Regulation No 13 of the Economic Commission for Europe of the United Nations (UN/ECE) — Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking [2016/194]</a>
	<a href="#">EFTA Surveillance Authority Decision No 38/15/COL of 4 February 2015 adopting a notice: 'Guidelines on the applicability of Article 53 of the EEA Agreement to technology transfer agreements' [2016/196]</a>
19-02-16	<a href="#">Commission Regulation (EU) 2016/235 of 18 February 2016 amending Annex II to Regulation (EC) No 110/2008 of the European Parliament and of the Council on the definition, description, presentation, labelling and the protection of geographical indications of spirit drinks</a>
	<a href="#">Commission Implementing Decision (EU) 2016/237 of 17 February 2016 amending the Annex to Implementing Decision (EU) 2015/2460 concerning certain protective measures in relation to highly pathogenic avian influenza of subtype H5 in France (<i>notified under document C(2016) 826</i>)</a>
	<a href="#">Corrigendum to Council Regulation (EC) No 597/2009 of 11 June 2009 on protection against subsidised imports from countries not members of the European Community (OJ L 188, 18.7.2009)</a>
	<a href="#">Corrigendum to Council Regulation (EC) No 1225/2009 of 30 November 2009 on protection against dumped imports from countries not members of the European Community (OJ L 343, 22.12.2009)</a>
20-02-16	<a href="#">Commission Regulation (EU) 2016/238 of 19 February 2016 amending the Annex to Regulation (EU) No 579/2014 granting derogation from certain provisions of Annex II to Regulation (EC) No 852/2004 of the European Parliament and of the Council as regards the transport of liquid oils and fats by sea</a>
	<a href="#">Commission Regulation (EU) 2016/239 of 19 February 2016 amending Regulation (EC) No 1881/2006 as regards maximum levels of tropine alkaloids in certain cereal-based foods for infants and young children</a>
	<a href="#">Council Decision (EU) 2016/243 of 12 February 2016 on the signing, on behalf of the European Union, of the Agreement in the form of an Exchange of Letters between the European Union and the 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</a>
	<a href="#">Decision (EU) 2016/245 of the European Central Bank of 9 February 2016 laying down the rules on procurement (ECB/2016/2)</a>
	<a href="#">Commission notice concerning the date of application of the Regional Convention on pan-Euro-Mediterranean preferential rules of origin or the protocols on rules of origin providing for diagonal cumulation between the Contracting Parties to this Convention [2016/C 067/4]</a>
26-02-16	<a href="#">Commission Regulation (EU) 2016/263 of 25 February 2016 amending Annex II</a>

OJ Date	Subject
	<a href="#">to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the title of the food category 12.3 Vinegars</a>
	<a href="#">Commission Implementing Decision (EU) 2016/265 of 25 February 2016 on the approval of the MELCO Motor Generator as an innovative technology for reducing CO<sub>2</sub> emissions from passenger cars pursuant to Regulation (EC) No 443/2009 of the European Parliament and of the Council</a>
	<a href="#">Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 January 2016 to 31 January 2016 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2016/C 076/1]</a>
	<a href="#">Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 January 2016 to 31 January 2016 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2016/C 076/2]</a>
27-02-16	<a href="#">Corrigendum to Council Regulation (EU) 2015/2265 of 7 December 2015 opening and providing for the management of autonomous Union tariff quotas for certain fishery products for the period 2016-2018 ( OJ L 322, 8.12.2015 )</a>

### Restrictive measures established, amended, corrected

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

OJ Date	Restrictive Measure
17-02-16	<a href="#">Council Regulation (EU) 2016/214 of 15 February 2016 amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe</a>
	<a href="#">Commission Implementing Regulation (EU) 2016/218 of 16 February 2016 amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe</a>
	<a href="#">Council Decision (CFSP) 2016/220 of 15 February 2016 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe</a>
27-02-16	<a href="#">Council Implementing Regulation (EU) 2016/276 of 25 February 2016 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus</a>
	<a href="#">Council Regulation (EU) 2016/277 of 25 February 2016 amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus</a>
	<a href="#">Council Decision (CFSP) 2016/280 of 25 February 2016 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus</a>

### 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
28-01-16	<a href="#">2016/5-Notice to importers of products eligible for the scheme of generalized tariff preferences (GSP)</a>
02-02-16	<a href="#">2016/6-Notice to importers of rebar in concrete from China</a>
03-02-16	<a href="#">2016/7-Notice to importers of photovoltaic modules in crystalline silicon originating in or consigned from China</a>
05-02-16	<a href="#">2016/8-Notice to importers of citric acid originating in the People's Republic of China</a>
15-02-16	<a href="#">2016/9-Notice to Russia of ammonium nitrate originating importers</a>
16-02-16	<a href="#">2016/10-Notice to importers of certain steel cold rolled products originating in China and Russia</a> <a href="#">2016/11-Notice to importers of photovoltaic modules in crystalline silicon and essential components shipped from Taiwan and Malaysia</a>
19-02-16	<a href="#">2016/12-Notice to importers of ammonium nitrate originating in Russia</a>

## The Netherlands

### Dutch Customs publishes material on the Union Customs Code

The Douane Belastingdienst (Dutch Customs) has [posted](#) several articles (in Dutch) regarding the *Union Customs Code* (UCC or DWU in Dutch) which will enter into force on 1 May 2016. One of the articles relates to [customs valuation](#) and points out that although the UCC eliminates “first sale,” there are transitional provisions until 31 December for specific cases that involve a binding contract concluded prior to 18 January 2016 which references prior sales. Other articles involve changes to the [customs warehouses](#), [Authorised Economic Operator programme](#), [binding tariff information](#), [exchange rates](#), and other topics.

## United Kingdom

### HMRC updates

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

Release Date	Ref. No. and Subject
05-02-16	<a href="#">CIP 7 (2016): Authorised Economic Operators completion of the C118 for VAT groups</a>
19-02-16	<a href="#">CIP 4 (2016): application forms for special procedures under the Union Customs Code [This CIP updates the information previously covered in CIP 44 (2015)]</a>
26-02-16	<a href="#">CIP 3 (2016): removal of the Local Clearance Procedure method of declaration for goods being declared</a>

### ECO Notices to Exporters and BIS documents

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

Date	Notice No. and Subject
26-02-16	<a href="#">BIS/16/149 List of suspension and quota applications round: 1 July 2016</a>

## Other EU-EFTA Notices

### Import-export related measures

The following import, export or antibribery measures were published in the on-line editions of the official gazettes of the countries shown during the period covered by this Update. [This is a partial listing, unofficial translations.] \*The date shown may be the signature date, release date or publication date, depending on local practice.

Date*	Measure
<b>France</b>	
03-02-16	Finance : <a href="#">Decree No. 2016-93 of 1 February 2016 on reduced rates for domestic consumption tax amending Decree No. 2014-913 of 18 August 2014 on the rules for applying Article 265 of the Customs Code</a>
04-02-16	Foreign Affairs: <a href="#">Decree No. 2016-107 of February 3, 2016 promulgating the free trade agreement between the EU and its Member States, on the one hand, and the Republic of Korea, on the other hand, signed in Brussels October 6, 2010</a>
05-02-16	Prime Minister: <a href="#">Decree No. 2016-107 of February 3, 2016 promulgating the free trade agreement between the EU and its Member States, on the one hand, and the Republic of Korea, on the other hand, signed in Brussels October 6, 2010</a>
10-02-16	Social Affairs, Health, etc: <a href="#">Decision of 5 February 2016 suspending the manufacture, export, wholesale distribution, placing on the market or without consideration, possession for sale or free distribution , advertising of products called OLIOSEPTIL® inhalation, care oil OLEO K and the company's emergency Baume LABORATORIES INELDEA</a>
19-02-16	<a href="#">Notice of a marketing authorization suspension on the market of a veterinary drug</a>
<b>Germany</b>	
23-02-16	<a href="#">Law implementing Regulation (EU) no. 1007/2011 and to replace the Textile Labelling Act (15-02-16) of № 8 of 02.23.2016, page 198</a>
<b>Ireland (Eire)</b>	
02-02-16	<a href="#">S.I. No. 39/2016 - European Communities (Official Controls on the Import of Food of Non Animal Origin for Pesticide Residues) (Amendment) Regulations 2016.</a>
05-02-16	<a href="#">S.I. No. 42/2016 - European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2016.</a> <a href="#">S.I. No. 47/2016 - European Communities (Trade Mark Agents) Regulations 2016</a>
09-02-16	<a href="#">S.I. No. 53/2016 - European Union (Return of Foreign Cultural Objects) Regulations 2016</a>
16-02-16	<a href="#">S.I. No. 62/2016 - European Union (Identification of Equidae) Regulations 2015.</a>
19-02-16	<a href="#">S.I. No. 67/2016 - European Communities (Pesticide Residues) (Amendment) Regulations 2016.</a>
<b>Liechtenstein</b>	
04-02-16	<a href="#">LGBI № 2016.032 Law of December 2, 2015 concerning amendment of the Law on the Financial Intelligence Unit LR № 952.2</a>
10-02-16	<a href="#">LGBI № 2016.065 Ordinance of 3 February 2016 concerning amendment of the Regulation on public procurement LR № 172.051.1</a>
	<a href="#">LGBI № 2016.066 Promulgation of 3 February 2016, the thresholds in the public procurement LR № 172.051.11</a>
	<a href="#">LGBI № 2016.067 Promulgation of 3 February 2016, the thresholds for awarding public contracts in the sectors LR № 172.052.11</a>
<b>Malta</b>	
08-01-16	<a href="#">I of 2016 – Environment Protection Act, 2016 - Government Gazette of Malta №. 19,520 – 08.01.2016</a>
05-02-16	<a href="#">№ 50 of 2016 - Environment Protection Act, 2016 (Act I of 2016) - Commencement Notice - Government Gazette of Malta №. 19,533 – 05.02.2016</a>
	<a href="#">№ 49 of 2016 - Dangerous Drugs Ordinance (Amendment of First Schedule) Order, 2016 - Government Gazette of Malta №. 19,533 – 05.02.2016</a>

Date*	Measure
26-02-16	<a href="#">Nº 62 of 2016 - EC Type-Approval of Motor Vehicles and their Trailers (Amendment) Regulations, 2016 - Government Gazette of Malta No. 19,540 – 26.02.2016</a>
<b>Norway</b>	
04-02-16	FOR-2015-12-17-1887 Industry and Fisheries Ministry <a href="#">Regulation amending the Regulation on measurement units and measurement</a>
	FOR-2016-01-20-72 Agriculture and Food <a href="#">Regulation amending the Regulation on spirit and flavored drinks, etc.</a>
09-02-16	FOR-2016-01-20-73 Agriculture and Food <a href="#">Regulation amending the Regulation on plants and measures against pests (changes in import regulations, etc.)</a>
	FOR-2016-02-02-93 Climate and Environment Ministry <a href="#">Regulations amending the REACH Regulation (approval for use of hexabromocyclododecane, HBCDD)</a>
	FOR-2016-02-04-98 Industry and Fisheries Ministry <a href="#">Regulation amending the Regulation on Public Procurement mm (new thresholds)</a>
	FOR-2016-02-06-105 Labour and Social Affairs, Climate and Environment Ministry <a href="#">Regulation amending the Regulation on biocides (Biocide)</a>
	FOR-2016-02-06-106 Climate and Environment Ministry <a href="#">Regulation amending the Regulation on the restriction of use of hazardous chemicals and other products (Product Regulations)</a>
12-02-16	FOR-2016-02-08-108 Health and Care Services <a href="#">Regulation amending the Regulation on maximum levels for drug residues in food from animals</a>
	FOR-2016-02-08-121 Agriculture and Food <a href="#">Regulation amending the Regulation on animal health conditions for imports and exports of semen, ova and embryos of certain animal species</a>
	FOR-2016-02-09-122 Agriculture and Food <a href="#">Regulations amending the regulations on protective measures against avian influenza and imports of poultry, poultry products and horse</a>
16-02-16	FOR-2016-02-08-129 Health and Care Services <a href="#">Regulation amending the Regulation on feed additives</a>
	FOR-2016-02-08-130 Health and Care Services <a href="#">Regulation amending the Regulation on specific hygiene rules for food of animal origin (animaliehygieneforskriften)</a>
	FOR-2016-02-09-131 Health and Care Services <a href="#">Regulation amending the Regulation on materials and articles in contact with food</a>
	FOR-2016-02-10-133 Climate and Environment Ministry <a href="#">Regulation amending the Regulation on the protection of the State Cultural Heritage Properties</a>
19-02-16	FOR-2015-09-15-1897 Health and Care Services <a href="#">Regulation amending the Regulation on the implementation of Regulation (EC) No. 273/2004 and Regulation (EC) No. 1277/2005 on drug precursors</a>
	FOR-2016-01-25-146 Agriculture and Food <a href="#">Regulation amending the Regulation on special safeguard measures against the spread of foot-and-mouth disease into the Community</a>
	FOR-2016-02-12-149 Health and Care Services <a href="#">Regulations on special safeguard measures on imports of paanblader from India</a>
	FOR-2016-02-12-150 Industry and Fisheries Ministry of Agriculture and Food, Ministry of Health <a href="#">Regulation amending the Regulation on official controls of compliance with legislation on feed, food and health and welfare of animals (control regulations) MCA</a>
23-02-16	FOR-2016-02-17-159 Agriculture and Food <a href="#">Regulations concerning the lifting of regulations on reduced customs duty for canning</a>
	FOR-2016-02-18-165 Finance <a href="#">Regulations amending the Regulations to the law on customs and movement of goods (Customs Regulations)</a>
<b>Poland</b>	
17-02-16	Nº 190 <a href="#">Regulation of the Minister of Agriculture and Rural Development on 1 February 2016. On the list of border crossing, on which the customs authorities carry out checks on moving non-commercial pets accompanying travelers</a>
	Nº 197 <a href="#">Statement of the Minister of Agriculture and Rural Development of 22 January 2016. On the uniform text of the Regulation of the Minister of Agriculture and Rural Development on the territorial scope of action and county offices and border veterinarians</a>

Date*	Measure
19-02-16	<a href="#">Nº 201 Regulation of the Minister of Health of 16 February 2016. On the criteria for reporting incidents with the products, how to report medical incidents and actions in the field of product safety</a>
	<a href="#">Nº 202 Regulation of the Minister of Health of 16 February 2016. On fees for submitting applications for products and the fee for filing an application for a certificate of free sale</a>
	<a href="#">Nº 206 Minister of Health of 17 February 2016. Amending the Regulation on the essential requirements and conformity assessment procedures of active implantable medical devices</a>
22-02-16	<a href="#">Nº 218 Council of Ministers of 5 February 2016. Amending the regulation on the Slupsk Special Economic Zone</a>
26-02-16	<a href="#">Nº 240 A free trade agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, signed in Brussels on 6 October 2010.</a>
	<a href="#">Nº 241 Government Statement of 30 November 2015. On the binding force of the Free Trade Agreement between the European Union and its Member States, on the one hand, and the Republic of Korea, on the other hand, signed in Brussels on 6 October 2010</a>
29-02-16	<a href="#">Nº 255 Regulation of the Minister of Development on 5 February 2016. Amending the Regulation on authorizations in the field of trade in agri-food products from third countries</a>
	<a href="#">Nº 256 Regulation of the Minister of Development on 5 February 2016. Amending the Regulation on permits for imports of hemp from third countries</a>
<b>Spain</b>	
25-01-16	<a href="#">Hacienda: Resolution of January 14, 2016, the Department of Customs and Excise of the State Tax Administration Agency, by amending that of July 11, 2014, in which the instructions for the formalization of the Single Administrative Document are collected (DUA) (BOE-A-2016-646)</a>
27-01-16	<a href="#">Hacienda: Resolution of January 18, 2016, the Department of Customs and Excise of the State Tax Administration Agency, by amending of 2 March 2004 laying down rules for the processing of the request for proceedings are set pre-clearance. (BOE-A-2016-753)</a>
23-02-16	<a href="#">Hacienda: Resolution of 22 February 2016, the Directorate General of the State Agency of Tax Administration, the general guidelines of the Annual Plan of Tax and Customs Control 2016 are approved. (BOE-A-2016-1836)</a>
<b>Switzerland</b>	
04-02-16	<a href="#">DFI Ordinance regulating the import trade, transit and export of animals and animal products (OITE-PT-DFI) (RS 916.443.106)</a>
09-02-16	<a href="#">Ordinance of the FOAG on fixing periods and deadlines as well as the authorization of parts of the tariff quota of fresh vegetables, fresh fruit and fresh cut flowers (Ordinance authorizing imports on the OIELFP) (RS 916.121.100)</a>
	<a href="#">Ordinance on the export, import and transit of goods used for civilian and military purposes and specific military goods (Ordinance on the control of goods, OCB) (RS 946.202.1)</a>
12-02-16	<a href="#">DFI Ordinance regulating the import trade, transit and export of animals and animal products with third countries (OITE-PT-DFI) (RS 916.443.106)</a>
15-02-16	<a href="#">Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)</a>
	<a href="#">Decision o 4/2015 of the EU Joint Commission / EFTA amending Appendix III to the Convention of 20 May 1987 on a common transit system (RS 0.631.242.04)</a>
23-02-16	<a href="#">Ordinance of the FDF on goods enjoying customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012)</a>
	<a href="#">Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)</a>
	<a href="#">Ordinance of the FOAG on the lists of countries in the agricultural Ordinance statement (country Lists OAgD) (RS 916.511)</a>
<b>United Kingdom</b>	
04-02-16	<a href="#">SSI 2016/84 - The Country of Origin of Certain Meats (Scotland) Regulations 2016</a>
26-02-16	<a href="#">SI 2016/220 - The European Union Referendum (Welsh Forms) Order 2016</a>

Date*	Measure
29-02-16	<a href="#">SI 2016/219 - The European Union Referendum (Conduct) Regulations 2016</a>

### Restrictive measures established, amended, corrected

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

Date*	Restrictive Measure
<b>Liechtenstein</b>	
19-02-16	LGBI № 2016.069 <a href="#">Ordinance of 16 February 2016 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda" (LR № 946.222.22)</a>
	LGBI № 2016.070 <a href="#">Ordinance of 16 February 2016 concerning amendment of the ordinance on measures against the Islamic Republic of Iran (LR № 946.223.3)</a>
	LGBI № 2016.071 <a href="#">Ordinance of 16 February 2016 concerning amendment of the ordinance on measures against certain individuals from Tunisia (LR № 946.223.6)</a>
<b>Norway</b>	
09-02-16	FOR-2016-02-05-104 Foreign Affairs <a href="#">Regulations concerning restrictive measures in view of the situation in Burundi</a>
19-02-16	FOR-2016-02-18-160 Foreign Affairs <a href="#">Regulations repealing the regulation on the freezing of funds belonging to former President Slobodan Milosevic and persons associated with him</a>
	FOR-2016-02-18-161 Foreign Affairs <a href="#">Regulations repealing the regulation on sanctions against Liberia</a>
<b>Switzerland</b>	
08-02-16	<a href="#">Ordinance on measures against Libya (RS 946.231.149.82)</a>
16-02-16	<a href="#">Amendment to Ordinance on measures against individuals and entities with links to Osama bin Laden, "Al-Qaeda" or the Taliban (RS 946.203)</a>

### Non EU-EFTA European Countries

#### Ukraine

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

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

Date	Subject
16-02-16	<a href="#">About R. Nasirova authorization to sign the Agreement between Ukraine and the Kingdom of Spain on cooperation and mutual assistance in customs matters - Order of the President of Ukraine of 16.02.2016 number 37/2016-rp</a>
17-02-16	<a href="#">On Amendments to the Regulations on the organization and conduct inspections on prevention and counteraction to legalization (laundering) of proceeds from crime, terrorist financing and the financing of proliferation of weapons of mass destruction Resolution № 88 of the National Bank of Ukraine of 17.02.16</a>

## *Eurasian Economic Union (EAEU)*

### Decisions and recommendations of the Eurasian Economic Commission

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

Publication Date	Title
<b>Council (Совет) of the Eurasian Economic Commission</b>	
15-02-16	<a href="#">№ 1 (12-02-16) On approving the list, the number of staff departments of the Eurasian Economic Commission and their distribution among the members of the Board of the Eurasian Economic Commission</a>
16-02-16	<a href="#">№ 3 (12-02-16) On the establishment of import customs duties of the Common Customs Tariff of the Eurasian Economic Union on terephthalic acid and its salts</a> <a href="#">№ 4 (12-02-16) On amendments to some decisions of the Commission of the Customs Union in respect of certain types of ships</a>
<b>Board (Коллегии) of the Eurasian Economic Commission</b>	
03-02-16	<a href="#">№ 13 (02-02-16) On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of goods used in the printing industry, and on amendments to some decisions of the Council of the Eurasian Economic Commission</a> <a href="#">№ 14 (02-02-16) On Amendments to the Uniform veterinary (veterinary-sanitary) requirements for goods subject to veterinary control (supervision)</a> <a href="#">№ 15 (02-02-16) On Amendments to the Customs Union Commission Decision of 7 April 2011 № 607</a>
05-02-16	<a href="#">№ 16 (02-02-16) 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 between the customs authorities of the States - members of the Eurasian Economic Union in the process of accounting for and control of temporarily imported into the territory of the State - a member of the Eurasian Economic Union and temporarily exported with a territory of vehicles of international transport "</a>
10-02-16	<a href="#">№ 17 (09-02-16) About implant classification for intra-articular administration of the Single Commodity Nomenclature of Foreign Trade of the Eurasian Economic Union</a>
12-02-16	<a href="#">№ 18 (09-02-16) On Amendments to the decision of the Board of the Eurasian Economic Commission dated January 31, 2013 № 11</a>
25-02-16	<a href="#">№ 19 (24-02-16) On establishing the rates of import customs duties of the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of cocoa products</a>
<b>Board Распоряжение</b>	
03-02-16	<a href="#">№ 12 (02-02-16) On introduction of changes in the composition of the Advisory Committee on Financial Markets</a>
05-02-16	<a href="#">№ 13 (02-02-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the single commodity nomenclature of foreign economic activity of the Eurasian Economic Union and the Common Customs Tariff of the Eurasian Economic Union in respect of certain types of acrylic polymers in primary forms, as well as some of the decisions of the Council of the Eurasian Economic Commission and the Supreme Eurasian Economic Council"</a>
10-02-16	<a href="#">№ 14 (09-02-16) About the Memorandum of cooperation between the Eurasian Economic Commission and the Business Council of the EAEU</a>
18-02-16	<a href="#">№ 15 (17-02-16) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Customs Union Commission Decision of 15 July 2011 № 711"</a>

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

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 27 January 2016. The table lists the tariff codes, a description, rationale (GRIs) for the decision and the issuing country.

## Belarus

### Preliminary decisions on tariff classification

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

## Russian Federation

### Preliminary decisions on tariff classification

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

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

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

R.G. Date of Publication	Subject
03-02-16	<a href="#">Federal Law of the Russian Federation on January 31, 2016 N 5-FZ "On ratification of the Agreement on Common Principles and Rules for the Treatment of medicines in the framework of the Eurasian Economic Union"</a>
	<a href="#">Federal Law of the Russian Federation on January 31, 2016 N 4-FZ "On ratification of the Agreement on Common Principles and Rules for the Treatment of medical devices (medical products and medical equipment) in the framework of the Eurasian Economic Union"</a>
	<a href="#">Federal List of Extremist Materials</a>
15-02-16	<a href="#">The list [of terrorists and supporters] is supplemented</a> <a href="#">Federal List of Extremist Materials</a>
17-02-16	<a href="#">Federal Law of the Russian Federation on February 15, 2016 N 24-FZ "On Amendments to Article 12<sup>5</sup> of the Federal Law" On Combating Corruption ""</a>

## Africa

### South Africa

#### South Africa accepts protocol amending WTO TRIPS Agreement

On 23 February 2016, the World Trade Organization (WTO) [announced](#) that South Africa deposited its instrument of acceptance for the 2005 protocol amending the WTO's *Agreement on Trade-Related Aspects of Intellectual Property Rights* (TRIPS) on 23 February 2016, becoming the fourth WTO member to do so in 2016. The announcement stated:

Thailand (on 28 January), Mali (on 20 January) and Lesotho (on 4 January) are the other three members that have accepted the amendment this year. The protocol will enter into force once two-thirds of the WTO membership has formally accepted it. South Africa's acceptance marks another step towards the threshold.

The protocol amending the TRIPS Agreement, which was adopted in 2005, is intended to make it easier for poorer WTO members to access affordable medicines. The protocol allows exporting countries to grant compulsory licenses (one that is granted without the patent holder's consent) to their generic suppliers to manufacture and export medicines to countries that cannot manufacture the needed medicines themselves. These licenses were originally limited to predominantly supplying the domestic market.

The following WTO members have accepted the amendment: Albania, Argentina, Australia, Bahrain, Bangladesh, Botswana, Brazil, Brunei Darussalam, Cambodia, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Croatia, Dominican Republic, Egypt, El Salvador, European Union, Grenada, Honduras, Hong Kong China, Iceland, India, Indonesia, Israel, Japan, Jordan, Kenya, the Republic of Korea, Lao PDR, Lesotho, Macao China, Malaysia, Mali, Mauritius, Mexico, Moldova, Mongolia, Montenegro, Morocco, Myanmar, New Zealand, Nicaragua, Norway, Pakistan, Panama, Philippines, Rwanda, Saint Kitts and Nevis, Kingdom of Saudi Arabia, Senegal, Singapore, South Africa, Sri Lanka, Switzerland, Chinese Taipei, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Turkey, Uganda, United States, Uruguay, and Zambia.

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

Publication Date	Publication Details	Subject	Implementation Date
25-01-16	Updated	<a href="#">Customs &amp; Excise Rules, 1995</a>	
12-02-16	GG 39686 Notice R.172	Part 1 of Schedule No. 1 – Substitution of various tariff subheadings in Chapter 72 to increase the rate of customs duty on semi-finished steel, steel plates, cold-rolled steel and steel sections from free to 10% – ITAC Report 517. • <a href="#">Notice R.172</a>	12-02-16
24-02-16	n/a	Taxation Proposals as tabled by the Minister in his Budget Review 2016 at 14:47 • <a href="#">Taxation Proposals</a>	24-02-16

### Other African Countries

Date	Subject
	<a href="#">Kenya</a>
12-15	<a href="#">Valuation Template 01-12-15</a>

Date	Subject
01-16	<a href="#">Tariff Rulings Web Posting January 2016</a>

## 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, loss of export privileges, etc.) involving U.S. and foreign import, export, FCPA/anti-bribery, IPR border enforcement and related matters. Child pornography, controlled substance and currency related seizures and arrests will not be listed, unless connected to trade violations. [Foreign government cases are preceded by the letter (F) in parenthesis].

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

Date of Release	Subject
02-01-16	<a href="#">Pakistani man indicted and arrested for selling and distributing new, misbranded and counterfeit prescription drugs (DOJ, ICE, FDA, USPIS)</a>
	<a href="#">SEC Charges Software Company With FCPA Violations (SEC, DOJ, FBI)</a>
	<a href="#">Lumber Liquidators Inc. Sentenced for Illegal Importation of Hardwood and Related Environmental Crimes (DOJ, ICE, FWS)</a>
02-04-16	<a href="#">OFAC Issues Finding of Violation to Large Health Products Middel East Subsidiary for Violations of the Sudanese Sanctions Regulations (OFAC)</a>
	<a href="#">'Operation Team Player' nets \$39 million in fake sports merchandise (ICE, CBP, local PDs, National Football League, DOJ)</a>
02-04-16	<a href="#">US Pharmaceutical Company To Pay Large Penalty for FCPA violations (SEC) [Disgorgement, of \$9,426,000 and prejudgment interest of \$900,000; civil penalties of \$2,500,000]</a>
02-08-16	<a href="#">Large Bank Settles Potential Civil Liability for Apparent Violations of the Zimbabwe Sanctions Regulations [\$2,485,890] (OFAC)</a>
	<a href="#">4 convicted for international fraud, money laundering scheme involving sale of gold (DOJ, ICE, USS, Dep't of Interior, UK, Spain Cyprus.)</a>
02-11-16	<a href="#">In re: Qiang Hu, a/k/a Johnson Hu – Order Denying Export Privileges (BIS)</a>
	<a href="#">In re: Viacheslav Zhukov - Debarred: 7 years and 3 months from the date of his conviction, until 5 March 2022 (BIS)</a>
02-12-16	<a href="#">ICE seizes counterfeit NFL items during post-game Denver Broncos' rally (ICE)</a>
02-16-16	<a href="#">Massachusetts-based software company and subsidiaries have agreed to pay \$14.5 million in fines and \$13.6 million in disgorgement plus interest for alleged FCPA violations (DOJ, SEC)</a>
02-18-16	<a href="#">2 telecommunications companies enter into global foreign bribery resolution of more than \$795 million; US seeks forfeiture of \$850 in corrupt proceeds of bribery scheme (DOJ, ICE, IRS, SEC, Dutch, Swedish, Swiss, Latvian, Belgian, French, Irish, British and Luxembourger authorities)</a>
02-22-16	<a href="#">Four Pennsylvania Import Companies, Owners Settle Criminal Charges for Evading Customs Duties (DOJ, ICE, Commerce-OIG)</a>

Date of Release	Subject
	<a href="#">Canadian dealer sentenced for trafficking Chinese fossils at local gem show (DOJ, ICE)</a>
	<a href="#">CGG Services S.A., and Its Affiliated Companies, Settle Potential Civil Liability for Alleged Violations of the Cuban Assets Control Regulations</a> (\$614,250 to settle potential liability for alleged 31 C.F.R. Part 515 CACR) (OFAC)

## Newsletters, Reports, Articles, Etc.

### Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [November 2015 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-burow@bakermckenzie.com](mailto:jochen.meyer-burow@bakermckenzie.com)
- Roger van de Berg, Senior Associate, [roger.vandeberg@bakermckenzie.com](mailto:roger.vandeberg@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
<a href="#">International Trade, Tax, and Anti-corruption</a>
<a href="#">Global – International Trade Compliance Update - February 2016 {archives here}</a>
<a href="#">Asia Pacific Trade and Commerce: What to expect: ASEAN 2025: Forging Ahead Together</a>
<a href="#">Tokyo Trade and Commerce Client Alert: TPPとISDS条項について—国際投資仲裁の可能性— ("For TPP and ISDS provisions - the possibility of international investment arbitration") In Japanese only.</a>
<a href="#">Kyiv Employment &amp; Migration Client Alert: Personal Income Tax and Unified Social Contribution Rates Change (Eng.); Змінено порядок оподаткування доходів фізичних осіб та ставку ЄСВ (Ukr.); Изменения налогообложения доходов физических лиц и ставки ЕСВ (Russ.)</a>
<a href="#">London Business Crime Unit Client Alert: Serious Fraud Office powers of seizure in respect of potentially legally privileged material</a>
<a href="#">Jakarta Corporate &amp; Securities Client Alert: New Regulation on Import of Used Capital Goods: Health Appliances Provider Companies Will No Longer be Able to Import Used Capital Goods</a>
<a href="#">Buenos Aires Mining, Oil &amp; Gas/Tax Alert: The National Government Formalized a Reduction of Export Taxes for Mining Products (Eng.); El Gobierno Dispone la Baja de las Retenciones a las Exportaciones Mineras (Span.)</a>
<a href="#">Other Subjects</a>
<a href="#">Global Information Technology &amp; Communications Industry &amp; Practice Group LegalBytes – Special Edition February 2016 - Breaking News: The European Commission and US Authorities Reach Agreement on TransAtlantic Data Flows</a>
<a href="#">Global Information Technology &amp; Communications Industry &amp; Practice Group LegalBytes – Special Edition February 2016 - EU General Data Protection Regulation (GDPR) Game Plan Series – Part 1</a>
<a href="#">Global Information Technology &amp; Communications Industry &amp; Practice Group LegalBytes – February 2016</a>
<a href="#">b:Inform - Safe Harbor, Data Privacy &amp; Security: Breaking News: EU-US Privacy Shield</a>
<a href="#">Australia Telecommunications Regulatory Update - January 2016</a>

Subject
<a href="#">Kyiv Competition Law Client Alert: Ukraine merger control: important reforms (Eng.); Важливі реформи у сфері контролю за концентраціями (Ukr.); Важные реформы в сфере контроля над концентрациями (Rus.)</a>
<a href="#">EMEA Healthcare Industry Group Newsletter (Feb. 2016)</a>
<a href="#">Global Equity Services: Clients &amp; Friends Newsletter – February 2016</a>
<a href="#">UK Pensions Update – February 2016</a>

## Webinars, Meetings, Seminars, Etc.

### 2016 International Trade Compliance Webinar Series

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

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

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

#### Upcoming Webinar Dates and Topics:

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

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

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

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



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## 2015 International Trade Compliance Webinar Series

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

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

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

Original Date	Topic
June 24, 2015	<a href="#">Overview of Current US and EU Sanctions Targeting Iran and Potential Developments</a> Speakers: Ross Denton (London) and Alex Lamy (Wash-

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

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***Credits:***

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

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

ington, DC)

Aug. 4, 2015

[\*The Future of Sanctions on Iran\*](#) Speakers: Sunny Mann (London), Kerri Contini (Washington) and Jasper Helder (Amsterdam)

## 2014 International Trade Compliance Webinar Series

### Global Trade and the Global Supply Chain: Key Issues for 2014

Our live 2014 International Trade Compliance Webinar Series is over. However, if you missed any webinars in this series, or would like to see them again, you may view them or download only the Presentation used, by clicking [on this link](#) or on the specific linked title or Presentation below. Our focus in 2014 was on *Global Trade and the Global Supply Chain: Key Issues for 2014*.

- [\*FCPA Enforcement Trends – US, EU and Asia\*](#) - Speakers: Joan Meyer (Washington, DC), Maria McMahon (Washington, DC), Sunny Mann (London) and Michelle Gon (Shanghai) – [Original broadcast: January 14] [Presentation only](#)
- [\*Voluntary Self-Disclosures in Export Compliance Cases in the US, EU and China\*](#) - Speakers: John McKenzie (San Francisco), Ross Denton (London), Julia Pfeil (Frankfurt) and Eugene Lim (Singapore) Moderator: John McKenzie (San Francisco) [Original broadcast: February 11, 2014] [Presentation only](#)
- [\*Customs Valuation Issues and Updates – US, Mexico, EU and China\*](#) - Speakers: Terrie Gleason (Washington, DC), Edmundo Elias (Guadalajara), Jennifer Revis (London) and William Marshall (Hong Kong) – [Original broadcast: March 11, 2014] [Presentation only](#)
- [\*Country of Origin Rules for Marking and Government Procurement Purposes – US, EU and China\*](#) - Speakers: Stuart Seidel (Washington, DC), Holly Files (Washington, DC), Jasper Helder (Amsterdam) and William Marshall (Hong Kong) – [Original Broadcast: April 15, 2014] [Presentation](#).
- [\*Product-Related Environmental Restrictions and Compliance - EU, Russia/CIS and China\*](#) - Speakers: Ulrich Ellinghaus (Frankfurt), Alexander Bychkov (Moscow) and Scott Silverman (Beijing) – [Original broadcast: May 20, 2014] [Presentation only](#).
- [\*The Comprehensive Economic and Trade Agreement \(CETA\), The Transatlantic Trade and Investment Partnership \(TTIP\) and The Trans-Pacific Partnership \(TPP\)\*](#) - Speakers: Paul Burns (Toronto), Diane MacDonald (Chicago) and Fred Burke (Ho Chi Minh City) [Original broadcast: June 17, 2014] [Presentation only](#).
- [\*Import and Export of Used and/or Refurbished Goods in Asia\*](#) - Speakers: Eugene Lim (Singapore), Chen Ying (Hong Kong), Daisuke Tatsuno (Tokyo) and Panya Sittisakonsin (Bangkok) [Original broadcast: July 22, 2014] [Presentation only](#).

## 2014 EU Anti-Bribery, Trade and Customs Webinar Series

Our EU Compliance, International Trade and Customs Groups have brought together their considerable local knowledge and on the ground experience to deliver their third webinar series. This year's series covers a range of customs, export control, trade sanctions and anti-bribery and corruption topics.

All live webinars will begin at 16.00 (GMT/BST) on each of the dates listed below and are scheduled to run for 90 minutes. Our panel of speakers will provide a practical overview of each of the topics listed below, using both examples of recent cases and case studies. Our panel of speakers and moderators will comprise leading international trade experts from various EMEA locations including: Alexander Bychkov (Moscow), Ross Denton (London), Jasper Helder (Amsterdam), Nicole Looks (Frankfurt), Sunny Mann (London), Jennifer Revis (London). If you miss any webinars in this series, or would like to see them again, you may view

them or download only the Presentation used, by clicking [on this link](#) or on the specific linked title or Presentation below:

- [Union Customs Code: What to expect from the draft Implementing Provisions and how to take part in the negotiations](#). Guest speaker: Jim Repper from HM Revenue & Customs [Original date: February 27] [Presentation only](#)
- [Anti-Bribery and Corruption: Insight into SFO/ DOJ and update on the introduction of Deferred Prosecutions Agreements \(DPAs\) in the UK and lessons learnt from DPAs in the US](#) [Original date: March 27:] [Presentation only](#)
- [EU Trade Sanctions Update](#) [Original date: April 10] [Presentation only](#)
- [How to conduct M&A due diligence in the areas of International Trade and Anti-Bribery and Corruption](#) [Original date: May 8] [Presentation only](#)
- [Customs: How to classify and value your products](#) [Original date: June 26] [Presentation only](#)
- [US and EU Russian Sanctions Update](#) [Original date: September 17]
- [Customs: How to determine the origin of your products](#) [Original date: September 25] [Presentation only](#)
- [Fundamentals and Pitfalls of EU Export Controls](#) [Original date: October 23] [Presentation only](#)
- [Investigations and Voluntary Disclosures in International Trade and Anti-Bribery and Corruption](#) [Original date: November 27] [Presentation only](#)
- [Anti-Bribery and Corruption: Key Developments](#) [Original date: December 11] [Presentation only](#)

## 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](mailto:stuart.seidel@bakermckenzie.com) who will try to obtain the text. Some notifications are only available in the official language of the country publishing the notification. Note: All dates are given as mm/dd/yyyy; National flags are not scaled for relative comparison.

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Argentina	ARG/289/Add.3	1/22/2016	Not given	Motor vehicles, trailers and semi-trailers
 Argentina	ARG/295/Add.2	2/2/2016	Not given	Food, beverages, liquid foods, perfumery products, toiletries, personal care products and household cleaning products
 Argentina	ARG/301	2/26/2016	Not given	Alcoholic beverages
 Bahrain, Kingdom of	BHR/429	1/28/2016	3/28/2016	Road vehicles in general
 Bahrain, Kingdom of	BHR/430	2/2/2016	4/2/2016	White Portland cement (HS 2523)
 Bahrain, Kingdom of	BHR/431	2/19/2016	4/19/2016	Modified starches (food grade)
 Bahrain, Kingdom of	BHR/432	2/19/2016	4/19/2016	Popcorn grains

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Brazil	BRA/375/Add.4	2/5/2016	Not given	Pencil sharpeners (HS 8214.10); backpacks and briefcases (HS 4202); drawing sets (HS 9017); Ball point pens; felt tipped and other porous -tipped pens and markers; fountain pens, stylograph pens and other pens; duplicating stylus; propelling or sliding pencils (HS 9608); student rubber (HS 4016); child scissors (HS 8214); student glue (HS 3505) and others school items
 Brazil	BRA/401/Rev.1/Add.1	2/5/2016	Not given	Wooden baby cribs (HS 9403.50)
 Brazil	BRA/575/Add.1	2/5/2016	Not given	Spring Mattress, Mattress supports; articles of bedding and similar furnishing (for example, mattresses, quilts, eiderdowns, cushions, pouffes and pillows) fitted with springs or stuffed or internally fitted with any material or of cellular rubber or plastics, whether or not covered (HS 9404)
 Brazil	BRA/605/Add.1	2/5/2016	Not given	Equipment under a health surveillance
 Brazil	BRA/646/Add.1	2/5/2016	Not given	Cribs and cradles for domestic use (HS 9403)
 Brazil	BRA/647/Add.1	2/5/2016	Not given	Spring mattresses (HS 9404)
 Brazil	BRA/666	2/24/2016	4/22/2016	Analytical methods validation
 Canada	CAN/468/Add.1	2/10/2016	Not given	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Canada	CAN/469/Add.1	2/10/2016	Not given	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Canada	CAN/471/Add.1	2/17/2016	Not given	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Canada	CAN/475	2/5/2016	4/14/2016	Seeds for propagation
 Canada	CAN/476	2/5/2016	4/19/2016	Radiocommunications
 Canada	CAN/477	2/5/2016	4/21/2016	Radiocommunications
 Canada	CAN/478	2/5/2016	4/19/2016	Radiocommunications
 Canada	CAN/479	2/5/2016	4/21/2016	Radiocommunications
 Canada	CAN/480	2/5/2016	4/21/2016	Radiocommunications
 Canada	CAN/481	2/22/2016	4/13/2016	W-18 (4-chloro-N-[1-[2-(4-nitrophenyl)ethyl]-2-piperidinylidene]benzenesulfonamide), its salts, derivatives, isomers and analogues and salts of derivatives, isomers and analogues
 Canada	CAN/482	2/25/2016	5/5/2016	Radiocommunications
 Chile	CHL/343	2/5/2016	4/5/2016	Organic agricultural products
 Chile	CHL/344	2/5/2016	4/5/2016	Organic agricultural products
 China	CHN/1167	2/18/2016	4/18/2016	Health food
 China	CHN/1168	2/18/2016	4/18/2016	Health food
 China	CHN/1169	2/26/2016	4/26/2016	Chemical drugs, Medicaments
 Colombia	COL/21/Add.2	1/28/2016	Not given	Pre-packaged products
 Colombia	COL/26/Add.1	1/28/2016	Not given	Refrigerators

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Colombia	COL/202/Add.1	1/25/2016	Not given	Biological medicines
 Colombia	COL/216	1/22/2016	4/7/2016	Water-based emulsion paints for architectural use, indoors or outdoors (32.09, 32.09.10.00.00 and 32.09.90.00.00)
 Costa Rica	CRI/155	2/9/2016	4/9/2016	Plastic packaging
 Ecuador	ECU/66/Add.4	2/1/2016	Not given	"premium" and "super" petrol, diesel fuel (HS 2707.50.90, 2710.11.11, 2710.11.13, 2710.19.14, 2710.19.21, 2710.19.22, 2711.11.00, 2711.12.00, 2711.13.00, 2711.21.00)
 Ecuador	ECU/322	1/25/2016	4/12/2016	Flanges and flanged fittings for drinking water pipes (HS 73071100, 73071900, 73079100, 73079900, 84842000, 84849000, 39269040, 39269090, 40169300, 731815, 73181590, 73181600, 73182200 and 73182900)
 Ecuador	ECU/323	1/25/2016	4/12/2016	Dry-barrel and wet-barrel fire hydrants, and fire hose reel systems (HS 8481809900)
 Ecuador	ECU/324	1/25/2016	4/12/2016	Metal valves used in water distribution systems (HS 84813000, 84818040, 84818051, 84818059, 84818060 and 84818099)
 Ecuador	ECU/74/Add.2	2/2/2016	Not given	Functional foods (HS 1104.22)
 Ecuador	ECU/184/Add.3	2/9/2016	Not given	Gas water heaters (HS 8419.11.00, 8419.19.10)
 Ecuador	ECU/275/Add.1	2/9/2016	Not given	Tankless electric instantaneous water heaters (HS 8516.10.00)
 Egypt	EGY/114	2/1/2016	3/31/2016	Miscellaneous products
 Egypt	EGY/115	2/1/2016	3/31/2016	Miscellaneous
 Egypt	EGY/117	2/15/2016	4/15/2016	Tubular LED lamps
 Egypt	EGY/118	2/15/2016	4/15/2016	Tubular LED lamps
 Egypt	EGY/119	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/120	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/121	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/122	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/123	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/124	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/125	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/126	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/127	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/128	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/129	2/15/2016	4/15/2016	Road vehicles
 Egypt	EGY/130	2/15/2016	4/15/2016	Road vehicles
Egypt	EGY/94/Rev.1	12/7/2015	Not given	Pencils and coloured pencils

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
European Union	EU/335	1/15/2016	3/15/2016	Oxygen sensors
European Union	EU/336	1/15/2016	3/15/2016	Temperature measurement sensors
European Union	EU/346	2/1/2016	3/31/2016	Amitrole (pesticide active substance)
European Union	EU/347	2/4/2016	4/4/2016	Energy-related products
European Union	EU/348	2/5/2016	4/4/2016	Energy-related products
European Union	EU/349	2/11/2016	4/11/2016	Food
European Union	EU/350	2/11/2016	Not given	Hazardous mixtures
European Union	EU/351	2/12/2016	4/12/2016	Food
European Union	EU/352	2/12/2016	4/12/2016	Food
European Union	EU/353	2/12/2016	4/12/2016	Cosmetics
European Union	EU/354	2/15/2016	4/15/2016	Triasulfuron (pesticide active substance)
European Union	EU/355	2/17/2016	4/17/2016	Biocidal products
European Union	EU/356	2/17/2016	4/17/2016	Biocidal products
European Union	EU/357	2/26/2016	5/25/2016	Road vehicles in general
European Union	EU/358	2/26/2016	4/26/2016	Biocidal products
European Union	EU/359	2/29/2016	4/29/2016	Biocidal products
European Union	EU/360	2/29/2016	4/29/2016	Biocidal products
European Union	EU/361	2/29/2016	4/29/2016	Biocidal products
European Union	EU/362	2/29/2016	4/29/2016	Biocidal products
European Union	EU/363	2/29/2016	4/29/2016	Biocidal products
European Union	EU/364	2/29/2016	4/29/2016	Biocidal products
European Union	EU/365	2/29/2016	4/29/2016	Biocidal products
European Union	EU/366	2/29/2016	4/29/2016	Biocidal products
European Union	EU/367	2/29/2016	4/29/2016	Biocidal products
European Union	EU/368	2/29/2016	4/29/2016	Biocidal products
Georgia	GEO/93	2/22/2016	Not given	Buildings
Germany	DEU/14	2/19/2016	4/19/2016	Tobacco and manufactured tobacco substitutes 0424-2012E
Guatemala	GTM/87	2/8/2016	Not given	Miscellaneous chemical products
Guatemala	GTM/88	2/8/2016	Not given	Miscellaneous chemical products
Guatemala	GTM/89	2/8/2016	Not given	Fertilizers (HS 31)
Guatemala	GTM/90	2/5/2016	Not given	Miscellaneous chemical products (HS 38)
India	IND/53	2/15/2016	4/15/2016	Food products

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Indonesia	IDN/103	2/10/2016	4/10/2016	IT products
 Israel	ISR/854	2/9/2016	4/9/2016	Child restraint devices for motor vehicles (HS 940120)
 Israel	ISR/855	2/9/2016	3/9/2016	Mobile elevating work platforms (HS 84251, 84254)
 Israel	ISR/856	2/9/2016	4/9/2016	Gold articles (HS 711319)
 Israel	ISR/857	2/9/2016	4/9/2016	Textile carpets (HS 57)
 Israel	ISR/858	2/9/2016	4/9/2016	Electrodes for welding (HS 831110)
 Israel	ISR/859	2/9/2016	4/9/2016	Hand-held motor-operated electric tools (HS 843311, 843319, 846120, 846420, 84672, 847981)
 Israel	ISR/860	2/9/2016	4/9/2016	Connecting devices for low-voltage circuits (HS 853890)
 Israel	ISR/861	2/10/2016	4/10/2016	Baby bouncers (HS 940171)
 Israel	ISR/862	2/10/2016	4/10/2016	Drinking water treatment systems (HS 841981, 841989, 842121)
 Israel	ISR/863	2/18/2016	4/18/2016	Sweets (candies) (HS 1704)
 Israel	ISR/864	2/23/2016	Not given	Diaper changing units (HS 9403)
 Israel	ISR/865	2/23/2016	4/23/2016	Diaper changing units (HS 9403)
 Israel	ISR/866	2/23/2016	4/23/2016	Soothers (HS 392690, 401490)
 Israel	ISR/867	2/25/2016	4/25/2016	Children's high chairs (HS 9401)
 Israel	ISR/868	2/26/2016	4/26/2016	Low-voltage switchgear and control gear assemblies (HS 853710, 853720)
 Israel	ISR/869	2/26/2016	4/26/2016	Protective clothing (HS 61, 62, 63)
 Israel	ISR/870	2/26/2016	4/26/2016	Lifting platforms for person with impaired mobility (HS 8428; ICS: 11.180.10, 53.020.99, 91.140.90)
 Israel	ISR/871	2/26/2016	4/26/2016	Ladders (HS 392690, 442190, 732690, 761699)
 Japan	JPN/515	2/4/2016	4/4/2016	Food utensils, containers, and packaging
 Japan	JPN/516	2/17/2016	Not given	Substances with probable effects on the central nervous system
 Japan	JPN/517	2/18/2016	4/18/2016	Passenger vehicles with a capacity of 9 passengers or less and passenger vehicles with a capacity of 10 passengers or more (gross vehicle weight of 3.5 tons or less), that are fuelled with gasoline, diesel oil or liquefied petroleum gas (except passenger vehicles with a capacity of 11 passengers or more and gross vehicle weight of 3.5 tons or less, that are fuelled with liquefied petroleum gas). Commercial vehicles with gross vehicle weight of 3.5 tons or less, that are fueled with gasoline or diesel oil. (HS 8702, 8703, 8704). Motor vehicles for the transport of ten or more persons, including the driver. (HS 8702), Motor vehicles for the transport of goods. (HS

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				8704).
 Japan	JPN/518	2/19/2016	4/19/2016	Essential oils and resinoids; perfumery, cosmetic or toilet preparations (HS 33)
 Korea, Republic of	KOR/625	2/2/2016	4/2/2016	Railway vehicles
 Korea, Republic of	KOR/626	2/8/2016	4/18/2016	Food, health functional food, livestock products except for imported beef
 Korea, Republic of	KOR/627	2/15/2016	4/15/2016	Pharmaceuticals
 Korea, Republic of	KOR/628	2/18/2016	4/18/2016	Health functional food products
 Kuwait	KWT/312	1/28/2016	3/28/2016	Road vehicles in general
 Kuwait	KWT/313	2/19/2016	4/19/2016	Modified starches (food grade)
 Kuwait	KWT/314	2/19/2016	4/19/2016	Popcorn grains
 Kyrgyz Republic	KGZ/34	2/24/2016	Not given	Technical devices with the property to create electromagnetic interference
 Kyrgyz Republic	KGZ/35	2/25/2016	6/30/2015	Grain
 Kyrgyz Republic	KGZ/36	2/25/2016	6/30/2015	Low voltage equipment suitable for use at nominal voltage of 50 to 1000 V (inclusive) alternate current and of 75 to 1500 V (inclusive) direct current.
 Kyrgyz Republic	KGZ/37	2/25/2016	6/30/2015	(i) Lubricants including those of organic origin, (ii) Specialized liquids including those used for breaking system, coolants, (iii) Materials destined for utilization as waste.
 Kyrgyz Republic	KGZ/38	2/25/2016	6/30/2015	Perfume and cosmetic products
 Kyrgyz Republic	KGZ/39	2/25/2016	6/30/2015	Special personal protection means such as clothing, shoes, underwear, eye glasses, gloves, oxygen masks, protective suits, personal protection kits
 Kyrgyz Republic	KGZ/40	2/25/2016	6/30/2015	Equipment working under excessive pressure
 Kyrgyz Republic	KGZ/41	2/25/2016	6/30/2015	Devices to use gaseous fuel
 Kyrgyz Republic	KGZ/42	2/25/2016	10/23/2015	Motor roads for general use, road infrastructure, construction materials as well as relevant processes of designing, construction, repair of road
 Kyrgyz Republic	KGZ/43	2/25/2016	10/30/2015	Wheeled vehicles, chassis of vehicles, vehicle components that affect vehicle safety
 Kyrgyz Republic	KGZ/44	2/25/2016	6/30/2015	Small sized vessels, equipment for small sized vessels, life rescuing devices
 Malaysia	MYS/66	2/23/2016	4/23/2016	Generic products to be registered for marketing authorisation in Malaysia, Pharmaceutics
 Malaysia	MYS/67	2/23/2016	4/23/2016	Pharmaceutical products that are manufactured in overseas countries, Pharmaceutics
 Mexico	MEX/178/Add.8	1/25/2016	Not given	Labelling of pre-packaged food and non-alcoholic beverages
 Mexico	MEX/289/Add.2	2/1/2016	Not given	Life jackets (HS 6307.20.01)
 Mexico	MEX/290/Add.1	2/19/2016	Not given	Air conditioners (8415.10.90.00)
 Mexico	MEX/293/Add.1	1/25/2016	Not given	Medicaments (HS 3004)
 Mexico	MEX/293/Add.2	2/9/2016	Not given	Medicaments (HS 3004)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
Mexico	MEX/294/Add.1	1/25/2016	Not given	Pharmaceutical products (Chapter 30)
Mexico	MEX/294/Add.2	2/9/2016	Not given	Pharmaceutical products (Chapter 30)
Mexico	MEX/298	1/25/2016	3/25/2016	Agave syrup (HS tariff subheading 1702.60)
Mexico	MEX/299	1/25/2016	Not given	Petrochemicals (tariff headings 2701 to 2901.10)
Mexico	MEX/300	1/28/2016	Not given	Petroleum products (headings 27.01 to 2901.10)
Nicaragua	NIC/26/Add.1	2/19/2016	Not given	Milk product processing plants
Oman	OMN/241	1/28/2016	3/28/2016	Road vehicles in general
Oman	OMN/242	2/17/2016	4/17/2016	Steel for the reinforcement of concrete
Oman	OMN/243	2/17/2016	4/17/2016	Steel for the reinforcement of concrete
Oman	OMN/244	2/17/2016	4/17/2016	Steel for the reinforcement of concrete
Oman	OMN/245	2/19/2016	4/19/2016	Modified starches (food grade)
Oman	OMN/246	2/19/2016	4/19/2016	Popcorn grains
Oman	OMN/247	2/24/2016	4/24/2016	Canned mangoes
Oman	OMN/248	2/24/2016	4/24/2016	Dried okra
Oman	OMN/249	2/24/2016	4/23/2016	Fresh beef, buffalo, mutton, goat and camel meat
Oman	OMN/250	2/24/2016	4/24/2016	General Standard for fruit juices and nectars
Oman	OMN/251	2/24/2016	4/24/2016	Honey
Paraguay	PRY/85	1/28/2016	3/28/2016	Table-top sweeteners or sweetening agents containing stevia ( <i>Stevia rebaudiana Bertoni</i> )
Paraguay	PRY/86	2/4/2016	Not given	Lubricants for automotive or industrial use
Peru	PER/84	1/28/2016	4/24/2016	Pharmaceutical products: biological products: biotech products, classified under Chapter 30 of the Harmonized System or Customs Tariff
Qatar	QAT/426	1/28/2016	3/28/2016	Road vehicles in general
Qatar	QAT/427	2/19/2016	4/19/2016	Modified starches (food grade)
Qatar	QAT/428	2/19/2016	4/19/2016	Popcorn grains
Saudi Arabia	SAU/915	2/8/2016	3/8/2016	Food facilities
Saudi Arabia	SAU/916	2/8/2016	3/8/2016	Cosmetics
Saudi Arabia	SAU/917	2/18/2016	4/18/2016	Pressure regulators, automatic change-over devices
Saudi Arabia	SAU/918	2/19/2016	4/19/2016	Modified starches (food grade)
Saudi Arabia	SAU/919	2/19/2016	4/19/2016	Popcorn grains
Seychelles	SYC/1	2/17/2016	4/17/2016	Vest type plastic bags (HS 3923)
Taiwan Economy	TPKM/185/Rev.1	2/23/2016	Not given	Specific dietary foods for patients
Taiwan Economy	TPKM/216/Add.1	2/22/2016	Not given	Food for human consumption
Taiwan Economy	TPKM/225/Add.1	2/2/2016	Not given	Organic agricultural products
Taiwan Economy	TPKM/227	2/4/2016	4/4/2016	Chocolate products
Taiwan Economy	TPKM/228	2/19/2016	4/19/2016	Drinking water faucet (HS 848110)

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Thailand	THA/474	2/1/2016	3/31/2016	Novel food
 Thailand	THA/452/Rev.1	2/16/2016	Not given	Steel bars (HS 7214)
 Thailand	THA/453/Rev.1	2/16/2016	Not given	Steel bars (HS 7214)
 Thailand	THA/454/Add.1	2/25/2016	Not given	Glazing materials for vehicles (HS 7007.11.10)
 Uganda	UGA/531	2/8/2016	Not given	Miscellaneous chemical products
 Ukraine	UKR/106	2/8/2016	4/9/2016	Electrical and electronic equipments
 United Arab Emirates	ARE/302	1/28/2016	3/28/2016	Road vehicles in general
 United Arab Emirates	ARE/303	2/19/2016	4/19/2016	Modified starches (food grade)
 United Arab Emirates	ARE/304	2/19/2016	4/19/2016	Popcorn grains
 United Arab Emirates	ARE/305	2/23/2016	4/23/2016	Crash protection and restraint systems
 United States	USA/1000/Add.1	12/11/2015	Not given	Chemical substances
 United States	USA/1009/Add.4	2/2/2016	Not given	Prerinse spray valves
 United States	USA/1050/Add.1	2/25/2016	Not given	Food labeling
 United States	USA/1067/Add.1	2/19/2016	Not given	Import data collection
 United States	USA/1067/Corr.1	2/2/2016	Not given	Import data collection
 United States	USA/1068	2/12/2016	2/24/2016	Closed captioning, user interfaces
 United States	USA/1068/Add.1	2/19/2016	Not given	Closed captioning, user interfaces
 United States	USA/1069	2/12/2016	4/11/2016	Recreational vehicles
 United States	USA/1070	2/12/2016	3/10/2016	Chemical and compressed gasses
 United States	USA/1070/Add.1	2/19/2016	Not given	Chemical and compressed gasses
 United States	USA/1071	2/18/2016	2/24/2016	Grain standards
 United States	USA/1071/Corr.2	2/25/2016	Not given	Grain standards
 United States	USA/1072	2/18/2016	4/21/2016	Cranial electrotherapy stimulator (CES) devices
 United States	USA/1073	2/19/2016	2/5/2016	Pet food
 United States	USA/1074	2/19/2016	2/5/2016	Commercial feed
 United States	USA/1075	2/19/2016	Not given	Nozzles used at non-retail gasoline dispensing facilities (GDFs)
 United States	USA/1076	2/19/2016	2/16/2016	Portable fuel containers
 United States	USA/1077	2/19/2016	2/15/2016	Water conserving plumbing fixtures
 United States	USA/425/Add.9/Corr.1	2/19/2016	Not given	Microwave ovens (HS 8516.50)
United States	USA/658/Add.2	2/2/2016	Not given	Children's products (HS 9403)
United States	USA/659/Add.2	2/2/2016	Not given	Children's products (HS 9403)
United States	USA/767/Add.1	2/19/2016	Not given	Motor vehicle side marker lamp (HS 8703)
United States	USA/800/Add.4	12/11/2015	Not given	Lamps (HS 9405)
United States	USA/884/Add.1	2/15/2016	Not given	Chemical substances
United States	USA/908/Add.5	2/15/2016	Not given	Appliance labeling
United States	USA/953/Add.1	2/4/2016	Not given	Organics production

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
United States	USA/978/Add.2	1/19/2016	Not given	Residential boilers (HS 8403.10)
United States	USA/978/Add.2/Corr.1	2/2/2016	Not given	Residential boilers (HS 8403.10)
Yemen	YEM/32	1/28/2016	3/28/2016	Road vehicles in general
Yemen	YEM/33	2/19/2016	4/19/2016	Modified starches (food grade)
Yemen	YEM/34	2/19/2016	4/19/2016	Popcorn grains
Ukraine	UKR/106/Corr.1	2/15/2016	Not given	Electrical and electronic equipments

## CBSA Advance Rulings

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

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

Date	TRS Number	Merchandise	Tariff Classification and Basis
03-20-15	<a href="#">269097</a>	<a href="#">LifeTrak Core C200 24 Activity Tracking Monitor</a>	9029.20.00.90 [GIR 1 and 6; LN 3 to Chap. 90, CITT AP 99-061]
04-16-15	<a href="#">270319</a>	<a href="#">Système Yves Rocher, product 410050</a>	8543.70.00.00 [GIR 1 and 6]
05-29-15	<a href="#">269903</a>	<a href="#">Clover Valley Cheese Dip</a>	2103.90.90.90 [GIR 1; Note 1(b) to Chap. 4; D10-14-35]
05-29-15	<a href="#">270269</a>	<a href="#">Essential Peel, Product #411422</a>	8479.89.90.90 [GIR 1 and 6]
05-29-15	<a href="#">270327</a>	<a href="#">PR Cell 2G, #411321 (120v) and #411322 (220v)</a>	9019.10.00.10 [GIR 1 and 6]
05-29-15	<a href="#">270448</a>	<a href="#">Artist paper, brand name, Arnhem, warm white paper-board (245 g/m<sup>2</sup>)</a>	4802.58.00.90 [GIR 1 and 6; LN 1 and 5 and Supp. N 1(b) to Chapter 48]
05-29-15	<a href="#">270449</a>	<a href="#">Artist paper, brand name, Arnhem, white heavy weight (320 g/m<sup>2</sup>)</a>	4802.58.00.90 [GIR 1 and 6; LN 1 and 5 and Supp. N 1(b) to Chapter 48]
05-29-15	<a href="#">270453</a>	<a href="#">Artist paper, brand name, Arnhem 7070 sample pack paper</a>	4802.58.00.90 [GIR 1 and 6; LN 1 and 5 and Supp. N 1(b) to Chapter 48]
05-29-15	<a href="#">270455</a>	<a href="#">Artist paper, brand name, Arnhem, warm white sample pack (245 g/m<sup>2</sup>)</a>	4802.58.00.90 [GIR 1 and 6; LN 1 and 5 and Supp. N 1(b) to Chapter 48]
05-29-15	<a href="#">270459</a>	<a href="#">Artist Paper, brand name, Arnhem, 7071 retail sample kit</a>	4802.58.00.90 [GIR 1 and 6; LN 1 and 5 and Supp. N 1(b) to Chapter 48]
05-29-15	<a href="#">270603</a>	<a href="#">Evolution 5HD, Product #411013</a>	8543.70.00.00 [GIR 1 and 6]
05-29-15	<a href="#">270609</a>	<a href="#">Blent ST-250, Product #411100</a>	8543.70.00.00 [GIR 1 and 6]
06-11-15	<a href="#">269928</a>	<a href="#">Press-On Nails, Item #034</a>	3919.90.00.90 [GIR 3 (b); LN 4 to Chap 95; EN to Sec. VII; sec. Note 1]
06-11-15	<a href="#">270270</a>	<a href="#">Silver Peel, Product #411421</a>	8479.89.90.90 [GIR 1 and 6]
06-11-15	<a href="#">270359</a>	<a href="#">Golden Omega Fish Oil TG3322</a>	1517.90.99.00 [GIR 1 and 6; and LN 1(a) Chapter 30]
06-11-15	<a href="#">270386</a>	<a href="#">PVC banners</a>	4911.99.00.90 [GIR 1 and 6; LN 10 to Chap. 39; LN 2 to Sec. VII]
06-11-15	<a href="#">270402</a>	<a href="#">Chrisal Water Plus Probiotic-Bacterial Ferment of live bacteria</a>	3002.90.00.99 [GIR 1 and 6; EN (D) to 30.02]
06-11-15	<a href="#">270432</a>	<a href="#">Pyjama top (sleep top), Style# A04-40516F</a>	6108.32.00.11 [GIR 1 and 6; CITT AP 92-]

Date	TRS Number	Merchandise	Tariff Classification and Basis
			235]
06-11-15	<a href="#">270605</a>	Sequentium, Product #411010	8543.70.00.00 [GIR 1 and 6]
06-11-15	<a href="#">270618</a>	Vasculyse, Product #411106	8543.70.00.00 [GIR 1 and 6]
06-11-15	<a href="#">270621</a>	Vasculyse 2G, Product #411108	8543.70.00.00 [GIR 1 and 6]
06-15-15	<a href="#">270243</a>	TED Captive Bolt Dispatch Tool	9304.00.90.90 [GIR 1 and 6]
06-15-15	<a href="#">270354</a>	Product # 139066, an ultraviolet replacement bulb for a BAP900UV Bionaire® Air Purifier	8539.49.90.90 [GIR 1 and 6; EN (D) to 85.39]
06-15-15	<a href="#">270447</a>	S1705 Water Treatment, product number S1705SC	3824.90.00.52 [GIR 1 and 6; EN (B)(15) to 38.24]
06-15-15	<a href="#">270503</a>	Premium Guillotine Nail Trimmer, P/N 78498-303-051-CN	8214.20.00.00 [GIR 1 and 6, EN(2) to 82.14]
06-15-15	<a href="#">270523</a>	16 ounce Aluminum Bottle, P/N 2000013432	7615.10.00.90 [GIR 1 and 6]
06-15-15	<a href="#">270623</a>	Child Check-Mate System, Item #EP_1	8512.30.90.00 [GIR 1 and 6]
07-30-15	<a href="#">270247</a>	Compu-Lift, Product #411400	8543.70.00.00 [GIR 1 and 6; LN 3 to Section XVI; EN 85.43]
07-30-15	<a href="#">270265</a>	RMD Structural Remodeling System, Product #411570	9018.90.90.59 [GIR 1 and 6]
07-30-15	<a href="#">270278</a>	Rotary Brush Cirrus, Product #410564	8479.89.90.90 [GIR 1 and 6]
07-30-15	<a href="#">270304</a>	Lumicell Touch, #411372	8543.70.00.00 [GIR 1 and 6] LN 3 to section XVI
07-30-15	<a href="#">270312</a>	Iontoderm Cirrus, product 410480	8543.70.00.00 [GIR 1 and 6] LN 4 to Section XVI
07-30-15	<a href="#">270630</a>	Skegging (skirted legging), style# T12-60077U	6114.30.00.00 [GIR 1 and 6]
07-30-15	<a href="#">270668</a>	Style A17-58759S [ladies knitted beach cover-up]	6114.30.00.00 [GIR 1 and 6]
08-24-15	<a href="#">270649</a>	Ladies upper garment, Style# T03-59825U	6109.10.00.29 [GIR 1 and 6]
08-24-15	<a href="#">271166</a>	Jar Lid and Filler Cap Set for Oster Versa Performance Blenders, product number 173696-000-000	3923.50.90.90 [GIR 1 and 6; D10-0-1]
09-04-15	<a href="#">270293</a>	Halloween Character Glass Jars with LED Lights, item #H31197	9505.90.00.90 [GIR 1 and 6]
09-04-15	<a href="#">270313</a>	Three light-Up Owls with LED Lights, item H30098	9505.90.00.90 [GIR 1 and 6; EN (A) (1) to 95.05]
09-04-15	<a href="#">270322</a>	Halloween Tealight and Holder with LED, item # H30946	9405.40.90.00 [GIR 1 and 6; EN (1) to 94.05]
09-04-15	<a href="#">270656</a>	Style P17-56213H [ladies knitted dress marketed and sold as a beach cover-up]	6104.44.00.00 [GIR 1 and 6]
09-04-15	<a href="#">270687</a>	Style W31-60555U [ladies knitted beach cover-up]	6110.30.00.82 [GIR 1 and 6]
09-04-15	<a href="#">270706</a>	LED Candle look Halloween Decoration, #H30961	9505.90.00.90 [GIR 1 and 6; EN 95.05 (A)(1)]
09-04-15	<a href="#">271293</a>	Nikkalite Reflective Sheeting, ESM A104 Yellow, A105 Red, A106 Blue, A107 Orange, A108 Green, A109 Brown Black	3919.90.00.90 [GIR 1 and 6]
09-21-15	<a href="#">270297</a>	Four Halloween Lanterns with LED Light, item H30943	9505.90.00.90 [GIR 1 and 6; EN (A)(1) to 95.05; CN N-179]
09-21-15	<a href="#">270807</a>	Nikkalite Reflective Sheeting, EG 8100 Series Engineering Grade Film	3919.90.00.90 [GIR 1 and 6]
09-21-15	<a href="#">271210</a>	Pharma Marine Calamarine 140/360 TG	1517.90.99.00 [GIR 1 and LN 1(a) to Chap. 30]
09-21-15	<a href="#">271292</a>	Nikkalite Reflective Sheeting ESM A103 Black	3919.90.00.90 [GIR 1 and 6; EN to 39.19]
11-03-15	<a href="#">270647</a>	Style M02-44405U [men's knitted tank top singlet]	6110.20.00.91 [GIR 1 and 6]

## CBP Rulings: Downloads and Searches

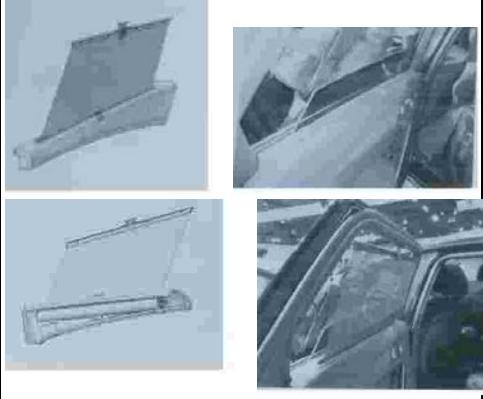
As US Customs and Border Protection (CBP) issues several thousand rulings a year, it is not practical to list each ruling. However, almost all rulings issued by US Customs or CBP from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#).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

## CBP Rulings: Revocations or Modifications

The weekly [Customs Bulletin and Decisions](#) issued during the past month contained no proposals or actions by CBP 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) 2016/137 of 26-01-16	<p>An article consisting of a rectangular piece of transparent textile material made of knitted closed weave fabric of synthetic fibres, a plastic rail and a roller mechanism of plastics and metal.</p> <p>On one end, the textile fabric is fixed to the roller mechanism that is designed to be fixed permanently into the door panel of a specific model of a motor vehicle. On the other end, the textile fabric is fixed to the plastic rail that has a fixture mechanism allowing it to be attached to the frame of the window of the motor vehicle when the textile fabric is unrolled providing protection against the sun. The article does not cover the window pane completely.</p> <p>(See images)</p> 	6303 12 00	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature (GIR), note 7(f) to Section XI and by the wording of CN codes 6303, 6303 12 and 6303 12 00.</p> <p>Classification under CN code 8708 29 90 as a part or accessory of bodies of motor vehicles of heading 8703 is excluded, because the article is neither indispensable for the functioning of the motor vehicle nor does it adapt the motor vehicle for a particular operation, or increase its range of operations, or enable it to perform a particular service connected with its main function (see Case C-152/10, <i>Unomedical</i>, ECLI:EU:C:2011:402, paragraphs 29 and 36).</p> <p>Due to the fact that the article is designed to be fixed permanently into the door panel of a specific motor vehicle (there is an incision in the door panel) and cannot be removed and fixed to no matter which other window pane, it is an interior blind of heading 6303. Moreover, comparable articles such as interior blinds for railway carriage windows are also covered by heading 6303 (see also the Harmonized System Explanatory Notes to heading 6303, first paragraph, point (2)).</p> <p>The article is a blind of textile material of Section XI and not a blind of plastics of subheading 3925 30 00, because the plastic materials serve only attachment purposes.</p> <p>The article is assembled from parts of textile material, plastics and metal. It is therefore a made-</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
			up article. Consequently, the article is to be classified under CN code 6303 12 00 as knitted interior blinds of synthetic fibres.

## Amendments to the CN Explanatory Notes

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

## Section 337 Actions

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

Ref. Number	Commodity	Action
<a href="#">337-TA-928</a> <a href="#">337-TA-937</a> (Consolidated)	Certain windshield wipers and components thereof	(Remand) Commission determination not to review two initial determinations; schedule for filing written submissions on remedy, the public interest, and bonding; extension of the target date for completion of the investigation
<a href="#">337-TA-933</a>	Certain stainless steel products, certain processes for manufacturing or relating to same, and certain products containing same	Notice of Commission determination to review an initial determination granting in part a motion for default and other relief and, on review, to affirm the default finding; schedule for filing written submissions on the issues under review and on remedy, public interest, and bonding
<a href="#">337-TA-936</a>	Certain footwear products	Commission determination to review-in-part a final initial determination finding a violation of section 337; and to request written submissions regarding the issues under review and remedy, bonding, and the public interest
<a href="#">337-TA-939</a>	Certain three-dimensional cinema systems and components thereof	Commission determination to review the final initial determination in part; schedule for filing written submissions on the issues under review and on remedy, public interest, and bonding
<a href="#">337-TA-943</a>	Certain wireless headsets	Commission determination to grant joint motions to amend the notice of investigation and to terminate the investigation in part as to respondent Aliphcom d/b/a Jawbone on the basis of a settlement agreement
<a href="#">337-TA-944</a>	Certain network devices, related software and components thereof (I)	Notice of request for statements on the public interest
<a href="#">337-TA-954</a>	Certain variable valve actuation devices and automobiles containing the same	Commission determination not to review an initial determination terminating the investigation; termination of the investigation
<a href="#">337-TA-969</a>	Certain blood cholesterol test strips and associated systems containing the same	Commission's determination not to review an initial determination terminating the investigation; termination of the investigation
<a href="#">337-TA-980</a>	Certain rack mountable power distribution units	Commission decision not to review an initial determination terminating the investigation in its entirety based on a settlement agreement; termination of the investigation

Ref. Number	Commodity	Action
<a href="#">337-TA-984</a>	Certain computing or graphics systems, components thereof, and vehicles containing same	Institution of an investigation based on a complaint filed on behalf of Advanced Silicon Technologies LLC alleging patent infringement
<a href="#">337-TA-985</a>	Certain surgical stapler devices and components thereof	Institution of an investigation based on a complaint filed on behalf of Covidien LP alleging patent infringement
<a href="#">337-TA-986</a>	Certain diaper disposal systems and components thereof, including diaper refill cassettes	Institution of an investigation based on a complaint filed on behalf of Edgewell Personal Care Brands, LLC and International Refills Company Ltd. alleging patent infringement

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

Ref. Number	Commodity	Complaint filed on behalf of:
<a href="#">DN 3117</a>	Certain hospital beds, and components thereof	Stryker Corporation
<a href="#">DN 3118</a>	Certain pumping bras	Simple Wishes, LLC
<a href="#">DN 3119</a>	Certain automated teller machines, ATM modules, components thereof, and products containing the Same,	Nautilus Hyosung Inc. and Nautilus Hyosung America Inc.
<a href="#">DN 3120</a>	Certain mobile electronic devices incorporating Haptics (including smartphones and smartwatches) and components thereof	Immersion Corporation
<a href="#">DN 3123</a>	Certain Nanopores and products containing same,	Illumina, Inc., University of Washington, and UAB Research Foundation

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

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

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



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

Case №	Merchandise/Country	Action
<a href="#">A-570-028</a>	Hydrofluorocarbon blends and components thereof from China	Preliminary determination of sales at LTFV, affirmative preliminary determination of critical circumstances, in part, and postponement of final determination
<a href="#">A-533-843</a>	Certain lined paper products from India	Notice of partial rescission of ADD administrative review; 2014–2015
<a href="#">A-552-801</a>	Certain frozen fish fillets from Vietnam	Preliminary results of ADD new shipper review; 2014–2015
<a href="#">A-570-863</a>	Honey from China	Initiation of ADD new shipper review; 2014–2015
<a href="#">A-570-979</a>	Crystalline silicon photovoltaic cells, whether or not assembled into modules, from China	Initiation of ADD new shipper review
<a href="#">C-570-957</a>	Seamless carbon and alloy steel standard, line, and pressure pipe from China	Final results of expedited first sunset review of the CVD order



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

Case №	Merchandise/Country	Action
<a href="#">A-533-843</a>	Certain lined paper products from India	Final results of ADD administrative review; 2013– 2014
<a href="#">C-570-911</a>	Circular welded carbon quality steel pipe from China	Rescission of CVD administrative review; 2014
<a href="#">C-560-824</a>	Certain coated paper suitable for high-quality print graphics using sheet-fed presses from Indonesia	Final results of expedited first sunset review of the CVD order
<a href="#">A-533-863</a> <a href="#">A-475-832</a> <a href="#">A-570-026</a> <a href="#">A-580-878</a> <a href="#">A-583-856</a>	Corrosion-resistant steel products from India, Italy, China, S. Korea, and Taiwan	Notice of correction to preliminary AD determinations
<a href="#">C-351-504</a>	Heavy iron construction castings from Brazil	Final results of expedited fourth sunset review of the CVD order
<a href="#">A-570-832</a>	Pure magnesium from China	Preliminary results of ADD administrative review; 2014–2015
<a href="#">C-122-854</a>	Supercalendered paper from Canada	Initiation of expedited review of the CVD order
<a href="#">A-201-837</a>	Certain magnesia carbon bricks from Mexico	Rescission of ADD administrative review; 2014–2015
<a href="#">C-533-870</a> <a href="#">C-570-035</a> <a href="#">C-542-801</a>	Certain new pneumatic off-the-road tires from India, China, and Sri Lanka	Initiation of CVD investigations
<a href="#">A-533-869</a> <a href="#">A-570-034</a>	Certain new pneumatic off-the-road tires from India and China	Initiation of LTFV investigations
<a href="#">C-570-959</a>	Certain coated paper suitable for high-quality print graphics using sheet-fed presses from China	Final results of expedited sunset review of the CVD order
<a href="#">C-533-844</a>	Certain lined paper products from India	Notice of partial rescission of CVD administrative review: 2014
<a href="#">A-351-503</a> <a href="#">A-122-503</a> <a href="#">A-570-502</a>	Certain iron construction castings from Brazil, Canada, and China	Final results of expedited fourth sunset reviews of ADD orders
<a href="#">A-570-956</a>	Seamless carbon and alloy steel standard, line, and pressure pipe from China	Final results of the expedited sunset review of the ADD order
<a href="#">A-122-853</a>	Citric acid and certain citrate salts from Canada	Preliminary results of ADD administrative review; 2014–2015
<a href="#">A-201-837</a> <a href="#">A-570-954</a> <a href="#">C-570-955</a>	Certain magnesia carbon bricks from Mexico and China	Continuation of ADD orders and CVD order
<a href="#">A-489-815</a>	Light-walled rectangular pipe and tube from Turkey	Preliminary results of ADD administrative review; 2014–2015
<a href="#">A-570-983</a>	Drawn stainless steel sinks from China	Notice of initiation and preliminary results of ADD changed circumstances review
<a href="#">C-570-037</a>	Certain biaxial integral geogrid products from China	Initiation of CVD investigation
<a href="#">A-570-967</a> <a href="#">C-570-968</a>	Aluminum extrusions from China	Notice of court decision not in harmony with final scope ruling and notice of amended final scope ruling pursuant to court decision
<a href="#">A-533-824</a>	Polyethylene terephthalate film, sheet, and strip from India:	Final results of ADD administrative review; 2013–2014
<a href="#">A-570-001</a>	Potassium Permanganate From China	Preliminary results of the 2014 ADD administrative review
<a href="#">C-533-825</a>	Polyethylene terephthalate film, sheet, and strip from India	Final results of CVD administrative review; 2013
<a href="#">A-570-036</a>	Certain biaxial integral geogrid products from China	Initiation of LTFV investigation
<a href="#">A-570-849</a> <a href="#">A-821-808</a> <a href="#">A-823-808</a>	Certain cut-to-length carbon steel plate from China; Certain cut-to-length carbon steel plate from the Russian Federation and Ukraine	Continuation of ADD order (China) and continuation of suspended ADD investigations (Russia, Ukraine); Notice of correction



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

Case №	Merchandise/Country	Action
<a href="#">A-475-818</a>	Certain pasta from Italy	Final results of ADD administrative review; 2013-2014
<a href="#">A-570-601</a>	Tapered roller bearings and parts thereof, finished and unfinished, from China	Final rescission of ADD new shipper review; 2014-2015
<a href="#">A-570-849</a>	Certain cut-to-length carbon steel plate from China	Initiation of circumvention inquiry on ADD order
<a href="#">A-602-808</a>	Silicomanganese from Australia	Final determination of sales at LTFV
<a href="#">C-570-039</a>	Certain amorphous silica fabric from China	Initiation of CVD investigation
<a href="#">A-570-038</a>	Certain amorphous silica fabric from China	Initiation of LTFV investigation
<a href="#">C-475-819</a>	Certain pasta from Italy	Final results, and rescission, in part, of CVD administrative review; 2013
<a href="#">C-533-870</a> <a href="#">C-570-035</a> <a href="#">C-542-801</a>	Certain new pneumatic off-the-road tires from India, China, and Sri Lanka	Postponement of preliminary determinations of CVD investigations
<a href="#">A-570-979</a>	Crystalline silicon photovoltaic cells, whether or not assembled into modules, from China	Final results of the changed circumstances review
<a href="#">C-570-041</a>	Truck and bus tires from China	Initiation of CVD investigation
<a href="#">A-570-040</a>	Truck and bus tires from China	Initiation of ADD investigation
<a href="#">A-583-848</a>	Certain stilbenic optical brightening agents from Taiwan	Preliminary results of ADD administrative review; 2014-2015
<a href="#">A-475-828</a>	Stainless steel butt-weld pipe fittings from Italy	Preliminary results of ADD administrative review; 2014-2015



## United States International Trade Commission (USITC)

Case №	Merchandise/Country	Action
<a href="#">731-TA-1071</a>	Magnesium from China	(Second Review) Institution of a five-year review
<a href="#">731-TA-298</a>	Porcelain-on-steel cooking ware from China	(Fourth Review) Institution of a five-year review
<a href="#">701-TA-468</a> <a href="#">731-TA-1166-1167</a>	Certain magnesia carbon bricks from China and Mexico	(Review) Determinations that revocation of the CVD (China) and the ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.
<a href="#">701-TA-531-533</a> <a href="#">731-TA-1270-1273</a>	Polyethylene terephthalate (PET) resin from Canada, China, India, and Oman	Revised schedule for hearing in final investigations
<a href="#">701-TA-556</a> <a href="#">731-TA-1311</a>	Truck and bus tires from China	(Preliminary) Institution of ADD and CVD investigations and scheduling of preliminary phase investigations
<a href="#">731-TA-1306</a>	Large residential washers from China	(Preliminary) Determination that there is a reasonable indication that an industry in the US is materially injured by reason of imports, that are alleged to be sold in the US at LTFV
<a href="#">731-TA-125</a>	Potassium permanganate from China	(Fourth Review) Determination that revocation of the ADD order would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time.
<a href="#">701-TA-534-538</a> <a href="#">731-TA-1274-1278</a>	Certain corrosion-resistant steel products from China, India, Italy, Korea, and Taiwan	(Final) Scheduling of the final phase of CVD and ADD investigations
<a href="#">Nos. 731-TA-770-773 and 775</a>	Stainless steel wire rod from Italy, Japan, Korea, Spain, and Taiwan	(Third Review) Revised schedule for the subject reviews
<a href="#">701-TA-557</a> <a href="#">731-TA-1312</a>	Stainless steel sheet and strip from China	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
<a href="#">731-TA-1058</a>	Wooden bedroom furniture from China	(Second Review) Notice of commission determination to conduct a full five-year review.

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

Case №	Merchandise/Country	Action
<a href="#">701-TA-528-529</a> <a href="#">731-TA-1264-1268</a>	Certain uncoated paper from Australia, Brazil, China, Indonesia, and Portugal	(Final) Determinations that an industry in the United States is materially injured by reason of imports that have been found by Commerce to be sold in the United States at LTFV and to be subsidized by the governments of China and Indonesia.
<a href="#">701-TA-467</a> <a href="#">731-TA-1164-1165</a>	Narrow woven ribbons with woven selvedge from China and Taiwan	(Review) Scheduling of full five-year reviews

**Canadian International Trade Tribunal (CITT)**

Ref. Number	Merchandise/Country	Action
<a href="#">LE-2015-003</a>	<i>Dumping:</i> Copper pipe fittings originating in or exported from the USA, S. Korea and China; <i>Subsidizing:</i> such goods originating in or exported from China	Notice of expiry of orders on 02-16-17
<a href="#">NQ-2015-002</a>	<i>Dumping and subsidizing:</i> Carbon and alloy steel line pipe originating in or exported from China	Statement of reasons issued; <a href="#">corrigendum</a>

**Canada Border Services Agency (CBSA)**

Ref. Number	Merchandise/Country	Action
<a href="#">AD1403ri16</a>	<i>Dumping:</i> Certain concrete reinforcing bar originating in or exported from China, S. Korea, and Turkey; <i>Subsidizing:</i> same goods originating in or exported from China	Notice of re-investigation to update the normal values and export prices and the amount of subsidy
<a href="#">AD1358ri15</a>	<i>Dumping:</i> Certain copper pipe fittings originating in or exported from the USA, S. Korea and China; <i>Subsidizing:</i> same goods originating in or exported from China	Notice of conclusion of re-investigation of the normal values and export prices and amount of subsidy
<a href="#">AD1407nf</a>	Certain carbon and alloy steel line pipe originating in or exported from China	Final determinations of dumping and subsidy; Provisional duties will continue to apply on imports of subject goods from China until the date of the CITT's order or finding on injury

**NAFTA Panels**

Ref. Number	Merchandise/Country	Action
<a href="#">USA-CDA-2015-1904-02</a>	Supercalendered paper from Canada	Notice of withdrawal of request for panel review

**Mexico - Ministry of Economy**

Ref. №	Merchandise/Country	Action
<a href="#">09/14</a>	Epoxidized soybean oil, originating in Argentina, regardless of country of export.	Final resolution of the AD investigation on imports
<a href="#">01/16</a>	Seamless steel pipe, originating in China,	Resolution approving the start of the examination of validity of

**Mexico - Ministry of Economy**

Ref. №	Merchandise/Country	Action
	regardless of country of export.	the CVD imposed

**European Union**

Ref. Number	Merchandise/Country	Action
<a href="#"><u>(EU) 2016/12</u></a>	Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China	Corrigendum to Commission Implementing Regulation (terminating the partial interim review of the AD and CV measures
<a href="#"><u>(EU) 2015/2179</u></a>	Steel ropes and cables originating, <i>inter alia</i> , in China, as extended to imports of steel ropes and cables consigned from S. Korea, whether declared as originating in the Republic of Korea or not,	Corrigendum to Commission Implementing Regulation initiating a review of Council Implementing Regulation imposing a definitive ADD, for the purposes of determining the possibility of granting an exemption from those measures to one Korean exporter, repealing the ADD with regard to imports from that exporter and making imports from that exporter subject to registration
<a href="#"><u>2016/C 044/5</u></a>	Citric acid originating in China	Notice concerning the definitive ADD imposed on imports—Change of address of one company subject to an individual ADD rate
<a href="#"><u>2016/C 049/8</u></a>	Ammonium nitrate originating in Russia	Notice concerning the AD measures in force in respect of imports into the Union of: change of the name of a company subject to an undertaking
<a href="#"><u>(EU) 2016/176</u></a>	Tartaric acid originating in China	Commission Implementing Decision terminating the AD proceeding concerning imports produced by Hangzhou Bioking Biochemical Engineering Co. Ltd
<a href="#"><u>2016/C 052/16</u></a>	Threaded tube or pipe cast fittings, of malleable cast iron, originating in China and Thailand	Corrigendum to notice of initiation of a partial interim review of the AD measures
<a href="#"><u>(EU) 2016/181</u></a>	Certain cold-rolled flat steel products originating in China and the Russian Federation	Commission Implementing Regulation imposing a provisional ADD
<a href="#"><u>(EU) 2016/184</u></a>	Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China	Commission Implementing Regulation extending the definitive CVD imposed by Council Implementing Regulation (EU) No 1239/2013 to imports of the same products consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and in Taiwan or not
<a href="#"><u>(EU) 2016/185</u></a>	Crystalline silicon photovoltaic modules and key components (i.e. cells) originating in or consigned from China	Commission Implementing Regulation extending the definitive ADD imposed by Council Regulation (EU) No 1238/2013 to imports of the same products consigned from Malaysia and Taiwan, whether declared as originating in Malaysia and in Taiwan or not
<a href="#"><u>2016/C 058/7</u></a>	Certain fatty alcohols and their blends originating in India, Indonesia and Malaysia	Notice of the impending expiry of certain AD measures
<a href="#"><u>2016/C 058/8</u></a>	Certain hot-rolled flat products of iron, non-alloy or other alloy steel originating in China	Notice of initiation of an AD proceeding
<a href="#"><u>2016/C 058/9</u></a>	Certain heavy plate of non-alloy or other alloy steel originating in China	Notice of initiation of an AD proceeding
<a href="#"><u>2016/C 058/10</u></a>	Certain seamless pipes and tubes of iron (other than cast iron) or steel (other than stainless steel), of circular cross section, of an external diameter exceeding 406,4 mm, originating in China	Notice of initiation of an AD proceeding
<a href="#"><u>(EU) 2016/223</u></a>	Certain footwear from Vietnam and China (and extended to Macao)	Regulation establishing a procedure for assessing certain market economy treatment and individual treatment claims made by ex-

**European Union**

Ref. Number	Merchandise/Country	Action
		porting producers from China and Vietnam, and implementing the judgment of the Court of Justice in joined cases C-659/13 and C-34/14
<a href="#">(EU) 2016/226</a>	Ammonium nitrate originating in Russia	Commission Implementing Regulation amending Implementing Regulation (EU) No 999/2014 imposing a definitive ADD following an expiry review.
<a href="#">2016/C 062/7</a>	Certain lightweight thermal paper originating in South Korea	Notice of initiation of an AD proceeding
<a href="#">2016/C 064/5</a>	Sodium gluconate originating in China	Notice of initiation of a partial interim review of the AD measures limited to one Chinese exporting producer, Shandong Kaison
<a href="#">2015/C 067/8</a>	Certain stainless steel tube and pipe butt-welding fittings, whether or not finished, originating in China and Taiwan	Corrigendum to Notice of initiation of an AD proceeding
<a href="#">(EU) 2016/262</a>	Aspartame originating in China	Commission Implementing Regulation imposing a provisional ADD
<a href="#">(EU) 2016/278</a>	Certain iron or steel fasteners originating in China, as extended to imports of certain iron or steel fasteners consigned from Malaysia, whether declared as originating in Malaysia or not	Commission Implementing Regulation repealing the definitive ADD

**Australian Anti-Dumping Commission**

Ref. Number	Merchandise/Country	Action
<a href="#">2016/09</a>	Hollow structural sections from China	Public notice of a decision - Dalian
<a href="#">2016/10</a>	Steel reinforcing bar China	Revision of securities
<a href="#">2016/12</a>	Various	Status report as at 31 January 2016
<a href="#">2016/13</a>	Tomatoes from Italy	Findings in relation to a dumping investigation
<a href="#">2016/14</a>	Rod in coil from China	Initiation of a subsidisation investigation
<a href="#">2016/17</a>	Rod in coil from China	Statement of essential facts and amendment of securities
<a href="#">2016/18</a>	Hollow structural sections from India and UAE	Preliminary affirmative determination
<a href="#">2016/19</a>	Clear float glass from China, Indonesia and Thailand	Continuation of measures
<a href="#">2016/20</a>	Chrome bars from Italy and Romania	Extension of time to publish the statement of essential facts

**China Ministry of Commerce (MOFCOM)**

Ref. №	Merchandise/Country	Action
<a href="#">1, 2016</a>	Pyridine originating in India and Japan	Interim review of AD measures for Kyrgyz Union Life Sciences Limited
<a href="#">2, 2016</a>	Distiller's dried grains with or without solubles originating in the U.S.	Initiating an AD Investigation
<a href="#">3, 2016</a>	Distiller's dried grains with or without solubles originating in the U.S.	Initiating an CVD Investigation

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

Reference	Merchandise/Country	Action
<a href="#">05/2016-Cus (ADD)</a>	All fully drawn or fully oriented yarn/spin draw yarn/flat yarn of polyester (non-textured and nonPOY), originating in or exported from China and Thailand	Amends notification No. 51/2015- Customs (ADD) dated 21.10.2015

**Argentina Ministry of Economy and Public Finance**

Ref. Number	Merchandise/Country	Action
<a href="#">Res. 18/2016</a>	Certain air conditioning equipment originating in China	Procedure for expiry review
<a href="#">Res. 8/2016</a>	Certain steel and bi-metal saw blades originating in Sweden	Procedure for expiry review

**Brazil Ministry of Development, Industry and Trade**

Reference	Merchandise/Country	Action
<a href="#">SECEX Cir. 7/2016</a>	Monobutyl ether of ethylene glycol originating in the United States:	Makes public the terms that serve as parameters for the remainder of the AD measure review
<a href="#">SECEX Cir. 8/2016</a>	Citric acid, sodium citrate, potassium citrate, calcium citrate and their mixtures	Makes public the update of the price undertaking by the companies COFCO Biochemical (Anhui) Co. Ltd., Anhui BBCA Maanshan Biochemical Co. Ltd., RZBC Co. Ltd., RZBC (Juxian) Co. Ltd., TTCA Co. Ltd. and Weifang Ensign Industry Co. Ltd and exported to Brazil, directly or via the trading companies RZBC Import & Export Co. Ltd., Lianyungang Natiprol Corporation and Wenda Co. Ltd.
<a href="#">SECEX Cir. 9/2016</a>	Smaller graphite electrodes originating in China	Closed an anticircumvention investigation to ascertain the existence of commercial practices aimed at thwarting the effectiveness of the AD measure at the request of Graftech Brazil Participações Ltda,
<a href="#">SECEX Cir. 10/2016</a>	Dental panoramic X-ray machines, analog or digital, from Germany.	Notice of the conclusion of a preliminary affirmative dumping determination
<a href="#">SECEX Cir. 11/2016</a>	Coarse salt that is not intended for animal consumption, including human, being used in the manufacture of the following products, intermediate or final: liquid chlorine, hydrochloric acid, sodium hypochlorite, ethylene dichloride, caustic soda, sodium chlorate or sodium carbonate (synthetic soda), originating in Chile	Notice updating of the price undertaking to support the Brazilian imports made and exported by the company K + S Chile SA
<a href="#">SECEX Cir. 12/2016</a>	New radial tires originating in Japan	Update prices for tires manufactured and exported by the company Sumitomo Rubber Industries (SRI).
<a href="#">CAMEX Res. 10/2016</a>	Mirrors unframed, originating in China and Mexico.	Apply definitive ADD for a period of five (5) years
<a href="#">CAMEX Res. 11/2016</a>	Ballpoint pens from China.	Extending definitive ADD for a period of five (5) years
<a href="#">CAMEX Res. 12/2016</a>	Blankets of synthetic fibers, non electric, originating in China, Paraguay and Uruguay, and fabrics originating in China.	Extending definitive ADD for a period of five (5) years
<a href="#">CAMEX Res. 13/2016</a>	Garlic originating in China	Clarifies that the fresh or chilled garlic Classes 3 and 4, where originating in China, are subject to the levy of anti-dumping duty imposed by CAMEX Resolution № 80, 2013.

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## Opportunity to Request Administrative Review

In a February 3, 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 February anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
<b>Antidumping Duty Proceedings</b>		
Brazil: Frozen Warmwater Shrimp	A-351-838	2/1/15-1/31/16
Stainless Steel Bar	A-351-825	2/1/15-1/31/16
France: Uranium	A-427-818	2/1/15-1/31/16
India: Certain Preserved Mushrooms	A-533-813	2/1/15-1/31/16
Certain Cut-to-Length Carbon-Quality Steel Plate	A-533-817	2/1/15-1/31/16
Frozen Warmwater Shrimp	A-533-840	2/1/15-1/31/16
Stainless Steel Bar	A-533-810	2/1/15-1/31/16
Indonesia: Certain Preserved Mushrooms	A-560-802	2/1/15-1/31/16
Certain Cut-to-Length Carbon-Quality Steel Plate	A-560-805	2/1/15-1/31/16
Italy: Stainless Steel Butt-Weld Pipe Fittings	A-475-828	2/1/15-1/31/16
Japan: Carbon Steel Butt-Weld Pipe Fittings	A-588-602	2/1/15-1/31/16
Stainless Steel Bar	A-588-833	2/1/15-1/31/16
Malaysia: Stainless Steel Butt-Weld Fittings	A-557-809	2/1/15-1/31/16
Mexico: Large Residential Washers	A-201-842	2/1/15-1/31/16
Phillippines: Stainless Steel Butt-Weld Pipe Fittings	A-565-801	2/1/15-1/31/16
Republic of Korea: Large Residential Washers	A-580-868	2/1/15-1/31/16
Certain Cut-to-Length Carbon-Quality Steel Plate	A-580-836	2/1/15-1/31/16
SR of Vietnam: Frozen Warmwater Shrimp	A-552-802	2/1/15-1/31/16
Steel Wire Garment Hangers	A-552-812	2/1/15-1/31/16
Utility Scale Wind Towers	A-552-814	2/1/15-1/31/16
Taiwan: Certain Crystalline Silicon Photovoltaic Products	A-583-853	7/31/14-1/31/16
Thailand: Frozen Warmwater Shrimp	A-549-822	2/1/15-1/31/16
The PR of China: Certain Preserved Mushrooms	A-570-851	2/1/15-1/31/16
Certain Crystalline Silicon Photovoltaic Products	A-570-010	7/31/14-1/31/16
Frozen Warmwater Shrimp	A-570-893	2/1/15-1/31/16
Heavy Forged Hand Tools With or Without Handles	A-570-803	2/1/15-1/31/16
Small Diameter Graphite Electrodes	A-570-929	2/1/15-1/31/16
Uncovered Innerspring Units	A-570-928	2/1/15-1/31/16
Utility Scale Wind Towers	A-570-981	2/1/15-1/31/16
<b>Countervailing Duty Proceedings</b>		
India: Certain Cut-to-Length Carbon-Quality Steel Plate	C-533-818	1/1/15-12/31/15
Prestressed Concrete Steel Wire Strand	C-533-829	1/1/15-12/31/15
Indonesia: Certain Cut-to-Length Carbon-Quality Steel Plate	C-560-806	1/1/15-12/31/15
Republic of Korea: Large Residential Washers	C-580-869	1/1/15-12/31/15
Certain Cut-to-Length Carbon-Quality Steel Plate	C-580-837	1/1/15-12/31/15
Sr of Vietnam: Steel Wire Garment Hangers	C-552-813	1/1/15-12/31/15
The PR of China: Utility Scale Wind Towers	C-570-982	1/1/15-12/31/15
Certain Crystalline Silicon Photovoltaic Products	C-570-011	6/10/14-12/31/15
<b>Suspension Agreements</b>		
None		

## Requested Reviews

In a February 9, 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 December anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
<b>Antidumping Duty Proceedings</b>		
India: Certain Hot-Rolled Carbon Steel Flat Products	A-533-820	12/1/14 - 11/30/15
S. Korea: Certain Circular Welded Non-Alloy Steel Pipe Welded ASTM A-312 Stainless Steel Pipe	A-580-809 A-580-810	11/1/14 - 10/31/15 12/1/14 - 11/30/15
Russia: Certain Hot-Rolled Carbon Steel Flat Products	A-821-809	12/19/14-11/30/15
Taiwan: Steel Wire Garment Hangers	A-583-849	12/1/14 - 11/30/15
The PR of China: Cased Pencils Crystalline Silicon Photovoltaic Cells, Whether or Not assembled into Modules	A-570-827 A-570-979	12/1/14 - 11/30/15
Honey	A-570-863	12/1/14 - 11/30/15
Multilayered Wood Flooring	A-570-970	12/1/14 - 11/30/15
United Arab Emirates: Polyethylene Terephthalate (PET) Film, Sheet and Strip	A-520-803	11/1/14 - 10/31/15
<b>Countervailing Duty Proceedings</b>		
The PR of China: Lightweight Thermal Paper	C-570-921	1/1/14 - 12/31/14
Certain New Pneumatic Off-The-Road Tires	C-570-913	1/1/14 - 12/31/14
Crystalline Silicon Photovoltaic Cells, Whether or Not assembled into Modules	C-570-980	1/1/14 - 12/31/14
Multilayered Wood Flooring	C-570-971	1/1/14 - 12/31/14
<b>Suspension Agreements</b>		
Mexico: Sugar	A-201-845	12/19/14 - 11/30/15
Sugar	C-201-846	12/19/14 -12/31/14

## Initiation of Sunset Reviews

In a February 2, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-570-896	731-TA-1071	PRC	Magnesium Metal (2nd Review)
A-570-506	731-TA-282	PRC	Porcelain-On-Steel Cooking Ware (4 <sup>th</sup> Review).
No CVD			
No suspensions			

## Advance Notification of Sunset Reviews

In a February 3, 2016, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year ("Sunset") reviews for March.

AD/CVD Proceedings - Merchandise/Country	Case No.
<b>Antidumping Duty Proceedings</b>	
Carbon Steel Butt-Weld Pipe from Brazil	A-351-602 (4 <sup>th</sup> Review)
Frozen Warmwater Shrimp from Brazil	A-351-838 (2 <sup>nd</sup> Review)
Carbon Steel Butt-Weld Pipe Fittings from China	A-570-814 (4 <sup>th</sup> Review)
Frozen Warmwater Shrimp from China	A-570-893 (2 <sup>nd</sup> Review)
Frozen Warmwater Shrimp from India	A-533-840 (2 <sup>nd</sup> Review)
Carbon Steel Butt-Weld Pipe Fittings from Japan	A-588-602 (4 <sup>th</sup> Review)
Carbon Steel Butt-Weld Pipe Fittings from Taiwan	A-583-605 (4 <sup>th</sup> Review)
Carbon Steel Butt-Weld Pipe Fittings from Thailand	A-549-807 (4 <sup>th</sup> Review)
Frozen Warmwater Shrimp from Thailand	A-549-822 (2 <sup>nd</sup> Review)
<b>Countervailing Duty Proceedings</b>	

AD/CVD Proceedings - Merchandise/Country	Case No.
No Sunset Review of countervailing duty orders is scheduled for initiation in March 2016.	
<b>Suspended Investigations</b> No Sunset Review of suspended investigations is scheduled for initiation in March 2016.	

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