

International Trade Compliance

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

BAKER & MCKENZIE

Newsletter

November 2015 | Update

www.internationaltradeupdate.com

In This Issue:

[World Trade Organization \(WTO\)](#)

[World Customs Organization \(WCO\)](#)

[Other International Matters](#)

[The Americas - Central America](#)

[The Americas - North America](#)

[The Americas - South America](#)

[Asia-Pacific](#)

[Europe](#)

[Africa](#)

[Trade compliance enforcement actions - import, export, IPR, FCPA](#)

[Newsletters, reports, articles, etc.](#)

[Webinars, Meetings, Seminars, etc.](#)

[WTO TBT Notifications](#)

[CBP Rulings: Downloads and Searches](#)

[CBP Rulings: Revocations or Modifications](#)

[European Classification Regulations](#)

[Section 337 Actions](#)

[Antidumping, Countervailing Duty and Safeguard Investigations, Orders & Reviews](#)

Editor of *International Trade Compliance Update*

Stuart P. Seidel

Washington, D.C.

+1 202 452 7088

stuart.seidel@bakermckenzie.com

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

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

Introducing Baker & McKenzie's Trans-Pacific Partnership Global Resource Center

On Monday October 5, 2015, at a press conference in Atlanta, Georgia, ministers and representatives from the twelve (12) Trans-Pacific Partnership (TPP) negotiating countries officially announced that they had concluded the TPP negotiations. As the negotiating teams continue to undertake technical work such as legal review, translation, drafting, and verification of the text, the TPP partners have begun preparing their public engagement and ratification strategies. The text was released on November 5, 2015 and we expect a vigorous debate about the agreement's provisions.

The Baker & McKenzie TPP Global Resource Center serves as your one-stop-shop for continual updates on developments surrounding all areas of the 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.internationaltradeupdate.com regularly.

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

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

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

A note on spelling, grammar and dates--

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

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

Credits:

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

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

World Trade Organization (WTO)

LDC Group seeks Nairobi outcome on preferential rules of origin

On 20 October 2015, the WTO [announced](#) that members of the Least-developed Country (LDC) Group introduced a new proposal which they said would build upon existing guidelines for establishing preferential rules of origin in favor of LDC exports. The group expressed hope that the proposal could be part of a “package” of initiatives for LDCs which members are contemplating for the WTO’s upcoming 10th Ministerial Conference in Nairobi.

The proposal, presented as part of an informal consultation process, seeks to go beyond the [2013 Bali Ministerial Decision](#) on preferential rules of origin for LDCs, which the group said “remained largely non-operationalized.” The new proposal would help both LDCs and preference-granting countries give effect to the guidelines with a view to attaining effective market access for LDCs on a lasting basis.

Some of the key elements of the proposal include:

- Adopting simple and transparent methods for determining qualification through “substantial transformation.” For example, when using ad valorem percentage criterion, this would include adopting a maximum percentage of non-originating materials of at least 75% in the total value of the final qualifying good and allowing for the deduction of freight and insurance costs.
- Providing LDCs with cumulation¹ of working and process operations and materials with other LDCs, with preference-granting countries, with GSP beneficiaries, with countries that are members of the same regional grouping, and with countries with which the preference-granting country has concluded a regional trade agreement;
- Abolishing certain requirements such as certificates of non-manipulation or any other form of certification for products shipped by LDCs across other countries, and recognizing self-certification of rules of origin.

Reaction from other WTO members was mixed. While all the countries that spoke said they were ready to work with the LDC Group on the issue in a constructive manner, several said the proposal appeared too ambitious, particularly with the little time remaining until the 15-18 December Nairobi meeting. Others said they were concerned that the proposal appeared to call for binding rules whereas the 2013 Bali Ministerial Decision granted countries flexibility in the application of the guidelines, or addressed issues which remain the subject of discussion within the WTO’s rules of origin committee.

SPS meeting

The WTO [announced](#) that members heard a record number of trade concerns at a meeting on 14 to 16 October of the Committee on Sanitary and Phytosanitary (SPS) Measures, which oversees trade measures concerning food safety, and animal and plant health. These included:

- Nigeria’s intention to request a mediation process regarding Mexico’s import measures on hibiscus flowers which require verification of plant health certificates;
- The committee discussed a submission by India on pesticide residues ([G/SPS/W/284](#)) which shows examples of countries rejecting shipments even though no pesticide limits have been established;
- The EU, US, Chile and New Zealand raised concerns over India closing Nhava Sheva port in Mumbai to imports of apples;

- Chile raised a number of specific trade concerns relating to its exports of fruit, plants, and dairy and meat products to Viet Nam and Australia.;
- A number of members raised concerns about the European Union's proposed roadmap for defining criteria to identify chemical substances that can interfere with the human hormone system — known as endocrine disruptors. The EU submitted a report on this ([G/SPS/GEN/1448](#)); and
- Japan reiterated its concern about the import restrictions imposed by China and Chinese Taipei following the Fukushima nuclear accident which apply to more Japanese regions than those affected by the disaster.

WTO Trade Facilitation Agreement ratifications reach 51

On 27 October 2015, the WTO [announced](#) that Pakistan had ratified the new *Trade Facilitation Agreement* (TFA), bringing the total to 51.

On 19 October 2015, the WTO [announced](#) that the Former Yugoslav Republic of Macedonia had ratified the TFA, bringing the total to 50.

On 14 October 2015, the WTO [announced](#) that the number of ratifications for the TFA had increased sharply since the Preparatory Committee on Trade Facilitation (PCTF) last met on 11 June. The number of acceptance instruments received brings the total to around 45 per cent of the total needed to bring the TFA into force. This figure includes that of the European Union which covers 28 members.

Two-thirds of the WTO's membership will need to ratify the TFA in order for the agreement to take legal effect. In addition to Pakistan, the FYR of Macedonia and the EU, WTO members that have ratified the TFA are Hong Kong China, Singapore, the United States, Mauritius, Malaysia, Japan, Australia, Botswana, Trinidad and Tobago, the Republic of Korea, Nicaragua, Niger, Belize, Switzerland, Chinese Taipei, China, Liechtenstein, Lao PDR, New Zealand, Thailand and Togo.

WTO and UNCTAD sign declaration on increased cooperation on trade and development

The WTO [announced](#) that a joint declaration on increased cooperation between the WTO and the United Nations Conference on Trade and Development (UNCTAD) in the area of trade and development was signed on 12 October 2015 by UNCTAD Secretary-General Mukhisa Kituyi and WTO Director-General Roberto Azevêdo at the WTO's Headquarters in Geneva.

Trade Policy Review: Moldova

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

Recent disputes

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

DS. No.	Case Name	Date
DS499	Russia regarding measures affecting the importation of railway equipment and parts into Russia (Complainant: Ukraine)	21-10-15

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
DS437	United States — Countervailing Duty Measures on Certain Products from China (Complainant: China)	Arbitrator determines “reasonable period of time” for implementation	09-10-15
DS460 DS454	China — Measures Imposing Anti-Dumping Duties on High-Performance Stainless Steel Seamless Tubes (“HP-SSST”) (Complainants: Japan and the European Union)	Appellate Body issues reports	14-10-15
DS453	Argentina – Measures relating to trade in goods and services (Complainant: Panama)	Panama appeals panel report	27-10-15

World Customs Organization (WCO)

Iceland becomes 103rd Contracting Party to the WCO Revised Kyoto Convention

On 9 October 2015, the WCO [announced](#) that the Embassy of the Republic of Iceland in Brussels deposited the country’s instrument of accession to the *International Convention on the Simplification and Harmonization of Customs Procedures* (Revised Kyoto Convention - RKC) on 8 October 2015. Having entered into force on 3 February 2006, the RKC now has 103 Contracting Parties, after the accession of Iceland. The RKC will enter into force for Iceland on 8 January 2016.

The RKC is the international standard for making Customs regulatory procedures as efficient and effective as possible. Some of the Convention’s key elements include the application of simplified Customs procedures in a predictable and transparent environment, the maximum use of information technology, the utilization of risk management, a strong partnership with the trade and other stakeholders, and a readily accessible system of appeals.

Announcements and news releases [dd-mm-yy]

Date	Title
01-10-15	WCO INAMA Institutional Assessment Workshop in Malawi
	The WCO assists Burkina Faso Customs with updating its Strategic Plan
	Commitment for WTO TFA Implementation Support
02-10-15	WCO launches the new IPM platform
06-10-15	The 3rd Customs Laboratory Programme
07-10-15	First WCO COPES Regional Seminar in Hong Kong, China
09-10-13	Final evaluation of Operation Cosmo
	Iceland becomes 103rd Contracting Party to the WCO Revised Kyoto Convention
	WCO attends 11th Meeting of the ASEM Customs Directors-General/Commissioners’ Meeting in Goa, India
12-10-15	WCO Sub-Regional Workshop on PCA for the Eurasian Economic Union in Belarus
13-10-15	Latest edition of WCO News now available
	WCO Leadership and Management Development Workshop in Arusha, Tanzania

Date	Title
	nia
	Mission to assist Uganda Revenue Authority with the implementation of a performance measurement policy
	The WCO – WACAM project supports the Cape Verde Customs Administration to prepare for its first ever Time Release Study!
	WCO Mission to assist Swaziland Revenue Authority with the implementation of a performance measurement policy
	WCO mission to develop a corruption risk map for the Mauritius Revenue Authority
15-10-15	Reconstituted PSCG meets at WCO
	WCO Leadership and Management Development Workshop in Madagascar
19-10-15	WCO provides further support on Customs valuation to the Customs administration of the Democratic Republic of the Congo
20-10-15	4th Meeting of the TFA Working Group reaffirms commitment to implement the WTO Trade Facilitation Agreement
	UNODC-WCO Container Control Programme Theoretical Training successfully completed by Philippines officers
	WCO and the WCO Africa Customs Attache Group (WACAG) Hold Inaugural Consultative Meeting
22-10-15	Site visit of Lesotho and Seychelles delegations to Finland on Co-ordinated Border Management
	Capacity Building Contact Point Meeting Held in the West and Central Africa Region in Senegal
	Topics related to the Future of Customs discussed at the Permanent Technical Committee (PTC) meeting
23-10-15	WCO Leadership and Management Development Workshop in Gaborone, Botswana
	Modification to the Correlation Tables between the 2012 and 2017 editions of the Harmonized System
	Dubai Customs adopts Authorized Economic Operator (AEO) Programme
	11th WCO PICARD Conference scheduled for 27-29 September 2016
27-10-15	Colombia hosts a WCO National Workshop on Customs Laboratories and sampling procedures
	Fifth WCO Technology and Innovation Forum is underway
	Second SACU Regional Customs Trade Forum Meeting and Preferred Trader Programme Consultation
28-10-15	2nd Meeting to Finalize the SACU Regional Customs Risk Management Strategy
29-10-15	Successful WCO Regional Workshop on the TFA and the Mercator Programme for the Americas/Caribbean Region
	The WCO works in partnership with Vietnam Customs to help them shape the future of their organization – Workshop on Strategic Planning held in Hanoi
30-10-15	Ecuador hosts a WCO National Workshop on Customs Laboratories and sampling procedures
	WCO Member Scholars at GRIPS and Aoyama benefit from leading-edge lecture of Secretary General

Other International Matters

Trans-Pacific Partnership (TPP)

Agreement reached in extended session

On October 5, 2015, Trade Ministers from Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, Peru, Singapore, New Zealand, the United States, and Vietnam, [jointly announced](#) that they had reach agreement on the largest regional trade accord in history. The negotiations took over five years. Negotiators must now prepare the formal legal text of the 30 chapters and translate the text into national lan-

guages, which will then undergo domestic review and ratification, accession or other requirements in each country.

On November 5, 2015, the full text of the TPP (in English) was made available on many of the participant countries' websites. The New Zealand Ministry of Foreign Affairs and Trade (MFAT) is the Official Depository and has the individual chapters and annexes at: <http://www.mfat.govt.nz/Treaties-and-International-Law/01-Treaties-for-which-NZ-is-Depositary/0-Trans-Pacific-Partnership.php>. Several countries linked to the New Zealand website. However bilateral side letters and side agreements were only posted on the websites of certain concerned countries.

Transatlantic Trade and Investment Partnership (TTIP)

11th round of TTIP talks brought progress in most areas of the negotiations

On 23 October 2015, the European Commission [reported](#) that the EU and US finished the 11th round of talks on the Transatlantic Trade and Investment Partnership (TTIP). Negotiators discussed all three pillars of what could be the biggest bilateral trade agreement in history, meaning market access for EU and US companies, regulatory cooperation and trade rules. The goal of the agreement is to slash trade taxes and facilitate trade between the two blocks with an aim to boost economic growth, create more job opportunities and modernise rules governing global trade. The report stated:

In concrete terms the EU and the US have made substantial progress on market access for EU and US companies in all three areas meaning: tariffs, services and public procurement. Second tariff offer was exchanged, so both sides now arrived at a comparable level of proposals in terms of tariff line coverage which would facilitate further talks. Both sides have also exchanged proposals on product-specific rules of origin and discussed public procurement with a view to exchange market access proposals on public procurement in February next year.

Both sides also intensified discussions on regulatory cooperation and rules areas. In terms of regulatory cooperation, the discussions are led by the regulators from the EU and the US. The Commission regulators met with a number of US regulatory agencies including National Highway Traffic Safety Administration, Federal Communication Commission, Food and Drug Administration, Occupational Health and Safety Administration and Environment Protection Agency. These meetings also provided an opportunity to clarify main principles of regulatory cooperation:

- Any cooperation is possible only if the level of protection for consumers stays the same or improves. This is not only true in TTIP, but for all other EU trade agreements, as announced in the new trade strategy by Commissioner Malmström.
- Any form of regulatory cooperation will not change or affect the EU regulatory and democratic process

In line with a new, more responsible trade strategy, the EU also tabled its proposal for sustainable development, including labour and the environment and also discussed rules for trade facilitation, competition, energy and raw materials and others. As usual, the negotiators listened to presentations of stakeholders and civil society representatives and debriefed them on the progress of the talks.

The European Commission, in line with its enhanced transparency policy will publish an extensive progress report from the 11th round at the beginning of November.

CITES Notification to Parties

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

Date	Title
06-10-15	2015/057 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes

The Americas - Central America

Costa Rica

Minister of Foreign Trade issues guidelines for transit and transshipment in Costa Rica's FTAs

On October 14, 2015, *La Gaceta – Diario Oficial* (the *Official Gazette*) published [“Lineamientos sobre la aplicación de las disposiciones de “tránsito y transbordo”, en las importaciones de mercancías para las cuales se solicita trato arancelario preferencial al amparo de los tratados de libre comercio vigentes en Costa Rica”](#) (*Guidelines for the Application of the Provisions of “Transit and Transshipment” in the Importation of Goods For Which Preferential Tariff Treatment is Sought Under the Free Trade Agreements in Force in Costa Rica*) [Document RES-DMR-00048-15; DGCE-COR-CAE-0398-2015] which were issued by the Minister of Foreign Trade and the Director General of Foreign Trade and International Commercial Agreements. The document sets forth guidelines on how to apply the FTA provisions governing shipments that transit through third countries, the use of free zones and government bonded warehouses, and related concepts. Examples are given for several situations such as transit with and without temporary warehousing under various FTAs, including DR-CAFTA,. In some cases specific forms are indicated (for example, CBP Form 7512, “Transportation Entry and Manifest of Goods Subject to CBP Inspection and Permit” or the ACE Electronic Manifest in the case of the United States). Copies of several forms appear in Annexes to the Guidelines.

Customs and related documents in the Gaceta

Date	Series and Nº	Subject
07-10-15	Draft Decree	Draft Decree to Regulate “Highly Damaged Vehicles”
08-10-15	Law 9308	Adoption of the Convention on the Protection And Restitution of Cultural Goods Between the Republic of Peru and the Republic of Costa Rica
14-10-15	RES-DMR-00048-15 DGCE-COR-CAE-0398-2015	Foreign Commerce: Guidelines on the Implementation of the Provisions of “Transit and Transshipment “ on Imports of Goods For Which Preferential Tariff Treatment is Sought Under the Free Trade Agreements in Force in Costa Rica

El Salvador

Documents

Date	Series and №	Subject
16-10-15	DGA 014-2015	Update Energy Efficiency Standard for refrigeration and fluorescent lamps

Nicaragua

Documents

Date	Series and №	Subject
19-10-15	CT 124-2015	Contingency Procedure for the Release of Goods in the Customs Administration in "Hands" .

Nicaraguan Classification Resolutions (Customs Rulings)

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

Panama

Official Gazette

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

Publication Date	Title
01-10-15	Cabinet: Decree No. 26 (22-09-15) Authorizing an import quota for pasta shortages of raw or tomato pulp as raw material
08-10-15	Health: Res. № 453 (18-09-15) setting forth requirements to include safety information in medicinal products containing Dabigatrán, Dronedaron or Amiodarona as an active ingredient
	Health: Res. № 455 (18-09-15) establishing new safety requirements for marketing of products with pazopanib as an active ingredient
13-10-15	National Customs Authority: Resolution № 421 (06-10-15) Adopting Rules for the NCA Special Operating Fund and repealing a legal provision
27-10-15	Health: Res. № 456 (18-09-15) suspending all registrations for products containing Clobenzorex as an active ingredient

The Americas - North America

Canada

Retroactive transfer price adjustments - additional Canadian Customs guidance

On September 17, 2015, the Canada Border Services Agency (CBSA) released a revised Customs [D-Memorandum D13-4-5, "Transaction Value Method for Related Persons"](#) (the Memorandum). The Memorandum provides additional information regarding the change in the CBSA's policy regarding retroactive transfer price adjustments that was announced in [Customs Notice 15-001 published January 19,](#)

[2015](#). Historically, the CBSA took the position that importers could not claim duty refunds as a result of downward retroactive price adjustments, nor did importers have to correct the value for duty originally declared to account for downward price adjustments where the goods were imported on a duty free basis. With the publication of Customs Notice 15-001 the CBSA changed its policy. However, importers have always had to correct the value for duty declared to account for retroactive transfer price increases, regardless of whether additional duty was payable. This change in policy introduced significant new opportunities, and responsibilities, for importers involved in cross-border trade with related entities.

Transaction value is the most common valuation method applied to imports into Canada, and is essentially the price paid or payable for the imported goods, subject to certain adjustments. The transaction value method can only be used to value goods sold between related persons, if the price paid or payable is “uninfluenced.” Consistent with the CBSA’s past policy, the Memorandum states that where a transfer price agreement (TPA) exists in writing, is in effect at the time of importation (that is, the vendor and importer have determined the price paid or payable in accordance with the TPA), and follows one of the methods set out in the OECD transfer pricing guidelines, the CBSA considers the transfer price to be the uninfluenced price paid or payable for the imported goods. However, for the price to remain uninfluenced, any payments made or adjustments to the price after importation must be declared to the CBSA. A correcting declaration is now mandatory following all upward price adjustments and following a downward price adjustment if the correction would be revenue neutral. Moreover, where the imported goods are subject to duties and the price paid for the imported goods is reduced, the importer may, at its option, file a refund claim.

The CBSA also notes in the Memorandum that the process for establishing an uninfluenced related party price may be reflected, not only in a TPA, but also in a study, report or an advance pricing arrangement. An importer may rely on these written agreements to establish a transfer price as the basis of the price paid or payable for the imported goods even when the agreement is not signed at the time of importation, provided that the importer can demonstrate that the agreement existed and was in effect at the time of importation, and that the value for duty was based on that agreement.

Finally, the CBSA has confirmed that once the total net adjustment is determined for a given fiscal year, an importer will be seen to have “reason to believe” a correction is required. For example, if there are periodic transfer price adjustments made at the end of each quarter, and the final transfer price adjustment is not known until the last and final adjustment is made, the importer will not have reason to believe the values declared are incorrect and require correction until the last transfer price adjustment is made for the period and the total net amount is known. Under the Customs Act, a correction must be made within 90 days following the date an importer had reason to believe that the original declared value was incorrect. In circumstances where an importer does not make a correction within the 90-day timeframe, a voluntary disclosure to the CBSA may be available to assist in mitigating liability.

As a result of this new policy, on a going forward basis, importers should implement policies and procedures to ensure the timely submission of mandatory correcting entries and to take advantage, where available, of optional duty refunds. In addition, importers who have imported dutiable goods that have been subject to retroactive price reductions have the ability to file refund claims back for a four-year period from the date the refund claim is filed. Consequently, this change in CBSA policy can result in significant refund claims for importers.

The above article was written by [Paul Burns](#) and [Erica Lindberg](#) of our Toronto office. For additional information, please contact [Paul Burns](#).

Export Control List and Regulations amended to reflect end of the Softwood Lumber Agreement

On October 21, 2015, the *Canada Gazette* published the [Order Amending the Export Control List](#) (SOR/2015-220, Oct. 8, 2015) and the [Regulations Amending the Export Permits Regulations \(Softwood Lumber Products 2006\)](#) (SOR/2015-221, Oct. 8, 2015) pursuant to the *Export and Import Permits Act*. The Order and Regulations reflect the fact that the *2006 Softwood Lumber Agreement (the SLA) Between the Government of Canada and the Government of the United States of America* expired on October 12, 2015. The SLA required Canada to establish an export permit system for all exports of softwood lumber products (SLP) to the United States, as set out in Annex 1A of the SLA.

As a result of the expiry of the SLA, item 5104 — Softwood Lumber Products of the *Export Control List* (ECL) and the *Export Permits Regulations (Softwood Lumber Products 2006)* [EPR-SLP] required amendment. Therefore, regulatory amendments to the ECL and the EPR-SLP have been made to allow for the continuation of the export permit system to facilitate exports of softwood lumber from Canada to the United States.

The *Order Amending the Export Control List* replaces the existing item 5104 with a new item 5104 relating to softwood lumber products exported to the United States. The new item 5104 makes reference to Annex 1A and Annex 1B of the SLA. Annex 1A specifies the scope of products covered by the SLA, while Annex 1B provides a table of concordance illustrating the equivalents of Canadian and U.S. tariff codes. The *Regulations Amending the Export Permits Regulations (Softwood Lumber Products 2006)* make consequential amendments to the EPR-SLP to address the expiry of the SLA, including an amendment to the definition “permit.” For example, the title of the Regulations is changed to *Export Permits Regulations (Softwood Lumber Products 2015)*.

By continuing to require a permit for softwood lumber exports to the United States, the Government of Canada and the softwood lumber industry will have access to reliable, accurate data regarding SLP.

The Department of Foreign Affairs, Trade and Development (DFATD) is responsible for administering export permits under the EIPA. The exportation or attempted exportation of goods included in the ECL without a valid permit issued by the Minister of Foreign Affairs is an offence and may lead to prosecution under the EIPA. A detailed description of offences and penalties can be found in the [Export Controls Handbook](#) available on the DFATD Web site.

CFIA to update AIRS to refuse entry where no export certificate has been negotiated

On October 22, 2015, the Canadian Food Inspection Agency (CFIA) [posted information](#) on updates to its [Automated Import Reference System \(AIRS\)](#). Certain aquatic animals and their products are only permitted from countries with a negotiated zoosanitary export certificate. These certificates are negotiated between the CFIA and the competent authority for aquatic animal health in the exporting country.

Effective November 25, 2015, information regarding import requirements found in the CFIA's AIRS will be updated to list a "refuse entry" recommendation for cases where no export certificate has been negotiated.

Previously, if a zoosanitary export certificate had not been negotiated, import conditions intended to initiate negotiations were listed in AIRS. This applies to the Harmonized Item Description and Coding System Other Government Department (HSOGD) codes for [susceptible species](#) under the following HS Codes: 03.01, 03.02, 03.03, 03.06 and 03.07.

Aquatic animal import requirements are in place to protect Canada's aquatic animal resources.

This change does not affect aquatic animals or products being imported into Canada from countries that have already negotiated a zoosanitary export certificate.

Stakeholders who wish to import products from countries that do not have a negotiated zoosanitary export certificate should contact the CFIA's [Centre of Administration](#) to request that negotiations begin.

For additional information see [CFIA import requirements](#). Countries that have already negotiated a zoosanitary export certificate are:

Argentina	Hong Kong	Philippines
Brazil	Iceland	Singapore
Chile	Indonesia	Sri Lanka
China	Israel	Sweden
Colombia	Japan	Taiwan
Cuba	Malaysia	Thailand
Denmark	Mexico	Tunisia
Ecuador	Netherlands	Turkey
European Union	New Zealand	United Kingdom
Faroe Islands	Norway	United States
Honduras	Peru	Vietnam

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
10-03-15	Environment: Significant New Activity Notice No. 18010 pursuant to the Canadian Environmental Protection Act, 1999 (N)
10-17-15	Environment: Ministerial Condition No. 17432 (pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) [pertaining to the substance alcohols, C ₁₂₋₁₈ , ethoxylated, reaction products with 1,6-diisocyanatohexane and polyethylene-polypropylene glycol, Chemical Abstracts Service No. 72968-35-5] (N)
	Environment: Ministerial Condition No. 18111 (pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) [pertaining to the substance 1,2-Benzenedicarboxylic acid, mixed C ₈₋₁₁ -alkyl and 2-ethylhexyl and hexyl and isononyl diesters, Chemical Abstracts Service No. 1415043-91-2] (N)
	Environment: Ministerial Condition No. 18178 (pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) [pertaining to the substance 1,2-propanediol, 1,2-dibenzoate, Chemical Abstracts Service No. 19224-26-1] (N)
	Environment: Ministerial Condition No. 18306 (pursuant to Paragraph 84(1)(a) of the Canadian Environmental Protection Act, 1999) [pertaining to the substance 1,2-cyclohexanedicarboxylic acid, 1-butyl 2-(phenylmethyl) ester, Chemical Abstracts Service No. 1200806-67-2] (N)

Publication Date	Title
10-21-15	Regulations Amending the Canadian Egg Marketing Agency Quota Regulations, 1986 (SOR/2015-222, Oct. 13, 2015) pursuant to the Farm Products Agencies Act (R) [affects export market development]
	Order Amending the Canadian Egg Marketing Levies Order (SOR/2015-223, Oct. 13, 2015) pursuant to the Farm Products Agencies Act (O) [exempts export market development, etc.]
	Environment: Order 2015-87-11-01 Amending the Domestic Substances List (SOR/2015-225, Oct. 14, 2015) pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Environment: Order 2015-87-12-01 Amending the Domestic Substances List (SOR/2015-226, Oct. 14, 2015) pursuant to the Canadian Environmental Protection Act, 1999 (O)
	Foreign Affairs: Order Amending the Export Control List (SOR/2015-220, Oct. 8, 2015) pursuant to the Export and Import Permits Act (O)
	Foreign Affairs: Regulations Amending the Export Permits Regulations (Softwood Lumber Products 2006) (SOR/2015-221, Oct. 8, 2015) pursuant to the Export and Import Permits Act (R)
10-24-15	Environment: Order 2015-87-11-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (N)
	Health: Decisions, undertakings and orders on claims for exemption pursuant to the Hazardous Materials Information Review Act (N)

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](#).

During the period covered by this Update, no additional advance rulings were 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. DFATD import and export notices are also included. (Dates are given in yyyy/mm/dd format.)

Date	Reference	Action	Title
09-15-15	DFATD SER-871	Updated	Notice to Importers – Items 183-191 Barley Products TRQs
	DFATD SER-872	Updated	Notice to Importers – Items 162-181 Wheat Products TRQs
10-01-15	D2-6-7	Revised	Goods, Currency and Monetary Instruments Detained by the Canada Border Services Agency or Abandoned to the Crown – Use of Form BSF241, Non-monetary General Receipt
10-08-15	DFATD Notice 867	Updated	Notice to Importers - Beef and Veal Imports (Items 114-116 on the ICL) - Deadline for 2016 Applications
10-15-15	D8-2-9	Revised	Tariff Item No. 9815.00.00 – Charitable Goods
	CN 15-033		Canadian Automated Export Declaration (CAED) Program – 2016 Version Release
	D11-6-4	Revised	Relief of Interest and/or Penalties Including Voluntary Disclosure
20-10-15	D11-3-3	Revised	NAFTA Countries of Origin Marking Rules
21-10-15	D7-4-4	Revised	Customs Bonded Warehouses

Date	Reference	Action	Title
22-10-15	D8-2-8	Revised	Samples of Negligible Value (Tariff Items 9990.00.00 and 9991.00.00)
22-10-15	D8-4-2	Revised	Reporting and Summary Accounting of Vehicle Repairs by Highway Carriers
23-10-15	D4-2-1	Revised	Ships' Stores
28-10-15	D4-3-2	Revised	Duty Free Shop – Licensing
	D14-1-7	Revised	Assessment and Payment of Duties Under the Special Import Measures Act

Antidumping and countervailing duty cases

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

Mexico

Duty rates for certain goods in the steel industry are temporarily increased

On October 7, 2015, the Ministry of Economy published in the *Federal Official Gazette* a [Decree](#) by means of which the *Tariff Schedule of the General Import and Export Duties Law* and the *Decree which establishes diverse Sectoral Promotion Programs* are amended (the Decree).

By means of the publication of the Decree, the Mexican government temporarily increased the rate of duty applicable to 97 tariff items of Chapter 72 (iron and steel), that cover slab, plate sheet, rolled plate, cold rolled steel, hot-rolled steel and wire rod.

The duty rate for such tariff items is increased to 15% for a 6-month (180 calendar days) period, and will become effective on October 8, 2015.

Additionally, as a result of the publication of the Decree, and in order to maintain the competitiveness of the electronic, electric, automotive and auto parts industries, diverse tariff items were included in the corresponding Sectoral Promotion Programs (PROSEC). The full text of the Decree can be [found here](#) (in Spanish).

Should you have any question or comment with respect to the contents of the Decree, please do not hesitate to contact [José Hoyos-Robles](#), who authored the above article as a [Legal Alert](#), or the International Trade and Customs practice in any of our [Mexican offices](#). For a Spanish language version of this article, please see the Spanish language Legal Alert entitled [“Se incrementa de manera temporal el arancel aplicable a diversos bienes de la industria del acero.”](#)

Diario Oficial

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

Publication Date	Title
10-05-15	Economy: Acuerdo announcing Decision No. 9 of the Free Trade Commission of the Free Trade Agreement between the Republic of Chile and the United

Publication Date	Title
	Mexican States, adopted on August 14, 2015.
10-07-15	Economy: Decree amending the Tariff of the General Import and Export Duties and the Decree establishing various sectoral promotion programs.
10-15-15	Economy: Acuerdo amending the Acuerdo by which the Secretary of the Economy issues general rules and criteria for Foreign Trade [with respect to used vehicles meeting NOM-041-SEMARNAT-2015 exhaust emission standards]
10-19-15	Hacienda: Resolution amending the general provisions applicable to the bonded warehouses, money exchanges, credit unions and finance companies regulated multiple purpose
10-28-15	Hacienda: Resolution amending the general provisions applicable to bonded warehouses, exchange, credit unions and finance companies regulated multiple purpose.

Antidumping and countervailing duty cases

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

United States

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

Presidential documents

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

Date	Subject
10-05-15	Proclamation 9333 of September 30, 2015 - To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes
10-16-15	Presidential Determination No. 2015–14 of September 29, 2015 - Presidential Determination on Refugee Admissions for Fiscal Year 2016
	Presidential Determination No. 2016–01 of October 5, 2015 - Presidential Determination With Respect to Foreign Governments' Efforts Regarding Trafficking in Persons
	Presidential Determination No. 2015–13 of September 29, 2015 - Determination With Respect to the Child Soldiers Prevention Act of 2008
10-18-15	Presidential Memorandum -- Preparing for Implementation of the Joint Comprehensive Plan of Action of July 14, 2015 (JCPOA)
10-20-15	Notice of October 19, 2015 - Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered In Colombia
10-23-15	Memorandum of October 20, 2015 for the Secretary of Homeland Security Delegation of Authority Drafting and Submission of the International Trade Data System Annual Report to Congress
	Notice of October 21, 2015—Continuation of the National Emergency With Respect to the Situation in or in Relation to the Democratic Republic of the Congo
10-30-15	Delegation of Certain Functions and Authorities Under Section 213(b)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012
	Memorandum of October 18, 2015 - Preparing for Implementation of the Joint Comprehensive Plan of Action of July 14, 2015 (JCPOA)
	Notice of October 28, 2015—Continuation of the National Emergency With Respect to Sudan

President issues Memorandum for JCPOA implementation

On October 18, 2015, President Obama signed a [Presidential Memorandum -- Preparing for Implementation of the Joint Comprehensive Plan of Action of July 14, 2015 \(JCPOA\)](#). The JCPOA was signed by Iran and the P5+1 (China, France, Russia, the United Kingdom, and the United States; plus Germany) and the European Union on July 14, 2015. The Memorandum, addressed to the Secretaries of State, Treasury, Commerce and Energy, directs them to:

... take all appropriate additional measures to ensure the prompt and effective implementation of the U.S. commitments set forth in the JCPOA, in accordance with U.S. law. In particular, subject to the requirements of applicable U.S. law, I hereby direct you to take all necessary steps to give effect to the U.S. commitments with respect to sanctions described in section 17 of Annex V of the JCPOA, including preparation for the termination of Executive Orders as specified in section 17.4 and the licensing of activities as set forth in section 17.5, to take effect upon confirmation by the Secretary of State that Iran has implemented the nuclear-related measures specified in sections 15.1-15.11 of Annex V of the JCPOA, as verified by the IAEA.

The Memorandum also states that:

Consistent with section 11 of Annex V of the JCPOA, the Secretary of State, acting under previously delegated authority, is taking action with respect to waivers of relevant statutory sanctions, to take effect upon confirmation by the Secretary of State that Iran has implemented the nuclear-related measures specified in sections 15.1-15.11 of Annex V of the JCPOA, as verified by the International Atomic Energy Agency (IAEA).

In a separate [Presidential Memorandum -- Delegation of Certain Functions and Authorities under Section 213\(b\)\(1\) of the Iran Threat Reduction and Syria Human Rights Act of 2012](#), the President delegated

... the functions and authorities vested in the President by section 213(b)(1) of the Iran Threat Reduction and Syria Human Rights Act of 2012 (TRA) to the Secretary of State, in consultation with: the Secretaries of the Treasury and Commerce and the United States Trade Representative; and with the Secretary of Homeland Security, the Chairman of the Board of Governors of the Federal Reserve System, and other agencies as appropriate.

The delegation of authorities under section 213(b)(1) of the TRA to the Secretary of the Treasury contained in the Presidential Memorandum of October 9, 2012, entitled "Delegation of Certain Functions and Authorities Under the Iran Threat Reduction and Syria Human Rights Act of 2012" was rescinded. The other provisions of that Presidential Memorandum remain in effect.

For updates, please check our [Sanctions blog](#).

President continues national emergency with respect to Sudan

On October 30, 2015, the *Federal Register* published Presidential [Notice of October 28, 2015—Continuation of the National Emergency With Respect to Sudan](#) which continues for an additional year the national emergency first declared in Executive Order 13067 of November 3, 1997 and the blocking orders and expanded scope of the national emergency declared in Executive Order 13400 of April 26, 2006 because the conflict in Sudan's Darfur region posed an unusual and extraordinary threat to the national security and foreign policy of the United States. In Executive Order 13412 of October 13, 2006, the President took additional steps with respect to the national emergency and to implement the *Darfur Peace and Accountability Act of 2006* (Public Law 109–344). The extension was deemed necessary because the actions and policies of the Government of Sudan continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

President continues national emergency with respect to DR Congo

On October 23, 2015, the *Federal Register* published Presidential [Notice of October 21, 2015—Continuation of the National Emergency With Respect to the Situation in or in Relation to the Democratic Republic of the Congo](#), which continues for an additional year the national emergency first declared in Executive Order 13413 of October 27, 2006. The national emergency was declared and blocking measures against certain persons were adopted to deal with the unusual and extraordinary threat to the foreign policy of the United States because of the situation in or in relation to the Democratic Republic of the Congo, which has been marked by widespread violence and atrocities that continue to threaten regional stability. Additional steps were taken pursuant to this national emergency in Executive Order 13671 of July 8, 2014. The continuation of the measures is being taken because the situation continues to pose an unusual and extraordinary threat to the foreign policy of the United States.

President continues national emergency with respect to significant narcotics traffickers centered in Colombia

On October 20, 2015, the *Federal Register* published Presidential [Notice of October 19, 2015 - Continuation of the National Emergency With Respect to Significant Narcotics Traffickers Centered In Colombia](#), which continues for an additional year the national emergency first declared in Executive Order 12978 of October 21, 2015. The national emergency was declared and measures were adopted to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant narcotics traffickers centered in Colombia and the extreme level of violence, corruption, and harm such actions cause in the United States and abroad, and it is being extended because the actions continue.

President modifies HTS to reflect GSP, AGOA changes

On October 5, 2015, the *Federal Register* published [Proclamation 9333 of September 30, 2015 - To Modify Duty-Free Treatment Under the Generalized System of Preferences and for Other Purposes](#). The proclamation:

- modifies, effective October 1, 2015, the Rates of Duty 1–Special subcolumn for the corresponding Chapter 52, HTS subheadings in order to designate certain articles as eligible articles only when imported from a least-developed (LD) beneficiary developing country (BDC) for purposes of the *Generalized System of Preferences* (GSP) (Annex I, Section A);
- modifies, effective October 1, 2015, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings and general note 4(d) to the HTS in order to redesignate certain articles as GSP eligible articles;
- modifies, effective October 1, 2015, the Rates of Duty 1–Special subcolumn for the corresponding HTS subheadings and general note 4(d), HTS in order to provide that one or more countries are no longer be treated as GSP BDCs with respect to one or more eligible articles (Annex I, Section C);
- modifies, effective October 1, 2015, general note 4(a) to the HTS to reflect the change in the name of the Former Yugoslav Republic of Macedonia (Annex I, Section D);
- disregards the competitive need limitation (CNL) with respect to the eligible articles in the HTS subheadings and to the BDCs listed in Annex II to the proclamation, effective October 1, 2015;
- waives the application of section 503(c)(2)(A) of the 1974 Trade Act to the articles in the HTS subheadings and to the BDCs set forth in Annex III to the proclamation, effective October 1, 2015;

- terminates the designation of Seychelles as a GSP BDC and an AGOA beneficiary sub-Saharan African country, effective on January 1, 2017;
- terminates the designations of Uruguay and Venezuela as a GSP BDC as of January 1, 2017.

USTR seeks panelists for NAFTA Chapter 19 Roster

On October 23, 2015, the Office of the US Trade Representative (USTR) published in the *Federal Register* an [invitation for applications](#) for the *North American Free Trade Agreement* (NAFTA) Chapter 19 roster of individuals to serve on binational panels convened to review final determinations in antidumping or countervailing duty (AD/CVD) proceedings and amendments to AD/CVD statutes of a NAFTA Party. The United States annually renews its selections for the Chapter 19 roster. Applications are invited from eligible individuals wishing to be included on the roster for the period April 1, 2016, through March 31, 2017. Applications should be received no later than November 20, 2015.

USTR issues results of the GSP Limited Product Review, including actions related to Competitive Need Limitations (CNLs)

On October 7, 2015, USTR published in the *Federal Register* a [notice](#) announcing the results of the GSP Limited Product Review launched in July 2015, including: (1) The designation of certain cotton products as eligible for GSP benefits when imported from least developed beneficiary developing countries (LDBDCs), and (2) the results of the review of CNL-related issues arising from 2014 import data, including CNL waivers, CNL waiver revocations, requests for redesignation of certain products, and *de minimis* CNL waivers.

Pursuant to Section 203 of the *Trade Preferences Extension Act of 2015*, the Trade Policy Staff Committee (TPSC) conducted a limited GSP review encompassing products that, based on full-year 2014 import data, are subject to CNL-related actions, including exclusions, waivers, and revocation of waivers, as well as redesignations. In a Presidential Proclamation dated September 30, 2015, the President implemented his decisions regarding GSP product eligibility issues arising out of this GSP product review, including CNL waivers and CNL revocations. The *Federal Register* notice provides further information on the results of the GSP Limited Product Review. These results, comprising five lists, are available for the public to view at <http://www.regulations.gov> in docket USTR–2015–0007, under “Supporting and Related Materials” and at the [USTR website](#). The lists cover:

- List I Products Added to the List of Eligible Products for GSP for Least Developed Beneficiary Developing Countries;
- List II Decision on Petitions to Grant Waiver of the Competitive Need Limitation;
- List III Revocations of Competitive Need Limitation Waivers;
- List IV Products Receiving GSP Redesignation; and
- List V Products Receiving De Minimis Waivers.

USITC releases HTSA – Revision 2

The U.S. International Trade Commission (USITC) has posted the [Harmonized Tariff Schedule of the United States \(2015\)- Revision 2](#), (HTSA, USITC Publication: 4571, October 2015) on its [website](#). The HTSA may be downloaded as a single document (105 MB) or by individual Chapters. The latest version contains all changes through Presidential Proclamation 9333, as well as various technical corrections.

USITC initiates investigation regarding HTS changes

On October 7, 2015, the USITC published in the *Federal Register* a [notice](#) [Investigation No. 1205–12] that pursuant to section 1205 of the *Omnibus Trade and Competitiveness Act of 1988* (the 1988 Act) (19 U.S.C. 3005), it is initiating an investigation regarding *Commission Recommendations to the President To Modify the Tariff Nomenclature in Chapters 3, 44, and 63 of the Harmonized Tariff Schedule* (HTS), following adoption by the World Customs Organization (WCO) of certain recommended modifications to the Harmonized System on June 11, 2015.

The WCO recommendation calls upon the Contracting Parties to the *International Convention on the Harmonized Commodity Description and Coding System* (Convention) to amend their tariff nomenclature to make certain corrections to Chapters 3 and 63, and to make further amendments to their nomenclature relating to Chapter 44 that were inadvertently omitted from the Council Recommendation of June 27, 2014. The amendments to Chapters 3 and 63 are expected to enter into force on January 1, 2017, and the amendments to Chapter 44, on January 1, 2018. The amendments to Chapters 3 and 63 relate to the text of certain subheadings of headings 03.01 and 03.03 (certain fish), and Subheading Note 1 to Chapter 63 and subheading 6304.20 (certain textiles). The amendments to Chapter 44 relate to several subheadings for certain wood and wood products.

The schedule for postings and public comments is as follows:

- October 7, 2015: Posting of the WCO's Recommendation of June 11, 2015, on the Commission Web site.
- February 12, 2016: Posting of the Commission's proposed recommendations on the Commission's Web site.
- March 18, 2016: Deadline for interested Federal agencies and the public to file written views on the Commission's proposed recommendations.
- July 22, 2016: Transmittal of the Commission's report to the President..

USITC investigations

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

Investigation. No. and title	Requested by:
Inv. No. 1205-12 Commission Recommendations to the President To Modify the Tariff Nomenclature in Chapters 3, 44, and 63 of the Harmonized Tariff Schedule (I)	Statutory
Inv. No. 332-227 Caribbean Basin Economic Recovery Act: Impact on U.S. Industries and Consumers and on Beneficiary Countries (USITC Publication 4567) (22nd R)	Statutory
Inv. No. 332-550 Trade and Investment Policies in India, 2014–2015 (USITC Publication 4566) (R)	HR Ways & Means Senate Finance

U.S. and Mexico agree to joint cargo inspections

On October 15, 2015, the Department of Homeland Security (DHS) [announced](#) that during DHS Secretary Johnson's trip to Mexico City this week, he met with Mexican Secretary of Finance and Public Credit Luis Videgaray Caso to sign a memorandum

of understanding formalizing the U.S.-Mexico Cargo Pre-Inspection Program. The Cargo Pre-Inspection Program, a deliverable of the U.S.-Mexico High Level Economic Dialogue and the 21st Century Border Management Initiative, allows U.S. Customs and Border Protection (CBP) officers and Mexican Customs officers to work side-by-side to facilitate the rapid, secure flow of goods across our shared border, enhancing the economic competitiveness of both countries.

According to the announcement, DHS worked in close coordination with the Mexican Ministry of Finance and Public Credit to develop the Cargo Pre-Inspection Program, which will formally begin operations at the Laredo International Airport in Laredo, Texas and the Mesa de Otay Customs Facility in Baja California, Mexico this year. A third site is planned for San Jerónimo, Chihuahua. The Program will help the United States and Mexico continue to build on the existing commercial relationship that generates more than \$500 billion in trade in goods and services annually and supports millions of jobs in both countries.

CBP publishes quarterly interest rates

On October 28, 2015, U.S. Customs and Border Protection (CBP) published in the *Federal Register* a [general notice](#) advising the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties remains unchanged from the previous quarter. For the calendar quarter beginning October 1, 2015, 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.

CBP modifies NCAP test for ACE to establish Exporter Portal Account

On October 22, 2015, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify the National Customs Automation Program (NCAP) test concerning Automated Commercial Environment (ACE) Portal Accounts to establish the ACE Exporter Portal Account, which includes access to Export Reports and the ability to file Electronic Export Information (EEI) through AESDirect. This notice invites public comment concerning any aspect of the planned modification, describes the eligibility and documentation requirements for applying for or requesting an ACE Exporter Portal Account, and outlines the development and evaluation methodology for the modification.

Except as stated below, the modification of the ACE Portal Account Test described in this notice is effective October 22, 2015. The testing of the AESDirect functionality described in this notice will begin no earlier than October 1, 2015. This modified test will continue until concluded by way of announcement in the *Federal Register*. Comments concerning this notice and any aspect of the announced modification may be submitted during the test period to the address set forth below.

CBP modifies NCAP test for ACE ESAR test of Entry Summary Types 51 and 52 and certain modes of transportation

On October 22, 2015, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify the National Customs Automation Program (NCAP) test concerning the Entry Summary, Accounts and Revenue (ESAR) test program in the Automated Commercial Environment (ACE) to allow importers and brokers to file electronically entry summary data for entry types 51 and 52, in addition to entry types 01, 03, and 11 that are already available for electronic filing, for merchandise

arriving by truck, rail, vessel, and air, as well as arriving by mail, pedestrian, and passenger (hand-carried).

The ACE ESAR test modifications set forth in the document will begin on or about November 20, 2015. The test will continue until concluded by way of a document published in the *Federal Register*. Public comments are invited and will be accepted for the duration of the test.

CBP modifies NCAP test for ACE Cargo Release for Type 52 and certain other modes of transportation

On October 20, 2015, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify the National Customs Automation Program (NCAP) test concerning Cargo Release in the Automated Commercial Environment (ACE) to allow importers and brokers to file electronically entry type 52, in addition to entry types 01, 03, and 11 that are already available for electronic filing, for merchandise arriving by truck, rail, vessel, and air, as well as arriving by mail, pedestrian, and passenger (hand-carried).

The ACE Cargo Release test modifications set forth in the document will begin on or about November 19, 2015. The test will continue until concluded by way of a document published in the *Federal Register*. Public comments are invited and will be accepted for the duration of the test.

CBP corrects error in ACE Export Manifest for Vessel Cargo Test eligibility

On October 20, 2015, CBP published in the *Federal Register* a [general notice](#) correcting a general notice document (80 Fed. Reg. 50644) published in the *Federal Register* on August 20, 2015, announcing plans to conduct the Automated Commercial Environment (ACE) Export Manifest for Vessel Cargo Test, a National Customs Automation Program (NCAP) test concerning ACE export manifest capability. The notice misstated the technical capability requirements for submitting data to CBP.

In notice document FR. Doc. 2015–20614 published on August 20, 2015 (80 Fed. Reg. 50644), the following correction should be made on page 50647, third column, second full paragraph, third sentence in the “Eligibility Requirements” section:

Remove “Cargo-IMP, AIR CAMIR, XML, or Unified XML,” and add in its place, “Ocean CAMIR, ANSI X12, or Unified XML.” The revised sentence reads as follows: “Prospective ACE Export Manifest for Vessel Cargo Test participants must have the technical capability to electronically submit data to CBP and receive response message sets via Ocean CAMIR, ANSI X12, or Unified XML, and must successfully complete certification testing with their client representative.”

CBP corrects ACE filings for Electronic Entry/Entry Summary (Cargo Release and Related Entry)

On October 26, 2015, CBP published in the *Federal Register* a [correction to the interim final rule](#) [CBP Dec. No. 15–14; USCBP–2015–0045] published on October 13, 2015, in the *Federal Register*, which amends the CBP regulations to reflect that on November 1, 2015, the Automated Commercial Environment (ACE) will be a CBP-authorized Electronic Data Interchange (EDI) System. That document erroneously included language in Amendatory Instruction 38 that was not consistent with the text of the existing C.F.R.. This document corrects the text in Amendatory Instruction 38.

Effective November 1, 2015. The effective date for the interim final rule, published October 13, 2015 (80 Fed. Reg. 61278), remains November 1, 2015. Written comments must be submitted on or before November 12, 2015.

CBP modifies NCAP test of Document Image System

On October 15, 2015, CBP published in the *Federal Register* a [general notice](#) announcing CBP's plan to modify the National Customs Automation Program (NCAP) test concerning document imaging, known as the Document Image System (DIS) test. The DIS test allows Automated Commercial Environment (ACE) participants to submit electronic images of a specific set of CBP and Partner Government Agency (PGA) forms, documents, and supporting information to CBP via a CBP-approved Electronic Data Interchange (EDI).

The notice announces several changes to the DIS test. First, eligibility to participate in the test is being expanded to include anyone transmitting cargo release or entry summary information to ACE. Second, CBP has added forms to the list of forms and documents supported by the DIS test. Third, the list of eligible forms and documents will now be maintained on the CBP website. Fourth, all future additions and changes to the list of eligible forms and documents will be announced on the CBP website, rather than by *Federal Register* notice. Finally, the DIS test is being amended to permit participants to submit all DIS eligible forms and documents as attachments to email, in addition to the methods of transmission previously authorized. This notice provides DIS test details including commencement date for the modifications announced herein, eligibility, procedural and documentation requirements, and test development and evaluation methods.

The modifications of the DIS test made by this notice are effective on October 15, 2015. The test will continue until concluded by way of announcement in the *Federal Register*.

CBP publishes interim rule regarding transitioning of ACE to ACS and putting Cargo Release and ESAR in the regulations, possible elimination of "hybrid" filings

On October 13, 2015, CBP published in the *Federal Register* an [interim final rule](#) [CBP Dec. No. 15-14; USCBP-2015-0045] that amends the CBP regulations to reflect that on November 1, 2015, the Automated Commercial Environment (ACE) will be a CBP-authorized Electronic Data Interchange (EDI) System. This regulatory document informs the public that the Automated Commercial System (ACS) is being phased out as a CBP authorized EDI System for the processing electronic entry and entry summary filings (also known as entry filings). ACE will replace the Automated Commercial System (ACS) as the CBP-authorized EDI system for processing commercial trade data. The document also announces the conclusion of the ACE Cargo Release and the Entry Summary, Accounts and Revenue (ESAR) tests with regard to the entry and entry summary requirements that are now part of the CBP regulations.

CBP will complete the development of core trade processing capabilities in ACE and decommission corresponding capabilities in legacy systems by the end of 2016. At that time, ACE will provide a Single Window for processing trade data, and become the primary system through which the international trade community will submit import and export data and the Government will determine admissibility. CBP is announcing, consistent with 19 U.S.C. 1401, that, with the conclusion of National Customs Automation Program (NCAP) tests discussed in the *Federal Register* document, ACE will be an authorized electronic data interchange system authorized by

the Commissioner to which entry and entry summary filings (also known as entry filings) can be transmitted electronically. It should be noted that Reconciliation entries are not affected by this change. See 63 Fed. Reg. 6257 (February 6, 1998). Reconciliation entries will continue to be filed under the procedures, terms and conditions governing Reconciliation.

Importers currently can file required forms electronically to a CBP-authorized electronic data interchange system, by paper, or a combination of both (hybrid filing). CBP is considering proposing a rule to require importers to choose between submitting the required entry and entry summary documentation (including ITDS Agency documents) entirely electronically or entirely by paper. CBP would no longer accept any hybrid filings, except in limited circumstances. This would mean that if an importer files one paper document not covered by the limited exceptions, the entire filing, including the report to CBP, must be on paper. While CBP is considering this proposal, comments are invited on all aspects of a policy to eliminate hybrid filings, including economic, operational, and feasibility of implementation.

This interim final rule is effective on November 1, 2015. Written comments must be submitted on or before November 12, 2015.

2006 Canada Softwood Lumber Agreement

On October 6, 2015, CBP issued [CSMS# 15-000744](#), advising the trade that the *2006 U.S.-Canada Softwood Lumber Agreement* (SLA 2006) will terminate on October 12, 2015. As such, CBP will discontinue enforcement of regulations implementing the SLA 2006. The following actions will be taken by CBP, effective October 13, 2015.

CBP will no longer enforce the SLA 2006 data requirements pursuant to 19 C.F.R. 12.140 specifically:

1. CBP will no longer enforce the Export Permit Number requirements and specifications pursuant to 19 C.F.R. 12.140 (b) (2).
2. CBP will no longer enforce the Region of Origin requirements pursuant to 19 C.F.R. 12.140 (b) (1).
3. CBP will no longer enforce the Original Maritime Certificate of Origin (COO) requirements pursuant to 19 C.F.R. 12.140 (c).
4. If an importer presents a Maritime COO on or after October 13, 2015 for softwood lumber products, the COO is to be returned to the importer.
5. ABI will no longer require a valid SLA 2006 Export Permit Number for tariff numbers subject to the SLA 2006.
6. ACE or ACS filers should enter a dummy SLA 2006 permit number, 'P88888888' (P followed by eight 8s) in the SLA Permit Number field, where applicable.

Softwood Lumber Act (2008) Reporting Requirements

CBP will continue to enforce the SLA 2008 reporting requirements for shipment of softwood lumber and softwood lumber products shipped from any country into the United and subject to the importer declaration program pursuant to 19 C.F.R. 12.142. The Export Price, Export Charge (if applicable), and Importer Declaration are reported electronically on the CBP Form 7501 in ABI.

APHIS to test ITDS/ACE using PGA Message Set

On October 2, 2015, the Animal and Plant Health Inspection Service (APHIS) published in the *Federal Register* a [notice](#) [Docket No. APHIS-2015-0063] announcing that in coordination with CBP, it has developed a pilot plan to test and assess the International Trade Data System for the electronic submission of data required by APHIS Animal Care, Biotechnology and Regulatory Services, Plant Protection and Quarantine, and Veterinary Services for processing in the Automated Commercial Environment (ACE). The pilot test will use the APHIS Partner Government Agency (PGA) Message Set and the Automated Broker Interface to transmit, and ACE to process, trade data required for the importation of plants, animals, and their products regulated by APHIS. Under this test, PGA Message Set data may be filed only at certain ports.

The test will commence no earlier than October 2, 2015, and will continue until concluded by publication of a notice ending the test. Participants should consult the [PGA Pilot Rollout Plan](#), to determine which ports are operational and the date they become operational. Comments will be accepted through the duration of the test.

CBP Schedules East Coast Trade Symposium

On October 19, 2015, CBP published in the *Federal Register* a [notice](#) announcing that CBP will convene the 2015 East Coast Trade Symposium in Baltimore, Maryland on November 4 and 5, 2015 at the Marriott Waterfront Hotel located at 700 Alliance Street, Baltimore, MD 21202. It will feature panel discussions involving agency personnel, members of the trade community, and other government agencies, on the agency's role in international trade initiatives and programs. Members of the international trade and transportation communities and other interested parties are encouraged to attend.

CBP extends import restrictions on certain categories of archaeological material from the Pre-Hispanic cultures of Nicaragua

On October 6, 2015, CBP published in the *Federal Register* a [final rule](#) [CBP Dec. 15–13] that amends CBP regulations to reflect the extension of import restrictions on certain categories of archaeological material from the Pre-Hispanic cultures of the Republic of Nicaragua. The restrictions, which were originally imposed by Treasury Decision (T.D.) 00–75 and extended by CBP Decision (CBP Dec.) 05–33 and CBP Dec. 10–32 are due to expire on October 20, 2015. The Assistant Secretary for Educational and Cultural Affairs, U.S. Department of State, has determined that factors continue to warrant the imposition of import restrictions and no cause for suspension exists. Accordingly, these import restrictions will remain in effect for an additional 5 years, and the CBP regulations are being amended to reflect this extension until October 20, 2020. These restrictions are being extended pursuant to determinations of the Department of State made under the terms of the *Convention on Cultural Property Implementation Act* that implemented the *United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. T.D. 00–75 contains the Designated List of archaeological material representing Pre-Hispanic cultures of Nicaragua to which the restrictions apply. The rule is effective on October 20, 2015.

Miscellaneous CBP Federal Register documents

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

F.R. Date	Subject
10-06-15	Agency Information Collection Activities: Country of Origin Marking Requirements for Containers or Holders (N/RFC)
10-09-15	Agency Information Collection Activities: Certificate of Registration (N/RFC) (CBP Forms 4455 and 4457)
10-15-15	Agency Information Collection Activities: Application for Exportation of Articles under Special Bond (N/RFC) (CBP Form 3495)
10-19-15	Agency Information Collection Activities: Petroleum Refineries in Foreign Trade Sub-Zones (N)
10-30-15	Agency Information Collection Activities: Application for Identification Card (N/E)

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
10-21-15	HQ H268491 (October 15, 2015) Certain Billiards Tables	USA

CBP realigns team codes for PHC CEE

CSMS# 15-000775 issued on October 16, 2015, announced that as of October 13, 2015, the team numbers for the following area/service ports have been changed. As of June 29, 2015 the Pharmaceuticals, Health & Chemicals (PHC) Centers of Excellence and Expertise (CEE) assumed trade authority for post-release documentation involving HTSUS Headings 2801-3302, 3402-3405, 3407-3604, 3606-3817, 3819-3825, 4014, 9018-9019, 9021-9022 and 9402 filed at ports nationwide. The changes are shown in the table below:

Area/Service Port	Field Office	Old Team Number	New Team Number
Anchorage, AK	San Francisco	031	061
Baltimore, MD	Baltimore	071	041
Brownsville/Los Indios, TX	Laredo	051	041
Buffalo, NY	Boston	061	071
Champlain, NY	Boston	061	071
Hidalgo/Pharr, TX	Laredo	051	041
International Falls, MN	Seattle	031	061
John F Kennedy Int'l Airport, NY	New York	071	051
Laredo, TX	Laredo	051	041
New York/Newark, NJ	New York	071	051
New York, NY	New York	071	051

Area/Service Port	Field Office	Old Team Number	New Team Number
Pembina, ND	Seattle	031	061
Philadelphia, PA	Baltimore	071	041
Pittsburg, PA	Baltimore	071	041
Savannah, GA	Atlanta	081	041
Washington-Dulles, DC	Baltimore	071	041

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

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

Date	CSMS#	Title
10-01-15	15-000737	ACE Portal Password Reset Issues
10-02-15	15-000738	Announcement of the APHIS Non-Lacey Act PGA Message Set Test
	15-000740	Updated APHIS Lacey Act CATAIR PGA Message Set Instructions and ACE Samples
	15-000741	
10-05-15	15-000743	Post-Summary Correction where AD/CVD Duty is Due
10-06-15	15-000744	2006 US-Canada Softwood Lumber Agreement to Terminate, effective 10/13/2015
	15-000745	ACE Production Deployment Tomorrow, Wednesday, October 7, 2015 at 0700 ET
10-07-15	15-000746	Harmonized System Update (1507) created October 7, 2015
	15-000747	ACE Production Deployment Tomorrow, Thursday, October 8, 2015 at 0630 ET
	15-000748	ACE Certification Deployment Tomorrow, Thursday, October 8, 2015 at 0800 ET
10-08-15	15-000749	New ACE Exporter Account Training Materials Available on CBP.GOV
	15-000750	Correction: Automated Commercial Environment (ACE) Export Manifest for Vessel Cargo Test
	15-000751	Area Port of Buffalo International Trade Day – November 4, 2015
	15-000752	
15-000753	Updated APHIS Lacey Act CATAIR PGA Message Set Instructions and ACE Samples	
10-09-15	15-000754	New PGA Pilot Standard Operating Procedures Documents Posted to CBP.gov
	15-000755	The October 2015 Update to the ACEopedia Has Been Posted to CBP.gov
	15-000756	Updated ACE CATAIR Cargo Release Chapter
	15-000757	ACE Production Deployment Tomorrow, Saturday, October 10, 2015 at 2200 ET
10-13-15	15-000758	ACE Cargo Release not generating SO status messages
10-14-15	15-000759	New Federal Register Interim Final Rule on ACE
	15-000760	Updated PGA Documentation Available on CBP.gov
	15-000761	I want to file entries in the PGA Pilot!
	15-000762	ACE Production Deployment Tomorrow, Thursday, October 15, 2015 at 0545 ET
	15-000767	Updated TTB PGA Message Set Trade Filing Instructions V2.2, October 13, 2015
	15-000768	Clarification on Interim Final Rule regarding ACE

Date	CSMS#	Title
	15-000769	
10-15-15	15-000771	2015 East Coast Trade Symposium
	15-000772	I want to file entries in the PGA Pilot! Corrected
	15-000773	ACE Certification Deployment Tomorrow Evening, Friday, October 16, 2015 at 1800ET
	15-000774	ACE Certification Deployment Tomorrow Evening, Friday, October 16, 2015 at 1800ET
10-16-15	15-000775	Pharmaceuticals, Health & Chemicals (PHC) Centers of Excellence and Expertise
	15-000776	ACE Deployment F Information Notice Available on CBP.gov
	15-000777	ACE Production Deployment Tomorrow, Saturday, October 17, 2015 at 2200 ET
10-19-15	15-000782	ACE Certification Deployment, Tuesday, October 20, 2015
10-21-15	15-000791	New and Updated Document Image System (DIS) Documentation Now Available on CBP.gov
	15-000793	ACE Production Deployment Thursday, October 22, 2015 at 0600ET
10-22-15	15-000794	Harmonized System Update (1508) created October 20,2015
	15-000795	ACE Certification Now Available
	15-000796	Updated ACE Entry Summary Create-Updated AE-AX CATAIR Rev 42
	15-000797	2015 ACE Customer Satisfaction Survey for the Trade is Now Open and Available
	15-000798	New Federal Register Notices Published Concerning ACE
	15-000799	The ACE Reports will be down at approximately 2000 EDT this evening October 22, 2015
10-23-15	15-000800	New Federal Register Notices Published Concerning ACE
	15-000801	ACE Reports - Periodic Monthly Statement Database Maintenance
	15-000802	ACE will NOT be taking any invasive outages on October 24 & 25, 2015 Saturday/Sunday
	15-000804	I want to file entries in the PGA Pilot!
	15-000805	FDA Guidance for Products from Tianjin, CN
10-26-15	15-000806	ACE Production Deployment Tuesday, October 27, 2015 at 0600ET
	15-000807	Updated ACE Filing Guide for TTB Regulated Commodities
10-27-15	15-000808	Updated ACE Filing Guide for TTB Regulated Commodities
	15-000809	Update to Automated Commercial Environment (ACE) Reports User Interface
	15-000810	ACE Certification Deployment Tuesday, October 27, 2015 at 1800ET
10-28-15	15-000811	UPDATE to CSMS# 15-000676 – FDA Guidance for Products from Tianjin, CN
	15-000812	ACE Production Deployment Thursday, October 29, 2015 at 0600 ET
	15-000813	ACE Certification Deployment Thursday, October 29, 2015 at 0600 ET
10-29-15	15-000814	Reminder: Area Port of Buffalo International Trade Day – November 4, 2015
	15-000815	ACE Reports Webinar
10-30-15	15-000816	ACE Certification Deployment Friday, October 30, 2015 at 1330 ET
	15-000817	New ACE Technical News and Supplemental Guidance Page on CBP.gov
	15-000818	Updated ACE Development and Deployment Schedule Posted to CBP.gov
	15-000819	New ACE Reports Webinar Recording Available on CBP.gov
	15-000820	ACE Production Deployment Tomorrow, Saturday, October 31, 2015 at 2200 ET
10-31-15	15-000821	Correction: Updated ACE Development and Deployment Sched-

Date	CSMS#	Title
		ule Posted to CBP.gov

Foreign Trade Zones

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

F.R. Date	Document
10-01-15	Foreign-Trade Zone (FTZ) 64— Jacksonville, Florida; Authorization of Production Activity; Saft America Inc. (Lithium-Ion Batteries); Jacksonville, Florida [B-39-2015]
10-09-15	Authorization of Production Activity; Foreign-Trade Subzone 27N; Claremont Flock, a Division of Spectro Coating Corporation; (Acrylic and Rayon Textile Flock) Leominster, Massachusetts [B-40-2015]
	Authorization of Production Activity, Foreign-Trade Subzone 38A, BMW Manufacturing Co., LLC, (Motor Vehicles), Spartanburg, South Carolina [B-41-2015]
	Authorization of Production Activity; Foreign-Trade Subzone 222A, Hyundai Motor Manufacturing Alabama, LLC (Motor Vehicles), Montgomery, Alabama [B-44-2015]
10-13-15	Proposed Foreign-Trade Zone -- Hitchcock, Texas Under Alternative Site Framework [B-66-2015]
10-14-15	Application for Additional Production Authority The Coleman Company, Inc. Subzone 119I (Textile-Based Personal Flotation Devices) Extension of Comment Period [B-53-2015]
10-20-15	Foreign-Trade Zone (FTZ) 183 – Austin, Texas Notification of Proposed Production Activity Flextronics America, LLC (Automatic Data Processing Machines) Austin, Texas [B-67-2015]
	Foreign-Trade Zone 142 – Salem/Millville, New Jersey Application for Subzone Nine West Holdings, Inc. West Deptford, New Jersey [S-134-2015]
10-29-15	Foreign-Trade Zone (FTZ) 102—St. Louis, Missouri; Notification of Proposed Production Activity; H-J Enterprises, Inc./H-J International, Inc. (Electrical Transformer Bushing Assemblies); High Ridge, Missouri [B-68-2015]

OFAC authorizes transactions involving blocked Belarusian entities

On October 29, 2015, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) issued Belarus-related [General License No. 2](#), authorizing transactions otherwise prohibited by, and involving Belarusian entities blocked pursuant to, [Executive Order 13405](#). The general license is effective only from October 30, 2015 through April 30, 2016, unless extended or revoked.

General License No. 2 applies to all Belarusian entities currently identified as specially designated nationals (SDNs) pursuant to Executive Order 13405, and any entities owned, directly or indirectly, 50% or more by one or more of those SDNs, as follows:

1. Belneftekhim
2. Belneftekhim USA, Inc.
3. Lakokraska OAO
4. Polotsk Steklovolokno OAO
5. Belarusian Oil Trade House
6. Belshina OAO
7. Grodno Azot OAO

8. Grodno Khimvolokno OAO

9. Naftan OAO

All property and interests in property of the entities described above that were blocked prior to October 30, 2015 remain blocked unless authorized by OFAC. General License No. 2 also does not authorize transactions with any other person blocked pursuant to Executive Order 13405 or the *Belarus Sanctions Regulations*, 31 C.F.R. Part 548, whether directly or indirectly, even if they otherwise involve SDNs covered by General License No. 2.

In addition, General License No. 2 requires that U.S. person engaging in any transaction or series of transactions in excess of \$10,000 involving any of the above SDNs file a report with the U.S. State Department's Office of Eastern European Affairs within 15 days of the transaction's execution. The reports must include (1) estimated or actual dollar value of the transaction(s), (2) the parties involved, (3) the type and scope of activities conducted, and (4) the dates or duration of the activities.

According to a State Department [press briefing](#), the general license represents a "limited reprieve" from sanctions in response to the Belarusian Government's release of six political prisoners on August 22, 2015. OFAC may extend General License No. 2 beyond April 30, 2016 or revoke it before that date in response to additional actions by the Belarusian Government. It is not clear or known whether a wind-down or grandfathering period would be included with a revocation. In 2008, OFAC issued a similar general license authorizing transactions with Lakokraska OAO and/or Polotsk Stokvolokno OAO, in response to the Belarusian Government's release of political prisoners. OFAC [extended](#) that general license five times before [revoking](#) it effective February 11, 2011, with a brief wind-down period.

For additional information, contact [Meghan Hamilton](#), [Maria H. van Wagenberg](#) or any other member of the U.S. Outbound Trade group. Check the [Sanctions Blog](#) for and updates.

Treasury issues statement re: JCPOA "Adoption Day" of October 18

On October 18, 2015, the Treasury Department issued the following statement:

On July 14, 2015, the P5+1, the European Union, and Iran reached a Joint Comprehensive Plan of Action (JCPOA) to ensure that Iran's nuclear program will be exclusively peaceful. October 18, 2015 marks "Adoption Day" under the JCPOA – the day on which the JCPOA becomes effective and participants begin to make the necessary preparations for implementation of their JCPOA commitments. In connection with Adoption Day, the President today [issued a memorandum](#) directing the Secretary of State, the Secretary of the Treasury, the Secretary of Commerce, and the Secretary of Energy to take all appropriate preparatory measures to ensure the prompt and effective implementation of the U.S. commitments set forth in the JCPOA upon Iran's fulfillment of the requisite conditions. In particular, the President directed the agencies to take steps to give effect to the U.S. commitments with respect to sanctions described in the JCPOA beginning on Implementation Day, which will occur only once the IAEA verifies that Iran has implemented key nuclear-related measures described in the JCPOA.

In addition, the Secretary of State today [issued contingent waivers](#) of certain statutory sanctions provisions. These waivers are not currently in effect and will only take effect on Implementation Day.

Until Implementation Day is reached, the only changes to the Iran-related sanctions are those provided for in the Joint Plan of Action (JPOA) of November 24, 2013, as extended. See the August 7, 2015 [revised guidance](#), [Frequently Asked Questions](#), and the [Third Amended Statement of Licensing Policy on Activities Related to the Safety of Iran's Civil Aviation Industry](#) for additional information regarding the sanctions-related commit-

ments under the JPOA. Even after Implementation Day, U.S. persons will continue to be broadly prohibited from engaging in transactions or dealings involving Iran, including the Government of Iran, with the exception of a few specific categories of transactions that OFAC will license pursuant to the JCPOA.

The Office of Foreign Assets Control (OFAC) issued [Frequently Asked Questions relating to Adoption Day](#). OFAC will provide further guidance on the sanctions measures that will be lifted pursuant to the JCPOA, as well as those measures that will remain in place, prior to Implementation Day.

For updates, please see our [Sanctions blog](#).

FinCEN withdraws proposed rulemaking against Lebanese Canadian Bank SAL

On October 7, 2015, the Financial Crimes Enforcement Network (FinCEN) published in the *Federal Register* a [document](#) that withdraws FinCEN's February 17, 2011, proposed rulemaking (76 Fed. Reg. 9268) to impose the fifth special measure against Lebanese Canadian Bank SAL as a financial institution of primary money laundering concern, pursuant to the United States Code (U.S.C.).

BIS amends existing Validated End-User Authorizations in China

On October 28, 2015, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 150825776–5776–01] that amends the *Export Administration Regulations* (EAR) to revise the existing authorizations for Validated End Users Advanced Micro-Fabrication Equipment, Inc., China (AMEC) and Applied Materials (China), Inc. (AMC) in the People's Republic of China (PRC). Specifically, BIS amends Supplement No. 7 to Part 748 of the EAR to add one item to AMEC's list of eligible items that may be exported, reexported or transferred (in country) to the company's eligible facility in the PRC, and to add a facility and an item to Validated End User AMC's list of eligible destinations and eligible items. This rule is effective October 28, 2015.

BIS updates EAR legal authority

On October 9, 2015, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 150928889–5889–01] updating the Code of Federal Regulations (C.F.R.) legal authority paragraphs in the *Export Administration Regulations* (EAR) to cite the most recent Presidential notice (September 18, 2015) continuing an emergency declared pursuant to the *International Emergency Economic Powers Act*. This is a non-substantive rule that only updates authority paragraphs of the EAR. It does not alter any right, obligation or prohibition that applies to any person under the EAR.

BIS requests comments on CCL – military vehicles, vessels, oceanic equipment and military equipment

On October 9, 2015, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [notice of inquiry](#) [Docket No. 150820757–5757–01] seeking public comments to perform a complementary review of certain military vehicles, vessels of war, submersible vessels, oceanographic equipment, auxiliary and miscellaneous military equipment, and related items therefor on the Commerce Control List (CCL), concurrent with the Department of State's review of the controls implemented in its recent revisions to Categories VI, VII, XIII, and XX of the United States Munitions List (USML) (which control surface vessels of war and special naval equipment, military ground vehicles, miscellaneous military articles and materials, sub-

mersible vessels, and related items therefor), to ensure that the descriptions of these items on the CCL 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 reform effort. This notice also furthers the retrospective regulatory review directed by the President in Executive Order 13563.

BIS maintains the *Export Administration Regulations*, including the CCL. The Export Control Reform Initiative, a fundamental reform of the U.S. export control system, has resulted in transfer to the CCL of items that the President has determined do not warrant control on the USML, which is part of the *International in Traffic in Arms Regulations* (ITAR) maintained by the Department of State, including the aforementioned items. The USML is part of the International Traffic in Arms Regulations maintained by the Department of State.

Comments must be received by BIS no later than December 8, 2015.

State seeks comments re: review of USML Categories VI, VII, XIII, and XX

On October 9, 2015, the Department of State (State) published in the *Federal Register* a [notice of inquiry and requests for comments](#) [Public Notice: 9313] to inform its review of the controls implemented in recent revisions to Categories VI, VII, XIII and XX of the United States Munitions List (USML). In light of the ongoing transition of the USML to a more “positive list” pursuant to the President’s Export Control Reform (ECR) initiative, State intends to periodically review the revised USML categories to ensure that they 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 reform effort. This review will also consider any drafting issues related to the USML categories under review.

State will accept comments from the public until December 8, 2015.

Revisions to the Unverified List (UVL)

On October 7, 2015, BIS published in the *Federal Register* a [final rule](#) [Docket No. 150817734–5734–01] amending the *Export Administration Regulations* (EAR) by adding twelve (12) persons to the Unverified List (the “Unverified List” or UVL), adding additional addresses for four (4) persons currently listed on the UVL, and removing two (2) persons from the UVL. The 12 persons are being added to the UVL on the basis that BIS could not verify their *bona fides* because an end-use check could not be completed satisfactorily for reasons outside the U.S. Government’s control. New addresses are added for four current UVL persons because BIS has determined they are receiving U.S. exports at addresses not previously included in their UVL listings. Finally, two persons are removed from the UVL based on BIS’s ability to verify those person’s *bona fides* through the successful completion of end-use checks.

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
10-01-15	State: In the Matter of the Designation of Islamic State of Iraq and the Levant-Caucasus Province, aka Vilayat Kavkaz, aka Wilayat Qawqaz, aka Wilayah Qawqaz, aka Caucasus Wilayah, aka Caucasus Province as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9303] (N)
	State: In the Matter of the Designation of Shamil Izmaylov, aka Abu Khalif, aka Abu Hani, aka Abu Khanif, aka Abu Hanif as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9306] (N)
	State: In the Matter of the Designation of Tarkhan Ismailovich Gaziyeu as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9308] (N)
	State: In the Matter of the Designation of Jund al-Khilafah in Algeria, aka Jak-A, aka Jund al-Khalifa fi Ard al-Jazayer, aka Jund al-Khilafah fi Ard al-Jaza'ir, aka Soldiers of the Caliphate in Algeria, aka Caliphate Soldiers of Algeria, aka Soldiers of the Caliphate in the Land of Algeria, aka Jund al Khalifa-Algeria, aka Jund al-Khalifa, aka Jund al-Khilafa Group as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice 9307] (N)
	State: In the Matter of the Designation of Nasser Muthana, aka Abu Muthanna al-Yemeni, aka Abu Muthanna al Yemeni, aka Abu Muthana Al Yemeni as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9305] (N)
	State: In the Matter of the Designation of Rustam Aseldarov, aka Abu Mukhammad al-Kadar, aka Abu Mukhammad Kadarsky, aka Abu Mukhammad Kadarskiy, aka Abu Mohammad al-Qadari, aka Abu Muhammad al-Kadarskii, aka Rustam Asildarov, aka Rustam Aseldarov as a Specially Designated Global Terrorist Pursuant to Section 1(b) of Executive Order 13224, as Amended [Public Notice: 9304] (N)
10-02-15	OFAC: Sanctions Actions Pursuant to Executive Orders 13224 (N) [fifteen individuals]
10-06-15	OFAC: Additional Designations, Foreign Narcotics Kingpin Designation Act (N) [six individuals and 11 entities]
10-07-15	BIS: Revisions to the Unverified List (UVL) [Docket No. 150817734-5734-01] (FR)
10-08-15	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [one individual]
10-08-15	OFAC: Sanctions Actions Pursuant to Executive Order 13224 (N) [3 individuals]
10-13-15	OFAC: Additional Designations, Foreign Narcotics Kingpin Designation Act (N) [three individuals and seven entities]
10-21-15	OFAC: Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to Executive Order 12978 (N) [six individuals]
10-21-15	OFAC: Unblocking of Specially Designated Nationals and Blocked Persons Pursuant to the Foreign Narcotics Kingpin Designation Act (N) [three individuals]
10-21-15	OFAC: Additional Designations, Foreign Narcotics Kingpin Designation Act (N) [one individual and one entity]
10-26-15	OFAC: Sanctions Actions Pursuant to Executive Orders 13224 (N)
10-27-15	State: Imposition of Nonproliferation Measures Against Foreign Persons, Including a Ban on U.S. Government Procurement; Correction [Public Notice: 9329] (N/C) [changing the effective date to August 28, 2015]

FTC and seven international partners launch new initiative to boost cooperation in protecting consumer privacy

On October 26, 2015, the Federal Trade Commission (FTC) [announced](#) that it and enforcement agencies from seven other countries launched a new information-sharing system that will enable them to better coordinate international efforts in protecting consumer privacy. The announcement said:

On Sunday October 25, FTC Chairwoman Edith Ramirez joined representatives from several agencies, which are members of the Global Privacy Enforcement Network (GPEN), in signing a Memorandum of Understanding among users of the new system, called GPEN Alert. The signing took place at the 37th International Conference of Data Protection and Privacy Commissioners in Amsterdam.

“Today, data is increasingly crossing borders, and our privacy investigations and enforcement must do the same,” Chairwoman Ramirez said. “GPEN Alert is an important, practical cooperation tool that will help GPEN authorities protect consumer privacy across the globe.”

GPEN Alert is a multilateral system that will enhance coordination by enabling participants to confidentially share information about investigations. The GPEN Alert technology is based on the FTC’s Consumer Sentinel Network, a system that enables member U.S. law enforcement agencies to access complaints that consumers provide to the FTC and other data contributors.

The seven international partners joining the FTC as initial participants in GPEN Alert are:

- Australia: Office of the Australian Information Commissioner
- Canada: Office of the Privacy Commissioner
- Ireland: Office of the Data Protection Commissioner
- Netherlands: Data Protection Authority (“College Bescherming Persoonsgegevens”)
- New Zealand: Office of the Privacy Commissioner
- Norway: Data Protection Authority (“Datatilsynet”)
- United Kingdom: Information Commissioner’s Office

The FTC is grateful for the financial contributions of several agencies to the development of the GPEN Alert technology. Contributions were received from British Columbia, Canada, the United Kingdom, Norway, Australia, Ireland and New Zealand.

The Commission vote authorizing Chairwoman Ramirez to sign the MOU on behalf of the agency was 5-0.

As more U.S. companies and consumers do business overseas, more FTC work involves international cooperation. The [Office of International Affairs](#) serves both as an internal resource to Commission staff on international aspects of their work and as an official representative to numerous international organizations. In addition, the FTC cooperates with foreign authorities through formal and informal agreements. The FTC works with more than 100 foreign competition and consumer protection authorities around the world to promote sound policy approaches. For questions about the Office of International Affairs, send an e-mail to oa@ftc.gov. Like the FTC on [Facebook](#), follow us on [Twitter](#), and subscribe to [press releases](#) and the [FTC International Monthly](#) for the latest FTC news and resources.

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
10-08-15	FTC: Miscellaneous Rules (FR/Tech. Corr.)
10-14-15	CPSC: Amendment to Clarify When Component Part Testing Can be Used and Which Textile Products Have Been Determined Not to Exceed the Allowable Lead Content Limits [Docket No. CPSC-2011-0081] (FR)
	CPSC: Amendment to Clarify When Component Part Testing Can be Used and Which Textile Products Have Been Determined Not to Exceed the Allowable Lead Content Limits [Docket No. CPSC-2011-0081] (PR)
10-19-15	CPSC: Safety Standard for Children’s Folding Chairs and Stools [Docket No.

F.R. Date	Subject
	CPSC–2015–0029](PR)
	CPSC: Safety Standard for Infant Bouncer Seats [Docket No. CPSC–2015–0028] (PR)
10-26-15	CPSC: Petition Requesting Rulemaking on Products Containing Organohalogen Flame Retardants; Notice of Extension of Comment Period; Notice of Opportunity for Oral Presentation of Comments [Docket No. CPSC–2015–0022] (N/E)

TTB and ATF announcements and Federal Register documents

The Alcohol and Tobacco Tax and Trade Bureau (TTB) and the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) have posted the following information or regulatory actions of interest to international traders :

Date	Subject
10-21-15	TTB: TTB Industry Circular 2015-1, Automated Commercial Environment Pilot Program: Alternate Method for Participants to Fulfill TTB Requirements for Importation
10-23-15	ATF: Commerce in Explosives; 2015 Annual List of Explosive Materials [Docket No. 2015R-23] (N)

FDA increases surveillance of certain FDA-regulated products from Tianjin, China

On October 26, 2015, U.S. Customs and Border Protection issued [CSMS# 15-000805, FDA Guidance for Products from Tianjin, CN](#) which updates [CSMS# 15-000676](#) on increased surveillance of certain FDA-regulated products imported from the industrial center Binhai New Area in Tianjin, China AND Xiditou Township of Beichen District in Tianjin, China.

The original CSMS was issued because of the chemical explosions which occurred on August 12, 2015. On October 12, 2015, a second explosion occurred at a warehouse owned by Tianjin Yong Sheng Fine Chemical Co., Ltd. at Xiditou Township of Beichen District in Tianjin, China. The 700 square-meter warehouse, located in the northern suburbs, is reported to have stored about 3,000 kilograms of alcohol, 1,000 kilograms of acetic acid, 800 kilograms of glycerin, 500 kilograms of sodium hydroxide and 500 kilograms of potassium hydroxide. Other chemicals that may be associated with the explosion remain unknown.

In order to verify that products are not contaminated from the explosions, FDA will be requiring submission of entry and shipping documents (bills of lading, air waybills, commercial invoices, etc.) for entries of human and animal food products, human and animal drug products, and medical devices which are indicated as having originated from, stored in, or transited through the industrial center Binhai New Area in Tianjin, China and Xiditou Township of Beichen District in Tianjin, China. In addition, it may request certain information (see CSMS# 15-000805 for details).

Importers are advised that it may speed FDA's review process if entry documentation is provided in a timely manner; and, for those shipments indicated for examination or sampling, if location and availability information is provided in a timely manner.

To facilitate receipt and review of information, FDA strongly recommends submission of documents via electronic means. FDA's Import Trade Auxiliary Communication System (ITACS) is designed to improve communication between FDA and the

import trade community and facilitate the electronic submission of documents to FDA.

Instructions on how to use ITACS to submit documentation and information to the FDA can be found at the following link:

<http://www.fda.gov/ForIndustry/ImportProgram/ucm296314.htm>. Questions or comments on how to submit documents, or about ITACS in general, can be directed to itacssupport@fda.hhs.gov.

Questions regarding this action by FDA can be directed to Division of Import Operations, 12420 Parklawn Drive, ELEM Room 3109, Rockville, MD 20857 telephone: (301) 796-8969.

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
10-05-15	International Drug Scheduling; Convention on Psychotropic Substances; Single Convention on Narcotic Drugs; Ketamine and Nine Other Substances; Request for Comments [Docket No. FDA-2015-N-0045] (N/RFC)
10-08-15	Submitting Food Canning Establishment Registration Form and Food Process Filing Forms to the Food and Drug Administration in Electronic or Paper Format; Guidance for Industry; Availability [Docket No. FDA-2013-D-1622] (N)
10-13-15	Infant Formula: The Addition of Minimum and Maximum Levels of Selenium to Infant Formula and Related Labeling Requirements; Confirmation of Effective Date [Docket No. FDA-2013-N-0067] (FR) New Animal Drugs for Use in Animal Feed; Withdrawal of Approval of a New Animal Drug Application; Penicillin G Procaine [Docket No. FDA-2015-N-0002] (N/W)
10-20-15	Food Labeling: Revision of the Nutrition and Supplement Facts Labels; Reopening of the Comment Period [Docket No. FDA-2012-N-1210] (PR/RO)
10-21-15	Manufacturing Site Change Supplements: Content and Submission; Draft Guidance for Industry and Food and Drug Administration Staff; Availability [Docket No. FDA-2015-N-3454] (N)
10-22-15	Selection of the Appropriate Package Type Terms and Recommendations for Labeling Injectable Medical Products Packaged in Multiple-Dose, Single-Dose, and Single-Patient-Use Containers for Human Use; Draft Guidance for Industry; Availability [Docket No. FDA-2015-D-3438] (N)
10-26-15	National Environmental Policy Act; Environmental Assessments for Tobacco Products; Categorical Exclusions—Small Entity Compliance Guide; Guidance for Industry; Availability [Docket No. FDA-2013-N-1282] (N)
10-28-15	Grocery Manufacturers Association; Filing of Food Additive Petition [Docket No. FDA-2015-F-3663] (N)
10-29-15	Listing of Color Additives Exempt From Certification; Spirulina Extract; Confirmation of Effective Date [Docket No. FDA-2014-C-1552] (FR)

APHIS issues final rule on agricultural quarantine and inspection fees

On October 29, 2015, the Animal and Plant Health Inspection Service (APHIS) published in the *Federal Register* a [final rule](#) [Docket No. APHIS-2013-0021] amending the user fee regulations by adding new fee categories and adjusting current fees charged for certain agricultural quarantine and inspection services that are provided in connection with certain commercial vessels, commercial trucks, commercial railroad cars, commercial aircraft, and international passengers arriving at ports in the customs territory of the United States. APHIS is also adjusting or removing the fee caps associated with commercial trucks, commercial vessels, and commercial rail-

cars. APHIS has determined that revised user fee categories and revised user fees are necessary to recover the costs of the current level of activity, to account for actual increases in the cost of doing business, and to more accurately align fees with the costs associated with each fee service. The table below shows current and new fees:

CURRENT AND NEW AQI USER FEE RATES

User fee class	Current	New
Air passenger	\$ 5.00	\$ 3.96
Commercial aircraft	70.75	225.00
Commercial cargo vessel	496.00	825.00
Commercial truck	5.25	7.55
Commercial truck with transponder (one annual payment)	105.00	301.67
Commercial cargo railcar	7.75	2.00
Commercial vessel (cruise) passenger	no fee	1.75
Treatment*	no fee	237.00

* The fee for AQI treatment services will be phased in over 5 years: First year, \$47, second year, \$95, third year, \$142, fourth year, \$190, and fifth year, \$237.

The final rule is effective December 28, 2015.

FAS imposes URAA special agricultural safeguard measures

On October 5, 2015, the Foreign Agricultural Service (FAS) published in the *Federal Register* a notification of invocation of special agricultural safeguard duty under the *Uruguay Rounds Agreements Act* on imports of butter and fresh or sour cream containing over 45 percent by weight of butterfat.

After reviewing the volume of butter imports (including fresh or sour cream containing over 45 percent by weight of butterfat), the Administrator of the FAS has determined that the yearly special safeguard trigger level has been met and a special safeguard duty on certain imports of butter and fresh or sour cream will be imposed effective from the date of this notification through December 31, 2015. This additional duty, as described in subheadings 9904.04.20 and 9904.04.21 of the *Harmonized Tariff Schedule of the United States* (HTS), will be applicable to butter and fresh or sour cream imported under HTS subheadings 0401.50.75, 0403.90.78, and 0405.10.20.

APHIS and other USDA notices issued

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

F.R. Date	Subject
10-01-15	AMS: Grapes Grown in a Designated Area of Southeastern California and Imported Table Grapes; Revision to the Administrative Rules and Regulations for Shipments to Charitable Organizations [Doc. No. AMS-FV-14-0100; FV15-925-1PR] (PR)
10-02-15	APHIS: Fee Increases for Overtime Services [Docket No. APHIS-2009-0047] (FR)
	APHIS: Importation of Tomato Plantlets in Approved Growing Media From Mexico [Docket No. APHIS-2014-0099] (FR)
	APHIS: International Trade Data System Test Concerning the Electronic Submission to the Automated Commercial Environment of Data Using the Partner

F.R. Date	Subject
	Government Agency Message Set [Docket No. APHIS-2015-0063] (N) [See <i>Customs and Border Protection</i> section above]
10-05-15	FAS: Special Agricultural Safeguard Measures Pursuant to the Uruguay Round Agreements Act [on imports of butter and fresh or sour cream containing over 45 percent by weight of butterfat] (N)
10-22-15	AMS: Defining Bona Fide Cotton Spot Markets for the World Cotton Futures Contract [Doc. # AMS-CN-14-0050] (FR)
10-23-15	APHIS: Importation of Fresh Peppers From Ecuador Into the United States [Docket No. APHIS-2014-0086] (FR)
	APHIS: Notice of Determination of the Classical Swine Fever, Foot-and-Mouth Disease, Rinderpest, and Swine Vesicular Disease Status of Croatia [Docket No. APHIS-2014-0042] (N)
	APHIS: Notice of Decision To Authorize the Importation of Fresh Pitahaya From Israel Into the Continental United States [Docket No. APHIS-2015-0012] (N)
10-29-15	APHIS: User Fees for Agricultural Quarantine and Inspection Services [Docket No. APHIS-2013-0021] (FR)

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](#).

- Cambodia - Cambodia Exporter Guide
- Canada - Canadian Labelling Requirements for Fresh Fruits and Vegetables
- China - China Announces New Standards on Aquatic Products
- China - China Announces New Standards on Candy and Chocolate
- China - China Announces New Standards on Distilled Liquor Formulated Liquor
- China - China Announces New Standards on Edible Alcohol
- China - China Announces New Standards on Edible Soybean Meal
- China - China Announces New Standards on Fermented Vinegar
- China - China Announces Revised Standards on Beer
- China - China Announces Revised Standards on Beverages
- China - China Announces Revised Standards on Canned Food
- China - China Announces Revised Standards on Edible Vegetable Oil
- China - China Announces Revised Standards on Egg products
- China - China Announces Revised Standards on Fermented Alcoholic Beverages
- China - China Announces Revised Standards on Grain Processing
- China - China Announces Revised Standards on Pastry and Bread
- China - China Announces Revised Standards on Puffed Food
- China - China Announces Revised Standards on Storage and Transport for Grain
- Dom. Rep. - Dominican Republic Import Requirements
- EAEU - Draft EAEU SPS Measure on Feed Additives Notified to WTO
- EAEU - Draft EAEU SPS Measure on Feed and Feed Additives Notified to WTO
- EAEU - Draft EAEU SPS Measure on Veterinary Drugs Notified to WTO
- EAEU - Two Draft EAEU Phytosanitary Measures Notified to WTO
- El Salvador - FAIRS - Narrative
- Ethiopia - Ethiopia Revises Biosafety Law to Allow Cultivation of Bt Cotton
- EU - 19 European countries restrict the cultivation of GE crops
- India - WTO Notified Draft Standards for Phytosterols
- India - FSSAI Draft Food Standards Open for Domestic Comments
- Indonesia - Ministry of Trade Changes Horticulture Import Regulation

- [Morocco - FAIRS - Certification](#)
- [Russia - Draft Rules of HACCP Implementation in Russia](#)
- [Russia - Restricted List of Fish Suppliers Impacts Russian Market](#)
- [Russia - Wheat Export Duty Amended](#)
- [Saudi Arabia - Exporter Guide](#)
- [Saudi Arabia - FAIRS - Certification](#)
- [Saudi Arabia - FAIRS - Narrative](#)
- [Spain - FAIRS - Narrative](#)
- [St. Maarten - Sint Maarten FAIRS Country Report](#)
- [Ukraine - Ukraine Implements Major Food Safety System Change](#)
- [Vietnam - MARD revises regulations on animal feed management](#)
- [Vietnam - MOF Revises Regulations on Customs Procedures](#)
- [Vietnam - Vietnam National Assembly Passes Animal Health Law](#)

FWS proposes to ban imports of injurious wildlife species

On October 30, 2015, the U.S. Fish and Wildlife Service (FWS) published in the *Federal Register* a [proposed rule](#) [Docket No. FWS–HQ–FAC–2013–0095; FXFR13360900000–156–FF09F14000] that would amend its regulations to add to the list of injurious fish the following freshwater fish species: Crucian carp (*Carassius carassius*), Eurasian minnow (*Phoxinus phoxinus*), Prussian carp (*Carassius gibelio*), roach (*Rutilus rutilus*), stone moroko (*Pseudorasbora parva*), Nile perch (*Lates niloticus*), Amur sleeper (*Perccottus glenii*), European perch (*Perca fluviatilis*), zander (*Sander lucioperca*), and wels catfish (*Silurus glanis*). In addition, the Service also proposes to amend its regulations to add the freshwater crayfish species common yabby (*Cherax destructor*) to the list of injurious crustaceans. These listings would prohibit the importation of any live animal, gamete, viable egg, or hybrid of these 10 fish and 1 crayfish into the United States, except as specifically authorized. These listings would also prohibit the interstate transportation of any live animal, gamete, viable egg, or hybrid of these 10 fish and 1 crayfish between the States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, except as specifically authorized. As proposed, these species are injurious to human beings, to the interests of agriculture, or to wildlife or the wildlife resources of the United States, and the listing will prevent the purposeful or accidental introduction and subsequent establishment of these 10 fish and 1 crayfish into ecosystems of the United States. We are also making available for public review and comment the associated draft environmental assessment and draft economic analysis for this action. Comments will be considered if received on or before December 29, 2015

Commerce seeks comments on softwood lumber subsidies

On October 22, 2015, Enforcement and Compliance, International Trade Administration, Department of Commerce (Commerce) published in the *Federal Register* a [document](#) seeking public comment on any subsidies, including stumpage subsidies, provided by certain countries exporting softwood lumber or softwood lumber products to the United States during the period January 1, 2015 through June 30, 2015.

Comments must be submitted within 30 days after publication of the notice.

EPA proposes revisions to Hazardous Waste Export-Import Regulations

On October 19, 2015, the Environmental Protection Agency (EPA) published in the *Federal Register* a [proposed rule](#) [EPA–HQ–RCRA–2015–0147; FRL–9926–94–OSWER] to amend EPA’s existing regulations in regards to the export and import of

hazardous wastes from and into the United States. EPA is proposing these changes to: Provide greater protection to human health and the environment by making existing export and import related requirements more consistent with the current import-export requirements for shipments between members of the Organization for Economic Cooperation and Development (OECD); enable electronic submittal of all export and import-related documents (e.g., export notices, export annual reports); and enable electronic validation of consent in the Automated Export System (AES) for export shipments subject to RCRA export consent requirements prior to exit.

Comments must be received on or before December 18, 2015. Under the Paperwork Reduction Act, comments on the information collection provisions are best assured of having full effect if the Office of Management and Budget (OMB) receives a copy of your comments on or before November 18, 2015.

Government procurement: Adopts DoD supply chain risk requirements

On October 30, 2015, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a final rule [Docket DARS–2015–0052], which adopts with changes an interim rule, amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to implement a section of the *National Defense Authorization Act* (NDAA) for Fiscal Year (FY) 2011, as amended by the NDAA for FY 2013. This final rule allows DoD to consider the impact of supply chain risk in specified types of procurements related to national security systems. The rule is effective October 30, 2015.

Government procurement: New Zealand and Montenegro added to DFARS

On October 30, 2015, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a [final rule](#) [Docket DARS–2015–0049] amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to add Montenegro and New Zealand as newly designated countries under the *WTO Government Procurement Agreement*. The rule is effective October 30, 2015.

Government procurement: Removal of Cuba as a state sponsor of terrorism

On October 30, 2015, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* a [final rule](#) [DFARS 2015–D032] amending the *Defense Federal Acquisition Regulation Supplement* (DFARS) to remove Cuba from the definition of “state sponsor of terrorism” in two DFARS clauses. This rule implements the Department of State Public Notice: 9162, Rescission of Determination Regarding Cuba. The rule is effective October 30, 2015.

Government procurement: Energy finalizes rules for export controls in DOE contracts

On October 23, 2015, the Department of Energy (DOE) published in the *Federal Register* a [final rule](#) adopting, with changes, a rule amending the *DOE Acquisition Regulation* (DEAR) to add clauses regarding applicable export control requirements for DOE contracts. The rule recognizes contractor responsibilities to comply with all applicable export control laws and regulations in the performance of DOE contracts and prescribes Export Clauses to address these responsibilities.

DOE is amending the DEAR to add new Subparts 925.71 and 970.2571. These provisions are similar to the 2013 amendments to the *Defense Federal Acquisition Regulation Supplement* (DFARS) (DFARS 225, Foreign Acquisition, and DFARS 252, 78 FR 36108, June 17, 2013); DFARS 252, Foreign Acquisition, 78 FR 48331, August 8, 2013; and to the DFARS Procedures, Guidance, and Information (PGI) 225 “Foreign Acquisition” (revised June 26, 2013).

Export control laws and regulations that may apply to a DOE contract include, but are not limited to: the *Atomic Energy Act of 1954* (42 U.S.C. 2011 *et seq.*), as amended; the *Arms Export Control Act* (22 U.S.C. 2751 *et seq.*); the *Export Administration Act of 1979* (50 U.S.C. app. 2401 *et seq.*), as continued under the *International Emergency Economic Powers Act* (Title II of Pub. L. 95-223, 91 Stat. 1626, October 28, 1977); *Trading with the Enemy Act* (50 U.S.C. App. 1 *et seq.* as amended by the *Foreign Assistance Act of 1961*); *Assistance to Foreign Atomic Energy Activities* (10 C.F.R. Part 810); *Export Administration Regulations* (15 C.F.R. Parts 730 through 774); *International Traffic in Arms Regulations* (22 C.F.R. Parts 120 through 130); *Export and Import of Nuclear Equipment and Material* (10 C.F.R. Part 110); and regulations administered by the Office of Foreign Assets Control of the Department of the Treasury (31 C.F.R. Parts 500 through 598).

The new rule is effective November 23, 2015.

Government procurement: DoD to host meeting on further implementation of the provisions on detection and avoidance of counterfeit electronic parts

On October 21, 2015, the Defense Acquisition Regulations System, Department of Defense (DoD) published in the *Federal Register* an [announcement](#) [DFARS Case 2014-D005] extending the comment period for the proposed rule published on September 21, 2015 (80 Fed. Reg. 56939) and announcing a public meeting to be held on November 13, 2015 to obtain the views of experts and interested parties in Government and the private sector regarding further implementation of the requirement for detection and avoidance of counterfeit electronic parts, as required by a section of the *National Defense Authorization Act for Fiscal Year 2012*.

The public meeting will be held at the Mark Center Auditorium in Alexandria, VA on November 13, 2015, from 1 p.m. to 4:30 p.m., EST. Registration to attend this meeting must be received by November 9, 2015. The comment on the proposed rule should be submitted on or before December 11, 2015 to be considered in the final rule.

Government procurement: Proposal for higher simplified acquisition threshold for certain overseas acquisitions

On October 8, 2015, the Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) published in the *Federal Register* a [proposed rule](#) [FAR Case 2015-020; Docket 2015-0020; Sequence 1] to amend the *Federal Acquisition Regulation* (FAR) to implement a higher simplified acquisition threshold (SAT) [\$300,000] for overseas acquisitions in support of humanitarian or peacekeeping operations (41 U.S.C. § 153 and 10 U.S.C. § 2302).

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
10-01-15	Energy: DOE Proposals for the 2018 International Energy Conservation Code (IECC) [Docket No. EERE-2015-BT-BC-0002] (N/H)
	Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Endangered Status for 16 Species and Threatened Status for 7 Species in Micronesia [Docket No. FWS-R1-ES-2014-0038; 4500030113] (FR)
	National Highway Traffic Safety Administration (NHTSA): Federal Motor Vehicle Safety Standards; Correction [Docket No. NHTSA-2015-0045] (PR/C)
10-02-15	Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF): Technical Amendments to Regulations; Correction [Docket No. ATF 2013R-9F; AG Order No. 3566-2015] (FR/C) [definition of Customs Officer]
	Environmental Protection Agency (EPA): Benzovindiflupyr; Pesticide Tolerances [EPA-HQ-OPP-2013-0141; FRL-9933-03] (FR)
	EPA: Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2015-0388; FRL-9933-30] (FR)
	EPA: Registration Review; Conventional, Biopesticide and Antimicrobial Pesticide Dockets Opened for Review and Comment [EPA-HQ-OPP-2015-0385; FRL-9934-21] (N)
FWS: Endangered and Threatened Wildlife and Plants; Two Foreign Macaw Species [Docket No. FWS-R9-ES-2011-0101; 450 003 0115] (FR)	10-06-15
Drug Enforcement Administration (DEA): Established Aggregate Production Quotas for Schedule I and II Controlled Substances and Assessment of Annual Needs for the List I Chemicals Ephedrine, Pseudoephedrine, and Phenylpropanolamine for 2016 [Docket No. DEA-420F] (Final order)	
NHTSA: Federal Motor Vehicle Safety Standards; Rear Impact Protection, Lamps, Reflective Devices, and Associated Equipment Single Unit Trucks [Docket No. NHTSA-2015-0070] (ANPR/RO)	10-07-15
EPA: Receipt of Test Data Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9934-36] (N)	
EPA: Registration Review Proposed Interim Decisions; Notice of Availability [EPA-HQ-OPP-2015-0099; FRL-9934-47] (N)	
EPA: Notice of Receipt of Requests for Amendments To Terminate Uses in Certain Pesticide Registrations [EPA-HQ-OPP-2015-0601; FRL-9934-20] (N)	
EPA: Pesticide Emergency Exemptions; Agency Decisions and State and Federal Agency Crisis Declarations [EPA-HQ-OPP-2015-0301; FRL-9933-51] (N)	
EPA: Mercury; TSCA Section 21 Petition; Reasons for Agency Response [EPA-HQ-OPPT-2015-0626; FRL-9934-71]	
EPA: Butanedioic Acid, 2-Methylene-, Homopolymer, Sodium Salt; Inert Ingredient Tolerance Exemption [EPA-HQ-OPP-2015-0395; FRL-9933-74] (FR)	
NHTSA: Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2016 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2016 [Docket No. NHTSA-2015-0043] (FR)	10-08-15
National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA): Endangered and Threatened Wildlife and Plants; Final Rule To List the Dusky Sea Snake and Three Foreign Corals Under the Endangered Species Act [Docket No. 140707555-5880-02] (FR)	
EPA: Receipt of Test Data under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9934-79] (N)	10-09-15
EPA: Ethylene Glycol Monobutyl Ether; Community Right-to-Know Toxic Chemical Release Reporting [EPA-HQ-TRI-2015-0352; FRL 9935-38-OEI] (Denial of Petition)	
EPA: Trans-1,3,3,3-tetrafluoroprop-1-ene; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2012-0043; FRL-9934-74] (FR)	10-13-15
EPA: Cellulose Carboxymethyl Ether, Potassium Salt; Tolerance Exemption [EPA-HQ-OPP-2015-0482; FRL-9934-45] (FR)	
EPA: Dimethyl Sulfoxide; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2014-0630; FRL-9934-17] (FR)	Fish and Wildlife Service (FWS): Endangered and Threatened Wildlife and Plants; Proposed Endangered Status for Five Species from American Samoa

F.R. Date	Subject
	[Docket No. FWS-R1-ES-2015-0128; 4500030113] (PR) FWS: Endangered and Threatened Wildlife and Plants; Initiation of a 5-Year Review of the Polar Bear [Docket No. FWS-R7-ES-2015-0141] [FXFR133707PB000-156-FF07CAMM00] (N)
10-15-15	EPA: Protection of Stratospheric Ozone: The 2016 Critical Use Exemption from the Phaseout of Methyl Bromide [EPA-HQ-OAR-2013-0369; FRL-9935-69-OAR] EPA: Registration Review Interim Decisions; Notice of Availability [EPA-HQ-OPP-2015-0393; FRL-9934-06] (N)
10-16-15	Energy: Energy Conservation Program for Consumer Products: Test Procedures for Clothes Washers; Correcting Amendments [Docket No. EERE-2013-BT-TP-0009] (FR/C) EPA: Receipt of Test Data Under the Toxic Substances Control Act [EPA-HQ-OPPT-2013-0677; FRL-9935-75] (N) EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2015-0022; FRL-9934-87] (N) EPA: 2-Propen-1-Aminium, N,N-Dimethyl-NPropenyl-, Chloride, Homopolymer; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2015-0363; FRL-9933-98] (FR) Homeland Security: Chemical Facility Anti-Terrorism Standards (CFATS) Appendix A [DHS-2014-0016] (N/H) NHTSA: Federal Motor Vehicle Safety Standard; Automatic Emergency Braking [Docket No. NHTSA-2015-0099] (Grant of petition for rulemaking)
10-19-15	EPA: Hazardous Waste Export-Import Revisions [EPA-HQ-RCRA-2015-0147; FRL-9926-94-OSWER] (PR)
10-21-15	EPA: Poly[oxy(methyl-1,2-ethanediyl)], α-[(9Z)-1-oxo-9-octadecen-1-yl]-ω-[[9Z)-1-oxo-9-octadecen-1yl]oxy]-; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2015-0442; FRL-9935-34] (FR) EPA: Potassium Salts of Hops Beta acids; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2014-0374; FRL-9933-73] (FR) EPA: Pyrimethanil; Pesticide Tolerances [EPA-HQ-OPP-2015-0012; FRL-9935-11] (FR) EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2015-0032; FRL-9935-29] (N)
10-22-15	U.S. Coast Guard: 2013 Liquid Chemical Categorization Updates [Docket No. USCG-2013-0423] (Supp. PR) International Trade Administration, Commerce: Subsidy Programs Provided by Countries Exporting Softwood Lumber and Softwood Lumber Products to the United States; Request for Comment (N)
10-23-15	Energy: Acquisition Regulations: Export Control (FR) [see above for details] Energy: Energy Conservation Program: Energy Conservation Standards for Refrigerated Beverage Vending Machines [Docket No. EERE-2013-BT-STD-0022] (PR/RO) Energy: Energy Conservation Program: Energy Conservation Standards for Residential Furnaces [Docket No. EERE-2014-BT-STD-0031] (PR/RO) EPA: Certain New Chemicals; Receipt and Status Information for August 2015 [EPA-HQ-OPPT-2015-0503; FRL-9934-96] (N)
10-26-15	Energy: Energy Conservation Standards for Pool Heaters [Docket No. EERE-2015-BT-STD-0003] (N)
10-27-15	DEA: Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Vicks® VapoInhaler® [Docket No. DEA-367] (IR) DEA: Schedules of Controlled Substances: Table of Excluded Nonnarcotic Products: Nasal Decongestant Inhaler/Vapor Inhaler [Docket No. DEA-409] (IR) Labor: Child Labor, Forced Labor, and Forced or Indentured Child Labor in the Production of Goods in Foreign Countries and Efforts by Certain Foreign Countries to Eliminate the Worst Forms of Child Labor (N/RFC/RFI)
10-28-15	EPA: Methoxyfenozide; Pesticide Tolerances [EPA-HQ-OPP-2014-0591; FRL-9934-14] (FR)
10-30-15	NOAA: Presidential Task Force on Combating Illegal Unreported and Unregu-

F.R. Date	Subject
	lated (IUU) Fishing and Seafood Fraud Action Plan (N)
	EPA: Metaflumizone; Pesticide Tolerance [EPA-HQ-OPP-2014-0607; FRL-9934-88] (FR)
	EPA: Rimsulfuron; Pesticide Tolerances [EPA-HQ-OPP-2013-0035; FRL-9912-31] (FR)
	EPA: Teflubenzuron; Pesticide Tolerances [EPA-HQ-OPP-2014-0600; FRL-9933-25] (FR)
	FWS: Injurious Wildlife Species; Listing 10 Freshwater Fish and 1 Crayfish [Docket No. FWS-HQ-FAC-2013-0095; FXFR13360900000-156-FF09F14000] (PR)
	Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT: Hazardous Materials: Carriage of Battery-Powered Electronic Smoking Devices in Passenger Baggage [Docket No. PHMSA-2015-0165] (IR)

Antidumping and countervailing duty cases

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

The Americas - South America

Argentina

Establishment of the control system of signs and/or labels (FDR)

On October 15, 2015, [Resolution No. 420/2015](#) (Resolution) of the Secretary of Commerce was published in the *Boletín Oficial de la República Argentina (Official Gazette)* and entered into force, by means of which the Control System of signs and/or labels (FDR - Sistema de Fiscalización de Rótulos y/o etiquetas) was established. All products belonging to the categories of food, beverages, drinkable food, perfumery, toiletries, personal care and household cleaning, fit for consumption and commercialized in Argentina fall under the scope of the Resolution.

The Resolution requires that all signs and/or labels of the products subject to the Resolution must comply with a control procedure established by the Direction of Fair Trade (DLC), prior to their commercialization in Argentina. The purpose is to avoid providing information which misleads or confuses the consumer regarding the quality, composition, price and any precautions and/or adverse effects of the product. The DLC is required to communicate within fifteen (15) working days the approval or rejection of the sign and/or label proposed by the supplier, unless additional information is required.

The Resolution also establishes that the signs and/or labels of various presentations of products commercialized in Argentina that have slight differences in any of their constituent elements with respect to the reference product already existing in the market, must inform such differences in an explicit and clear manner. Such information must be displayed on the front side of the sign and/or label occupying twenty percent (20 %) of it and mentioning the reference product. In addition, it is prohibited the use of signs and/or labels that contain information regarding offers, promotions and/or discounts which effectiveness the manufacturer and/or importer can not guarantee in its further commercialization.

The FDR applies to new signs and/or labels of the products from the effective date of the Resolution. In the case of products commercialized before the date mentioned, suppliers have a period of sixty (60) working days to adapt the signs and/or

labels according to the standards of the Resolution. On this point it should be noted that in the event of observations raised by the DLC, the placement of a sticker, or any other means suitable to remedy the breach of the duty to provide information to the consumer, may be ordered in the packaging of the product, until both the sign and/or label in infringement are withdrawn completely from the market.

For further information, please contact [Esteban Rópolo](#) or [Francisco Fernández Ros-tello](#) of our Buenos Aires office.

Boletín Oficial publications

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

BO Date	Subject
02-10-15	Decree 2059/2015 (30-09-15) Exempting from payment of duties and taxes goods originating in countries participating in the “Feria Internacional de Villa Gesell”
07-10-15	Decree 2013/2015 (24-09-15) Exempting from payment of duties and taxes goods originating in countries participating in the “Expoferretera” National Administration of Medicines, Food and Medical Technology (ANMATM): Disp. Nº 8036/2015 (01-10-15) Prohibition on the use and marketing of certain medical products
09-10-15	Decree 2093/2015 (06-10-15) Exempting from payment of duties and taxes goods originating in countries participating in the “21° Feria Artesanal del Mundo y de Comunidades Indígenas”.
13-10-15	Federal Administration of Revenue (AFIP): Gen. Res. Nº 3800 (06-10-15) Import – Values of a preventive character. Gen. Res. Nº 2730 and its amendments. Further standards AFIP: Gen. Res. Nº 3801 (06-10-15) Import – Values of a preventive character. Gen. Res. Nº 2730 and its amendments. Further standards AFIP: Gen. Res. Nº 3802 (06-10-15) Import – Values of a preventive character. Gen. Res. Nº 2730 and its amendments. Further standards AFIP: Gen. Res. Nº 3804/2015 Mercosur Common Nomenclature (NCM). Tariff classification of goods in the nomenclature, in accordance with the procedure laid down in Resolution No. 1,618.
14-10-15	ANMATM: Disp. Nº 8230/2015 (07-10-15) Marketing ban on certain foodstuffs ANMATM: Disp. Nº 8231/2015 (07-10-15) Marketing ban on certain foodstuffs ANMATM: Disp. Nº 8232/2015 (07-10-15) Marketing ban on certain foodstuffs AFIP: Gen. Res. Nº 3803 (06-10-15) Import – Values of a preventive character. Gen. Res. Nº 2730 and its amendments. Further standards.
15-10-15	Law 27.187 (14-10-15) Incorporates into National Law Council of the Common Market MERCOSUR Nos. : 53 of 16 December 2010 and 52 of 6 December 2012 and the Resolution of the MERCOSUR Common Market Group N° 33 of 8 October 2014 relating to the automotive regime.
28-10-15	Decree 2094/2015 (06-10-15) Exempting from the payment of import duties and taxes for goods originating in countries participating in the “Seguriexpo Buenos Aires – South American Electronic Security Expo”

Antidumping and countervailing duty cases

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

Brazil

Brazilian Government issues Compliance Program Guidelines

On February 22, 2015, the Office of the Comptroller General (CGU) issued guidance entitled [Compliance Programs – Guidelines for Private Companies \(Programa de Integridade: Diretrizes para Empresas Privadas\)](#) (“CGU Guidance”) clarifying the elements of compliance programs set forth in the [Clean Companies Act](#) and further regulated by [Decree 8.420/2015](#) (further discussed [here](#), [here](#), and [here](#)).

Like the DOJ and SEC [Resource Guide](#) to the FCPA, the CGU Guidance is not binding. Rather, it helps clarify CGU’s expectations for compliance programs under the Clean Companies Act. The CGU Guidance is organized around 5 major pillars that the CGU considers to form the basis of a compliance program. They are: i) commitment and support from high level management; ii) adequate authority, autonomy, human and financial resources to the compliance function; iii) risk assessment and specifics of the company; iv) structuring corporate compliance policies and procedures; and v) continuous monitoring and testing of the compliance program.

Though organized in a different structure, in many ways the CGU Guidance follows the DOJ and SEC Resource Guide to the FCPA and [The Bribery Act Guidance](#). There are, however, some noteworthy aspects to take into consideration. This post highlights five.

Scope of the program. From the outset, the CGU Guidance makes clear that even companies that have compliance programs in place “specifically to comply with foreign anti-bribery laws, should acknowledge the necessity of adapting them to Brazil’s new legislation, in particular to cover fraud in public procurement and in the execution of contracts with the Public Administration.

That is because the scope of laws like the FCPA and the Clean Companies Act are different (further information about how Brazil’s Clean Companies Act compares to the FCPA can be found [here](#) and [here](#)). While the FCPA covers the bribery of foreign officials (and the accounting / internal controls provisions include certain requirements applicable to issuers), the Clean Companies Act covers more than just corruption. Significant parts of its prohibited acts address illegal conduct related to public tenders and public contracting (not necessarily linked to corruption). Given this, the CGU Guidance highlights that compliance programs designed to prevent and detect only corrupt conduct might not address all the conduct prohibited by the Clean Companies Act. Therefore, companies operating in Brazil should revise their compliance programs to make sure they cover all conduct prohibited by the Clean Companies Act.

Importance of monitoring corporate goals. Under the “risk assessment” pillar, the CGU Guidance notes that the pressure on companies to meet unrealistic commercial goals may lead employees to commit wrongdoing, in violation of the company’s compliance program. Given this, the CGU Guidance considers it important for companies to monitor the stated goals of their enterprises so they are not conveying the impression that business should be obtained at any cost, at the expense of compliance.

Accurate and complete books and records. Decree 8.420/2015 provides a substantive list of 16 elements that will be taken into consideration when authorities evaluate a company’s compliance program. One of them is accurate and complete books and records. Under the fourth pillar, the CGU Guidance highlights that CGU expects

companies to have controls in place to guarantee that the accounting records are detailed. CGU suggests that such records should, for example, justify the need to hire third parties and include information about the price agreement and the market price, with justification for payments above market value. Moreover, the CGU Guidance provides that companies should designate a unit or individual to monitor documentation related to transactions that represent higher compliance risks. Furthermore, it states that companies should be watch for abrupt changes in revenue (e.g., significant unexpected increase in sales to public entities in a region) and expenses (e.g., significant unexpected reduction in a specific tax). Finally, the CGU Guidance recommends that large companies consider engaging external auditors to audit the company's accounting documentation.

Additional detail for the hotline. The CGU Guidance provides that it is desirable that companies provide means for whistleblowers to track the progress of their complaints. According to the CGU Guidance, transparency with respect to progress of responses to reports provides more credibility to the proceeding. Further, the CGU Guidance suggests that companies implement channels to give reports and answer questions about the compliance programs. The channels should be free and easily accessible to everyone in the company and open to third parties and the public, where appropriate.

Increased importance of internal investigations. The CGU Guidance expressly notes the importance of conducting internal investigations in order to stop wrongdoing, take remedial actions against wrongdoers, understand the facts and update the compliance program, and use the information, where appropriate, to cooperate with authorities. More specifically, the CGU Guidance highlights that “the detection of evidence of the occurrence of illegal acts against the local or foreign Public Administration should lead the company to initiate an internal investigation which will serve as basis for appropriate actions to be taken”. The CGU Guidance further provides that internal rules should address core aspects of internal investigations, such as deadlines, responsibilities for investigating allegations, and identification of who should receive the results of the investigation. Given this, companies should consider implementing internal investigations policies. They are useful not only because of the Guidance but also to avoid pushback and resistance during the investigation process.

The above article was written by [Carlos Ayres](#), an attorney with Trench, Rossi e Watanabe Advogados (associated with Baker & McKenzie) in São Paulo, Brazil. He focuses on anti-corruption and compliance issues, with a particular emphasis on Brazil and other regions of Latin America.

Diário Oficial da União publications

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

DOU Date	Subject
01-10-15	CAMEX Resolution Nº 94 (30-09-15) Grants temporary reduction in the rate of import duty under Resolution n ° 08/08 of the MERCOSUR Common Market Group
02-10-15	SECEX Ordinance Nº 66 (01-10-15) 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), declared as produced by the company Shinepukur Ceramics Ltd.

DOU Date	Subject
	SECEX Ordinance № 67 (01-10-15) establishes criteria for quota allocation for imports, determined by CAMEX Resolution 94, of September 30, 2015 (NCM 3215.11.00, 3215.19.00 and 7607.19.90).
	SECEX Ordinance № 68 (01-10-15) Establishes criteria for allocating quota for imports, determined by CAMEX Resolution 94, of September 30, 2015 (NCM 0802.22.00).
	SECEX Ordinance № 69 (01-10-15) Establishes criteria for allocating quota for imports, determined by CAMEX Resolution 94, of September 30, 2015 (NCM 5402.46.00).
	SECEX Ordinance № 70 (01-10-15) Establishes criteria for allocating quota for imports, determined by CAMEX Resolution 94, of September 30, 2015 (NCM 3920.91.00).
07-10-15	CAMEX Resolution № 95 (06-10-15) Grants temporary reduction in the rate of import duty under Resolution n º 08/08 of the Common Market Group of MERCOSUR - GMC.
08-10-15	SECEX Ordinance № 71 (07-10-15) Establishes criteria for allocating quota for imports, determined by CAMEX Resolution No. 95 of October 6, 2015.
20-10-15	SECEX Ordinance № 72 (19-10-15) Establishes criteria for quota allocation for imports established by Economic Complementation Agreement No. 55, internalized by Decree No. 4458 of 05 November 2002
23-10-15	SECEX Ordinance № 73 (22-10-15) Ends the special procedure of non-preferential origin check with the qualification 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 the company FARR Ceramics Ltd.
	SECEX Ordinance № 74 (22-10-15) Ends the special procedure of non-preferential origin check with the disqualification of Thailand source 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 the company Raja Porcelain Co., Ltd

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
06-10-15	Finance: Decree 311 make provisional safeguard measure of 37.8% a.v. on imports of steel wire rod.
10-10-15	Finance/NCS: Res. № 5965 amending the Compendium of Customs Norms
	Finance/NCS: Res. № 5998 amending the Compendium of Customs Norms
	Finance/NCS: Res. № 5804 amending the Compendium of Customs Norms
	Finance/NCS: Res. № 5787 amending the Compendium of Customs Norms
	Finance/NCS: Res. № 5786 amending the Compendium of Customs Norms
	Finance/NCS: Res. № 5785 amending the Payments Manual
27-10-15	Finance: Decree 325 - applicable rebates of customs duties for the import of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and substandard

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has recently redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present 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 2013 may be found at http://www.dian.gov.co/DIAN/13Normatividad.nsf/pages/Clasificacion_arancelarias_2013. For prior years, [please see here](#).

MinCIT, MinHacienda and DIAN Documents

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

Date	Subject
29-09-15	MinCIT Res. No 166 "By which the preliminary determination in the administrative dumping investigation initiated by Resolution No. 126 adopted in 2015." Regarding Certain alloy steel from China DIAN: Cir. No 2190 – 2015: Ad valorem taxes applicable to agricultural products concerned, their substitutes, agro-products or by-products.
22-09-15	MinCIT: Cir. No 021- "Requirements, permits and authorizations required by entities related to the Single Window for Foreign Trade – VUCE. For submitting applications for registration and licensing SEE ANNEXES <ul style="list-style-type: none"> • MCIT ANNEX No 01 - Preliminary License • ANNEX No 02 controlled chemicals - MINJUSTICIA • ANNEX No 03 National Narcotics Fund - FNE • ANNEX No 04 Military Industry - INDUMIL • ANNEX No. 05 depleting substances ozone -ANLA • ANNEX No 06 refrigerators and air conditioning equipment - ANLA • ANNEX No 07 Certified Emissions from dynamic testing - ANLA • ANNEX No 08. Waste or hazardous waste - ANLA • ANNEX No 9A subheadings which cover products subject to the system of selective collection and environmental management of used tires for verification to the National Environmental Licenses Autoriedad - ANLA. • ANNEX No 09 exotic or alien species - National Agency of Environmental Licenses (ANLA) • ANNEX No 10 National Aquaculture and Fisheries Authority - AUNAP • ANNEX No 11 Colombian Agricultural Institute • ANNEX No 12 Invima - Ajutes • ANNEX No 13 Contingent Canada • ANNEX No 14 contingent EFTA • ANNEX No 15 Ministry of Mines and Energy - MINMINAS • ANNEX No 16 Ministry of Health and Social Protection - MINSALUD • ANNEX No 17 Ministry of Transport - Mintransporte

Date	Subject
	<ul style="list-style-type: none"> ANNEX No 18 Radioactive Materials - SGC ANNEX No 19 Technical Regulations - Superintendency of Industry and Commerce - SIC ANNEX No 20 Superintendency of Surveillance and Private Security
13-10-15	DIAN: Circular 41/2015 Reference Prices of agricultural products
14-10-15	MinCIT: Resolution 174 of October 14, 2015 Adopting the final decision of the administrative review for changed circumstances definitive anti-dumping duties is adopted by resolution 304 of 2013.
	MinCIT: Resolution 173 of October 14, 2015. Adopting the final decision of the administrative review for changed circumstances definitive anti-dumping duties is adopted by resolution of 2013
	MinCIT: Resolution 172 of 2015 "Whereby the final determination of the five-year review initiated with Resolution 135 of July 10, 2014 is adopted"
15-10-15	DIAN: Cir. 2209/2015 Ad valorem taxes applicable to agricultural products concerned, their substitutes, agro-products or by-products.
16-10-15	MinCIT: Decree 2025 of October 16, 2015 Whereby measures for controlling the import and export of smart phones, cellular mobile phones, and parts thereof, classifiable in subheadings 8517.12.00.00 and 8517.70.00.00 of the Customs Tariff Decree 2685 of 1999 is added and Decree 2365 of 2012 is repealed.

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
01-10-15	SUNAT: Res. № 269-2015/SUNAT approves delivery schedule information to be provided by certain public sector entities on purchases of goods and services from 2016 onwards
	SUNAT: Res. № 274-2015/SUNAT regulating electronic issuance of vouchers
02-10-15	External Affairs: Min. Res. № 0862/2015-RE Summary and operative paragraphs of UN Security Council Res. 2232 (2015) [Somalia]
06-10-15	External Affairs: Sup. Decree № 051-2015-RE Ratification of International Coffee Agreement 2007
	[Note: the Remaining part of October will be covered in our next edition]

Asia-Pacific

[Please note that material pertaining to the Eurasian Economic Community (EurasEC) and its Customs Union is shown under EUROPE.]

Australia

DIBP notices and advices

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

Date	Series and №	Title
26-10-15	DIBP No. 2015/35	Commencement of customs licensing review

Australian Gazettes

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

Date	Matter	Date	Matter
07-10-15	TC15-39	21-10-15	TC15-41
14-10-15	TC15-40	28-10-15	TC15-42

Australian Tariff Precedents

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

Antidumping and countervailing duty cases

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

China (including Hong Kong SAR)

MOFCOM and GAC notices

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

Date	Series and №	Subject
08-10-15	MOFCOM № 42	2016 sugar import tariff quota and allocation rules apply announcement
28-10-15	MOFCOM № 47	2016 annual ferroalloy export license declaration Criteria and Procedures
	MOFCOM № 48	program and the principle of distribution of phosphate rock export quotas in 2016 declared the conditions to declare
	MOFCOM № 49	2016 tungsten, antimony, silver export state trading enterprise reporting conditions and reporting procedures
	MOFCOM № 50	2016 indium, tin export quotas reporting conditions and reporting procedures
	MOFCOM № 51	2016 fertilizer import tariff quota volume, allocation principles and procedures
29-10-15	MOFCOM № 52	2016 non-state trading of crude oil imports to allow the total amount, eligibility criteria and application procedures
	MOFCOM № 53	2016 total export quotas for agricultural and industrial products.

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
05-10-15	49/2015-Cus (T)	Further amends notification No. 12/2012-Customs dated 17.03.2012 so as to increase the basic customs duty on ghee, butter and butter oil from the present rate of 30% to 40% for a period upto and inclusive of the 31st day of March, 2016
15-10-15	100/2015-Cus (NT)	Tariff Notification in respect of fixation of Tariff Value of Edible oil, Brass, Poppy seed, Areca nut, gold and Sliver
14-10-15	Cir. 24/2015	Regarding improving Ease of Doing Business – Issuance of Electronic Delivery Orders
15-10-15	Cir. 25/2015	Regarding valuation of second hand machinery
16-10-15	50/2015-Cus (T)	Seeks to further amend notification No. 27/2011-Customs dated 01.03.2011 so as to reduce the export duty on export of Iron Ore by MMTC Limited (only NMDC origin) to Japan and South Korea under the Long Term Agreement (LTA), from 30% to 10%, upto and inclusive of 31.03.2018.
19-10-15	51/2015-Cus (T)	seeks to further amend notification No. 12/2012-Customs dated 17.03.2012 so as to increase the basic customs duty on wheat [CTH 1001 19 00 and 1001 99 10] from the present rate of 10% to 25% for a period up to and inclusive of 31.03.2016
23-10-15	Cir. 26/2015	Use of digital signature for submission of documents
	Cir. 27/2015	Guidelines for launching of prosecution in relation to offences punishable under Customs Act, 1962
	Cir. 28/2015	Revised Guidelines for Arrest and Bail in relation to offences punishable under Customs Act, 1962
30-10-15	102/2015-Cus (NT)	Tariff Notification in respect of fixation of TV of Edible oil, Brass, Poppy seed, Areca nut, gold and Sliver

Antidumping and countervailing duty cases

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

Indonesia

New regulation on imports prohibits manufacturers from importing industrial/finished goods

As part of the Government's economic deregulation package issued on 9 September 2015, the Ministry of Trade (MOT) has issued another new regulation on imports. This new regulation removes the restrictions under the previous regulation imposed on holders of General Importer Identification Numbers (API-U) to import goods which are covered under only one section of the HS Code. Unfortunately, it also removes the provision under the previous regulation which allowed holders of Producer Importer Identification Numbers (API-P) to import certain industrial/finished

goods, including those to be traded, by obtaining a Producer Importer license. Other than these two fundamental changes, the new regulation follows the provisions in the previous regulation.

The new regulation was enacted by the MOT on 28 September 2015 and is set out in [Minister of Trade Regulation No. 70/M-DAG/PER/9/2015](#) on Importer Identification Number (Regulation 70). Regulation 70 will come into force on 1 January 2016 and will revoke Minister of Trade Regulation No. 27/M-DAG/PER/5/2012 on the Provisions of Importer Identification Number as amended several times, lastly by Minister of Trade Regulation No. 84/M-DAG/PER/12/2012 (Previous Regulation).

Major Changes and Their Implications

I. API-U Holders Ability to Import Goods Under Several Sections of the HS Code

Similar with the Previous Regulation, API-Us are issued to companies that import goods to be traded. Before Regulation 70 was issued, API-U holders could only import goods under one section of the HS Code. If an API-U holder wanted to import goods in several sections of the HS Code, a “*special relationship*” had to exist between the API-U holder and its overseas supplier.

Under Regulation 70, the restriction to import goods in only one section of the HS Code has been lifted. As such, when Regulation 70 becomes effective, API-U holders can import goods under several sections of the HS Code, and a special relationship should no longer be required. API-U holders will likely welcome this development as previously they had to fulfil the special relationship requirement which lengthened the time taken to obtain an API-U.

II. Prohibition for API-P holders to Import Industrial/Finished Goods

Similar with the Previous Regulation, API-Ps are issued to companies for importing goods for the importers’ own use as capital goods, raw materials or support materials, and/or to support production (not to be traded). The Previous Regulation provided an exemption which allowed API-P holders to import industrial/finished goods under certain criteria (i.e., test market products and complementary products) to be traded subject to obtaining a Producer Importer (PI) license from the MOT.

However, Regulation 70 removes this exemption, which effectively means that *API-P holders can no longer import industrial/finished goods to be traded*. Regulation 70 further stipulates that all PI licenses that have been issued based on the Previous Regulation will remain valid until they expire. And once Regulation 70 comes into force and PI licenses expire, all API-P holders can only import goods for their own use as capital goods, raw materials or support materials, and/or to support production, and those goods *cannot be traded or transferred to other parties*.

For some people, this is not a big surprise, because earlier this year the MOT began limiting the issuance and renewal of PI licenses. There is no doubt that API-P holders will be concerned about the new regulation and how it affects their ability to import industrial/finished goods to be traded. It appears that the spirit of this provision is to enhance investment in Indonesia, where the Indonesian government expects investors to invest in and build their own facilities in Indonesia rather than continue importing finished goods.

III. What the laws says

Other than the 2 major implications explained above, some of the provisions of Regulation 70 are similar with those of the Previous Regulation. We set out below a summary of the provisions that are worth to take note.

- Imports can only be done by importers who have an Importer Identification Number (API).
- There are 2 types of API:
 - a. API-U; and
 - b. API-P.
- API-Us are issued to companies that import goods to be traded.
- API-Ps are issued to companies that import goods for the importer's own use as capital goods, raw materials or support materials, and/or to support production. These goods cannot be traded or transferred to other parties unless they are imported under an import duty exemption facility and have been used for own use for at least 2 years after the date of the Import Declaration Form.
- Importers may only have one type of API, either an API-U or an API-P.
- APIs are valid in the entire Indonesian territory including for branch offices conducting the same type of activities.
- APIs are valid as long as the holder continues its business activities but must be re-registered with the issuing authority every 5 years.
- API-Us and API-Ps for all foreign capital investment companies are issued by the Investment Coordinating Board/BKPM.
- API-Ps for business entities or contractors in the energy, oil and natural gas, mineral and other natural resource management areas, based on cooperation agreements with the Indonesian Government, are issued by the Director General of Foreign Trade of the Ministry of Trade.
- In circumstances other than those outlined above, API-Us and API-Ps are issued by the Head of the Provincial Trade Services Office.
- Regulation 70 imposes a quarterly reporting obligation on all API holders.
- Regulation 70 requires certain corporate changes in the API-U or API-P data to be reported by the API-U and API-P holders to the issuing authority within 30 days after the changes occur, e.g., change of members of the BOD, change of address, change of a company's name. Thereafter, the API-U and API-P holders must apply for an amendment to the API-U and API-P by using a prescribed form.
- Regulation 70 provides a list of circumstances in which an API will not be required, such as for importing temporarily imported goods, promotional goods, goods for research and goods for scientific development.
- Failure to comply with the re-registration and reporting requirements can lead to the API being frozen, and repeated failure to comply can eventually lead to it being revoked.
- APIs may be revoked for among others the following reasons: (a) the license is frozen twice; (b) the license is not re-registered when required, within 30 days of freezing; (c) reporting requirements are not complied with within 30 days of freezing; (d) incorrect information was supplied in the application.
- A company can re-apply for an API within 1 or 2 years after it is revoked depending on the violation.
- All APIs issued prior to the promulgation of Regulation 70 are still valid but must be adjusted by 30 June 2016.
- PI licenses issued prior to the promulgation of Regulation 70 will remain valid until their expiry.

Actions to consider

To comply with Regulation 70, companies should consider the following actions:

1. Adjust APIs as soon as possible once Regulation 70 comes into force on 1 January 2016, given the likely high volume of applicants (even though the deadline for adjusting APIs is 30 June 2016).
2. Given that PI licenses will remain valid only until their expiry (and thereafter the concept of PI will no longer exist), holders of PI licenses should consider increasing imports and stockpiling industrial/finished goods before their PI licenses expire and deciding on a sustainable solution to import industrial/finished goods (e.g. establishing an import company).

Conclusion

Regulation 70 is likely to be welcomed by API-U holders because under Regulation 70 API-U holders will be able to import goods under several sections of the HS Code. For API-P holders, however, Regulation 70 may not be good news because they can no longer import industrial/finished goods, including those to be traded.

For additional information please contact: [Wimbanu Widyatmoko](#), [Mochamad Fachri](#) or [Riza F. Buditomo](#), who prepared this Client Alert.

Stimulus Packages I to III: What they changed and did not in Customs and trade

In September and October this year, the Indonesian government announced economic policy packages aimed at creating a conducive macroeconomic environment, hence boosting the country's economic growth that slowed in the second quarter due to global economic conditions.

I. First Phase of the Economic Policy Package: As part of attempts to boost the national economy, the government plans to conduct de-bureaucratization and deregulation in some sectors. The policies encompassed by these de-bureaucratization and deregulation are aimed at restoring and improving industrial activities by removing industrial regulatory burdens and bureaucracy, increasing industrial competitiveness, and creating new initiatives (such as tax facilities to boost some sectors). The deregulation will be conducted by the government by rationalizing the regulations, eliminating redundancy or irrelevancy of the regulations, and harmonizing and making consistent the regulations.

Based on a list of deregulation plan issued by the Coordinating Ministry for Economic Affairs, there are 134 regulations (17 Government Regulations, 11 Presidential Regulations, 2 Presidential Instructions, 96 Ministerial Regulations and 8 other regulations) which will be deregulated. These are spread around 16 ministries/agencies, i.e., Coordinating Ministry for the Economy, Ministry of Industry (MOI), Ministry of Trade (MOT), Ministry of Finance, Ministry of Agriculture, Ministry of Energy and Mineral Resources, Ministry of Agrarian and Spatial Planning, Ministry of the Environment and Forestry, Ministry of Manpower, Ministry of Transportation, Ministry of Public Works and Housing, Ministry of Health, Ministry of Tourism, Ministry of Cooperatives, Small and Medium Enterprises, Capital Investment Coordinating Board and Food and Drug Control Agency.

Most of the regulations (32 regulations) that will be deregulated are in trade sectors under the Ministry of Trade. The deregulation in this sector aims to improve competitiveness in the trade and industrial sectors related to raw materials importation, and

smooth the flow of goods in Indonesia. Related to customs, the deregulation includes tax holidays for certain sectors and elimination of certain requirements for importation.

II. Second Phase of the Economic Policy Package: Following the announcement of the First Phase by President Joko Widodo, the government announced the Second Phase of the Economic Policy Package on 29 September (Second Phase). The Second Phase puts more emphasis on the Government's effort to increase investment by amending and deregulating regulations which would facilitate investment for domestic investment companies (PMDNs) and foreign investment companies (PMAs).

III. Third Phase of the Economic Policy Package: On 7 October 2015, the government issued the Third Phase of the Economic Policy Package to complete the previous two economic policy packages issued (Third Phase). If in the previous two packages, the government focused on amending and deregulating regulations to remove bureaucratization deemed as obstacles for investment, in this package the government focuses on reducing costs for conducting business in Indonesia. Below are the two major elements of this package.

IV. Current Impact: Even though there is no discussion on the change and amendment to the negative list of investment (as some had hoped before), it appears that the Economic Policy Packages issued by the government recently have contributed to giving hope to business actors, thereby increasing positive sentiment, which in turn led to a strengthening of Indonesian Rupiah.

After falling to the lowest point in 17 years, the Indonesian Rupiah started to strengthen at the beginning of October. The currency appreciation was also accompanied by the increase (until the date of this client alert) of the Indonesia's benchmark stock index (Jakarta Composite Index/*Indeks Harga Saham Gabungan/IHSG*).

According to a statement made by Bank Indonesia, besides due to the economy policy packages issued by the government that have boosted positive sentiment in the market, the Indonesian Rupiah's significantly increase and the stock exchange market appreciation were also triggered by external factor, i.e. a confirmation that the US central bank is likely to increase its interest rates next year instead of this year.

For additional information and a full discussion of all the key issues, please see the [Client Alert: Stimulus Packages I to III: What They Changed and Did Not in Customs and Trade and its attachment \(List of Deregulation Plan in Trade and Customs Sectors\)](#) prepared by: [Wimbanu Widyatmoko](#), [Mochamad Fachri](#) or [Riza F. Buditomo](#).

Iran

Parliament and Guardian Council approve implementation of JCPOA

The Iranian news agency, IRNA, [reported](#) that on October 13, 2015, the Iranian Parliament (Majlis) approved implementation of the Joint Comprehensive Plan of Action (JCPOA) that was signed by the P5+1 (China, France, Russia, the United Kingdom, and the United States; plus Germany). The vote was 161 in favor, 59 against and 13 abstentions. IRNA [reported](#) that on October 14, 2015, the Guardian Council approved passage. The agreement is expected to go into effect on October 18.

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

Malaysia

Federal Government Gazette

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

Date	Matter
01-10-15	P.U. (B) 389/2015 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
	P.U. (B) 390/2015 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967
	P.U. (B) 391/2015 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
09-10-15	P.U. (A) 225/2015 Customs (Prohibition of Imports) (Amendment) (No. 6) Order 2015 - Customs Act 1967
	P.U. (A) 226/2015 Customs (Prohibition of Imports) (Amendment) (No. 7) Order 2015 - Customs Act 1967
	P.U. (A) 227/2015 Customs (Prohibition of Exports) (Amendment) (No. 3) Order 2015 - Customs Act 1967
15-10-15	P.U. (B) 402/2015 Notification of Values of Crude Petroleum Oil 2015 Under Section 12 - Customs Act 1967
20-10-15	P.U. (B) 407/2015 Notification of Values of Crude Palm Oil Under Section 12 - Customs Act 1967
	P.U. (B) 408/2015 Notice of Impending Termination of the Imposition of Anti-Dumping Duties on Imports of Polyethylene Terephthalate Originating or Exported From Thailand - Countervailing And Anti-dumping Duties Act 1993
22-10-15	P.U. (A) 251/2015 Customs Duties (Exemption) (Amendment) (No. 3) Order 2015 - Customs Act 1967
28-10-15	P.U. (B) 436/2015 Notification of Values of Crude Petroleum Oil Under Section 12 - Customs Act 1967
	P.U. (B) 437/2015 Notification of Values of Palm Kernel Under Section 12 - Customs Act 1967

Customs rulings

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

New Zealand

Continuation of the controls on the importation of trout and trout products

The importation of trout and trout products has been controlled through a prohibition order made under the [Customs and Excise Act 1996](#) since 1999. The Order prohibits the importation of trout and trout products, except for private consignments of less than 10 kg which are not intended for sale. Importations covered by the Order are prohibited except with the consent of, and subject to such conditions as may be imposed by, the Minister of Conservation.

The current [Customs Import Prohibition \(Trout\) Order 2010](#) expires on 7 November 2015. This prohibition has been continued by way of the [Customs Import Prohibition \(Trout\) Order 2015](#), for up to a further three years. The new Order is effective from 8 November 2015.

Import of coconut milk drinks and coconut milk powders

The Chief Executive of the Ministry for Primary Industries (MPI), has issued a [series of statements](#) made under the *Food Act 2014*, alerting consumers to imported coconut milk drinks and coconut milk powders which contain an undeclared allergen, that being milk and milk products. Additional products may be added as further analytical results become available.

All importers of these products must inform their buyers of the need to remove these listed products from sale.

Importers are being reminded of their obligations under the *Food Act* when importing food to ensure they are safe to consume and meet all legal requirements. Importers of coconut milk drinks and coconut milk powders can contact product manufacturers and request written confirmation on how the presence of allergens are managed, including analytical evidence for products which do not include milk and milk product advisory statements.

This specific issue has highlighted the importance of understanding and putting in place steps to ensure allergen labelling requirements outlined in the *Australia New Zealand Food Standards Code* (the Code) have been met. An importer of a coconut milk drink in Australia has been prosecuted by the New South Wales Food Authority for not meeting Code requirements.

Importers should review [Standard 1.2.3 - Mandatory Warning and Advisory Statements and Declarations of the Code](#) and the [MPI Food Labelling Guide](#) for further information.

New Zealand Gazette

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

Date	Matter
06-10-15	Tariff Concession (Advertisement) Notice No. 2015/33
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 33) 2015
13-10-15	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 34) 2015
20-10-15	Tariff Concession (Advertisement) Notice No. 2015/35
27-10-15	Tariff Concession (Advertisement) Notice No. 2015/36
	Tariff Concession Approvals, Withdrawals and Declines Notice (No. 36) 2015

Singapore

Notices, circulars, etc.

Date	Reference	Matter
19-10-15	Notice 15/2015	Revised Banker's Guarantee/Insurance Bond Templates
23-10-15	Notice 16/2015	Change in Email Address for ATA Carnet Matters

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
01-10-15	Official Letter No. 8960 / TCHQ-VP dated 10.01.2015 on coordination phytosanitary procedures with customs procedures
02-10-15	Decision No. 2932 / QĐ-TCHQ dated 10.02.2015 on recognized gathering place, check merchandise exports, imports at the border economic zone CK Mong Cai, Quang Ninh
05-10-15	Official Letter No. 9065 /TCHQ-GSQL of 05.10.2015 check scrap imports
09-10-15	Official Letter No. 9350 /TCHQ-TXNK 10.09.2015 problems sorting plastics
12-10-15	Official Letter No. 9375 /TCHQ-GSQL 12.10.2015 customs procedures for the processing of donations
14-10-15	Official Letter No. 9537 /TCHQ-TXNK 14.10.2015 Items LED Modules
15-10-15	Official Letter No. 9552 /TCHQ-TXNK 15.10.2015 Handling liquor tax
	Official Letter No. 9576 /TCHQ-TXNK 15.10.2015 Application of the product HS Review
	Official Letter No. 9584 /TCHQ-TXNK 15.10.2015 Classification Propylene Copolymers goods and Polypropylene
16-10-15	Official Letter No. 9596 /TCHQ-TXNK 15.10.2015 Answers to questions about clusters factory frame structure made of iron, steel
	Decision No. 3158 /QĐ-TCHQ dated 16.10.2015 on the Recognition gathering place, inspection of goods exported and imported at the border at international border gates Le Thanh, Gia Lai province
19-10-15	Decision No. 3217 /QĐ-TCHQ dated 10.19.2015 Accreditation temporary gathering place, check the export goods at the border in Muong Cha district and in areas open Entrance A Pa Chai, Dien Bien
	Official Letter No. 9658 /TCHQ-GSQL 19.10.2015 Establishing tax-free shops in the city
21-10-15	Official Letter No. 9719 / TCHQ-TXNK 21.10.2015 Classification of goods
26-10-15	Official Letter No. 9895 /TCHQ-TXNK 26.10.2015 tax on production of exported goods handling
27-10-15	Decision No. 3310 / QĐ-TCHQ dated 27.10.2015 Accreditation gathering place, inspection of goods exports and imports in CK Coc Nam Dong Dang border gate economic district

Europe

European Union and EFTA

Commission publishes the 2016 version of the Combined Nomenclature

On 30 October 2015, the European Commission published in the *Official Journal* the latest version of the Combined Nomenclature (CN) applicable as from 1 January 2016 as [Commission Implementing Regulation \(EU\) No 1101/2014 of 16 October 2014 amending Annex I to Council Regulation \(EEC\) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff](#).

The Combined Nomenclature forms the basis for the declaration of goods (a) at importation or exportation or (b) when subject to intra-Union trade statistics. This determines which rate of customs duty applies and how the goods are treated for statistical purposes. The CN is thus a vital working tool for business and the Member States' customs administrations.

The CN was established by [Council Regulation \(EEC\) No 2658/87](#) on the tariff and statistical nomenclature and on the Common Customs Tariff. It is updated every year and is published as a Commission Implementing Regulation in the *Official Journal of the European Union*, L Series.

Council adopts Decision on a global reporting mechanism on illicit small arms and light weapons

On 23 October 2015, the *Official Journal* published [Council Decision \(CFSP\) 2015/1908 of 22 October 2015 in support of a global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade \('iTrace II'\)](#). The Decision implements Phase II of the European Union's strategy of a global reporting mechanism on illicit small arms and light weapons (SALW) and other illicit conventional weapons and ammunition in order to reduce the risk of their illicit trade and to continue to contribute to the achievement of the goals described in the Decision. The High Representative of the Union for Foreign Affairs and Security Policy (HR) will be responsible for implementing this Decision. The objectives for iTrace II are:

- continuing to maintain and further enhancing an accessible and user-friendly global information-management system on diverted or trafficked SALW and other diverted or trafficked conventional weapons and ammunition ('iTrace') in order to provide policymakers, conventional arms control experts and conventional arms export control officers with relevant information to develop effective, evidence-based strategies and projects against the illicit spread of SALW and of other conventional weapons and ammunition,
- conducting in-field research into SALW and other conventional weapons and ammunition circulating in conflict-affected areas, uploading all collected evidence onto the information-management system, sending formal trace requests to national governments where required, and releasing, when verified (including by formal trace), information publicly on the iTrace system,
- centralising existing policy-relevant documentation on transfers of SALW and of other conventional weapons and ammunition in the global information-management system, including national arms-export reports, country reports to the UN Conventional Arms Register and the UN Programme of Action on the Illicit Trade in SALW, the texts of national, regional and international instruments, and verified reports of illicit SALW and other illicit conventional weapons and ammunition transfers compiled by UN sanctions-monitoring groups, civil-society organisations and the international news media,
- increasing awareness by outreach on the findings of the project, promoting the purpose and available functions of iTrace to international and national policymakers, conventional arms control experts and arms-export licensing authorities, and enhancing international capacity to monitor the illicit spread of SALW and of other conventional weapons and ammunition as well as to assist policymakers in identifying priority areas for international assistance and cooperation and to reduce the risk of diversion of SALW and of other conventional weapons and ammunition. Outreach initiatives will also be designed to coordinate information-sharing and build sustainable partnerships with individuals and organisations capable of generating information that can be uploaded onto the iTrace system,
- providing key policy issue reports, drawn from the data generated by field investigations and presented on the iTrace system, about specific areas deserving international attention, including major trafficking patterns of SALW and other conventional weapons and ammunition, and the regional distribution of trafficked weapons and ammunition.

EU begins to implement the JCPOA

On 18 October 2015, the *Official Journal* published [Council Decision \(CFSP\) 2015/1863 of 18 October 2015 amending Decision 2010/413/CFSP concerning restrictive measures against Iran](#) and [Council Implementing Regulation \(EU\) 2015/1862 of 18 October 2015 implementing Regulation \(EU\) No 267/2012 concerning restrictive measures against Iran](#) as well as [Council Regulation \(EU\) 2015/1861 of 18 October 2015 amending Regulation \(EU\) No 267/2012 concerning restrictive measures against Iran](#). The Council Decision amends Decision 2010/413/CFSP to allow implementation of the Joint Comprehensive Plan of Action (JCPOA) by modifying certain sanctions with respect to Iran and suspending others. It shall apply from the date on which the Council has noted that the Director-General of the International Atomic Energy Agency (IAEA) has presented a report to the IAEA Board of Governors and to the United Nations Security Council which confirms that Iran has taken the measures specified in paragraphs 15.1 to 15.11 of Annex V to the JCPOA. The date of application shall be published on the same day in the *Official Journal of the European Union*. Council Regulation 2015/1861 amends Regulation 267/2012 extensively due to the following:

- On 18 October 2015, the Council adopted Decision (CFSP) 2015/1863 amending Decision 2010/413/CFSP, providing for certain measures in accordance with United Nations Security Council Resolution (UNSCR) 2231 (2015) endorsing the JCPOA on the Iran nuclear issue and providing for actions to take place in accordance with the JCPOA.
- UNSCR 2231 (2015) determines that upon verification by the IAEA of the implementation of Iran's nuclear-related commitments as set out in the JCPOA, the provisions of UNSCRs 1696 (2006), 1737 (2006), 1747 (2007), 1803 (2008), 1835 (2008), 1929 (2010) and 2224 (2015) are to be terminated.
- UNSCR 2231 (2015) further determines that States are to comply with the relevant provisions contained in Annex B to UNSCR 2231 (2015) aimed at promoting transparency and creating an atmosphere conducive to the full implementation of the JCPOA.
- In accordance with the JCPOA, Decision (CFSP) 2015/1863 provides for the termination of all Union nuclear-related economic and financial restrictive measures simultaneously with the IAEA-verified implementation by Iran of the agreed nuclear-related measures. Furthermore, Decision (CFSP) 2015/1863 introduces an authorisation regime for reviewing and deciding on nuclear-related transfers to, or activities with, Iran not covered by UNSCR 2231 (2015) in full consistency with the JCPOA.
- The commitment to lift all Union nuclear-related restrictive measures in accordance with the JCPOA is without prejudice to the dispute-resolution mechanism specified in the JCPOA and to the reintroduction of Union restrictive measures in the event of significant non-performance by Iran of its commitments under the JCPOA.
- In case of reintroduction of Union restrictive measures, adequate protection for the execution of contracts concluded in accordance with the JCPOA while sanctions relief was in force will be provided consistent with previous provisions when sanctions were originally imposed.
- The power to amend the lists in Annexes VIII, IX, XIII and XIV to Regulation (EU) No 267/2012 will be exercised by the Council, in view of the specific threat to international peace and security posed by Iran's nuclear programme, and to ensure consistency with the process for amending and reviewing Annexes I, II, III and IV to Decision 2010/413/CFSP.
- Regulatory action at the level of the Union is necessary in order to implement the measures, in particular with a view to ensuring their uniform application by economic operators in all Member States.

Council Implementing Regulation (EU) 2015/1862 amends Regulation (EU) 267/2012 to suspend the restrictive measures applying to individuals and entities set out in Annexes V and VI to Decision 2010/413/CFSP simultaneously with the IAEA-verified implementation by Iran of agreed nuclear-related measures. These individuals and entities are to be removed from the list of persons and entities subject to restrictive measures set out in Annexes VIII and IX to Regulation (EU) No 267/2012 simultaneously with the IAEA-verified implementation by Iran of agreed nuclear-related measures.

On 18 October 2015, the *Official Journal* also published a [Council Declaration \(2015/C 345/01\)](#) that states:

The Council notes that the commitment to lift all EU nuclear-related sanctions in accordance with the Joint Comprehensive Plan of Action (JCPOA) is without prejudice to the dispute resolution mechanism specified in the JCPOA and to the reintroduction of EU sanctions in case of significant non-performance by Iran of its commitments under the JCPOA.

The Council commits to reintroduce without delay all EU nuclear-related sanctions that have been suspended and/or terminated in case of significant non-performance by Iran of its commitments under the JCPOA upon joint recommendation to the Council by the High Representative of the European Union for Foreign Affairs and Security Policy, France, Germany and the United Kingdom.

For updates, please check our [Sanctions blog](#).

EFTA and Malaysia hold fifth round of EPA negotiations

On 10 October 2015, the European Free Trade Association (EFTA) [announced](#) that Delegations from the EFTA States (Iceland, Liechtenstein, Norway, and Switzerland) and Malaysia met for a fifth round of negotiations on an Economic Partnership Agreement from 6 to 9 October 2015 in Oslo. A sixth round is planned for spring 2016 in Malaysia.

In the latest round expert groups discussed text proposals in the following areas: trade in goods including market access, investment, rules of origin, trade facilitation, technical barriers to trade, sanitary and phytosanitary measures, trade remedies, and trade and sustainable development. The Parties also exchanged views on the government procurement regime in the respective EFTA States and Malaysia. Further expert meetings are planned for services, competition, legal and horizontal issues, intellectual property rights and rules of origin.

EU lifts travel ban and financial measures in relation to Liberia

On 6 October 2015, the *Official Journal* published [Council Decision \(CFSP\) 2015/1782 of 5 October 2015 repealing Common Position 2004/487/CFSP concerning further restrictive measures in relation to Liberia and amending Common Position 2008/109/CFSP concerning restrictive measures imposed against Liberia and Council Regulation \(EU\) 2015/1776 of 5 October 2015 repealing Regulation \(EC\) No 872/2004 concerning further restrictive measures in relation to Liberia](#). The documents implement United Nations Security Council Resolution (UNSCR) 2237 (2015) with regard to Liberia, terminating the travel and financial measures set out in paragraph 4 of UNSCR 1521 (2003) and paragraph 1 of UNSCR 1532 (2004) and renewing the arms embargo with regard to all non-governmental entities and individuals operating in the territory of Liberia until 2 June 2016. The Decision repeals Common Position 2004/487/CFSP, which had provided for certain financial measures and amends Common Position 2008/109/CFSP by deleting one article and renumbering two other articles. The Regulation repeals Council Regulation

(EC) No 872/2004 which provided for the freezing of funds and economic resources of the natural and legal persons, bodies and entities listed in the Annex to that Regulation.

Council exempts European space industry from certain Ukraine sanctions

On 2 October 2015, the *Official Journal* published [Council Decision \(CFSP\) 2015/1764 of 1 October 2015 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine](#). The Council considers that the restrictive measures in Decision 2014/512/CFSP should not affect the European space industry, and therefore, certain operations concerning specific pyrotechnics referred to in the Common Military List of the European Union, necessary for the use of launchers operated by launch service providers of Member States or established in a Member State, or for the use of launches of space programmes of the Union, its Member States or of the European Space Agency, or for the fuelling of satellites by satellites manufacturers established in a Member State, will be permitted. Accordingly Council Decision 2015/1764 amends Decision 2014/512/CFSP as follows:

in Article 2, the following paragraphs are added:

'5. The prohibitions in paragraphs 1 and 3 shall not apply to:

(a) the sale, supply, transfer or export and to the import, purchase or transport of hydrazine (CAS 302-01-2) in concentrations of 70 per cent or more;

(b) the import, purchase or transport of unsymmetrical dimethyl hydrazine (CAS 57-14-7);

(c) the sale, supply, transfer or export and to the import, purchase or transport of monomethyl hydrazine (CAS 60-34-4);

for use of launchers operated by European launch service providers, or for the use of launches of European space programmes, or for the fuelling of satellites by European satellites manufacturers.

The amount of any export of hydrazine shall be calculated in accordance with the launch or launches or the satellites for which it is made and shall not exceed a total quantity of 800 kg for each individual launch or satellite. The amount of any export of monomethyl hydrazine shall be calculated in accordance with the launch or launches or the satellites for which it is made.

6. The prohibitions in paragraph 2 shall not apply to the provision of technical assistance, brokering services or other services, and to the provision of financing or financial assistance, related to the operations referred to in points (a), (b) and (c) of paragraph 5.

7. The operations referred to in points (a), (b) and (c) of paragraph 5 and in paragraph 6 shall be subject to prior authorisation by the competent authorities of the Member States. Member States shall duly inform the Council in all cases where they grant an authorisation. The information shall include the details of the amounts transferred and of the end-use.;

(2) in Article 9(1) the following subparagraph is added:

'Article 2(6) shall apply from 9 October 2015.'

Asset freeze and travel restrictions imposed with respect to situation in Burundi

On 2 October 2015, the *Official Journal* published [Council Decision \(CFSP\) 2015/1763 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi](#) which imposes until 3 October 2016, subject to certain exceptions, a travel ban on natural persons and an asset freeze on natural or legal per-

sons, entities or bodies undermining democracy or obstructing the search for a political solution in Burundi, including by acts of violence, repression or inciting violence; involved in planning, directing, or committing acts that violate international human rights law or international humanitarian law, as applicable, or that constitute serious human rights abuses, in Burundi; and persons associated with those referred to in the preceding points.

On the same day, the *Official Journal* published [Council Regulation \(EU\) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi](#) to implement the above Decision. In addition to providing in-depth regulations (including definitions), Annex I of the Regulation lists four individuals to whom the restrictions will apply.

The Regulation applies:

- within the territory of the Union, including its airspace;
- on board of any aircraft or any vessel under the jurisdiction of a Member State;
- to any natural person inside or outside the territory of the Union who is a national of a Member State;
- to any legal person, entity or body, inside or outside the territory of the Union, which is incorporated or constituted under the law of a Member State;
- to any legal person, entity or body in respect of any business done in whole or in part within the Union.

Commission post requests for duty suspensions and deadline for objections

On 1 October 2015, the *Official Journal* published a [Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products](#) (2015/C 323/06). The notice indicates that the Commission has received requests in accordance with the administrative arrangements foreseen in the Commission Communication concerning autonomous tariff suspensions and quotas ([2011/C 363/02](#)) for the July round of 2016. The list of the products for which a duty suspension is requested is now available on the [Commission's thematic \(Europa\) website on the customs union](#).

The notice also informs economic operators that the deadline for objections against new requests to reach the Commission, via the national administrations, is 11 December 2015 which is the date of the second scheduled meeting of the Economic Tariff Questions Group. Interested operators are advised to consult the list regularly in order to be informed on the status of the requests.

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

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.

Commission notification of WCO HSC EN amendments and Classification opinions

On 16 October 2015, the *Official Journal* published a [Communication](#) in accordance with Article 12(5)(a) of Council Regulation (EEC) No 2913/92, on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature (2015/C 341/01).

Binding Tariff Information ceases to be valid from this day if it becomes incompatible with the interpretation of the customs nomenclature as a result of the following international tariff measures:

AMENDMENTS TO THE EXPLANATORY NOTES TO BE DONE UNDER ARTICLE 8 PROCEDURE OF THE HS CONVENTION AND CLASSIFICATION OPINIONS EDITED BY THE HS COMMITTEE OF THE WORLD CUSTOMS ORGANIZATION

(55TH SESSION OF THE HSC IN MARCH 2015 - DOC. NC2116)

AMENDMENTS OF THE EXPLANATORY NOTES OF THE NOMENCLATURE ANNEXED TO THE HS CONVENTION

29.30	R/8
25.01	R/25
30.02	R/9
33.07	R/25
35.06	R/10
Chapter 39 General — Annex	R/10
61.10	R/24

CLASSIFICATION OPINIONS APPROVED BY THE HS COMMITTEE

1511.90/1-2	R/11
1904.10/1	R/12
2007.99/1	R/13
2106.90/30-31	R/14
2309.90/7	R/15
3701.30/1	R/16
6102.30/1	R/17
6210.50/1	R/17
6307.90/6	R/18
8528.51/5	R/19
8541.40/1	R/20
8704.21/3	R/21
8711.50/1	R/22
9019.10/2	R/23

Information regarding the contents of these measures can be obtained from the Directorate-General for Taxation and Customs Union of the European Commission (rue de la Loi/Wetstraat 200, 1049 Brussels, Belgium) or can be downloaded from the [internet site of this Directorate-General](#).

Binding Tariff Information

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

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

Official Journal documents

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

OJ Date	Subject
01-10-15	Commission Implementing Regulation (EU) 2015/1746 of 30 September 2015 amending Implementing Regulation (EU) No 750/2014 by extending the period of application of the protection measures in relation to porcine epidemic diarrhoea
	Commission Implementing Regulation (EU) 2015/1747 of 30 September 2015 correcting the Annex to Regulation (EU) No 26/2011 concerning the authorisation of vitamin E as a feed additive for all animal species
	Commission Implementing Decision (EU) 2015/1751 of 29 September 2015 on the terms and conditions of the authorisation of a biocidal product containing bromadiolone referred by the United Kingdom in accordance with Article 36 of Regulation (EU) No 528/2012 of the European Parliament and of the Council (notified under document C(2015) 6516)
	Commission Implementing Decision (EU) 2015/1752 of 29 September 2015 amending Implementing Decision 2013/426/EU on measures to prevent the introduction into the Union of the African swine fever virus from certain third countries or parts of the territory of third countries in which the presence of that disease is confirmed and repealing Decision 2011/78/EU (notified under document C(2015) 6519)
	Notice to economic operators — New round of requests for the suspension of the autonomous Common Customs Tariff duties on certain industrial and agricultural products [2015/C 323/6]
02-10-15	Commission Implementing Regulation (EU) 2015/1757 of 28 September 2015 approving folpet as an active substance for use in biocidal products for product-type 6
	Commission Implementing Regulation (EU) 2015/1758 of 28 September 2015 approving folpet as an existing active substance for use in biocidal products for product-types 7 and 9
	Commission Implementing Regulation (EU) 2015/1759 of 28 September 2015 approving glutaraldehyde as an existing active substance for use in biocidal products for product-types 2, 3, 4, 6, 11 and 12
	Commission Regulation (EU) 2015/1760 of 1 October 2015 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 the flavouring substance <i>p</i>-mentha-1,8-dien-7-al
	Commission Implementing Decision (EU) 2015/1783 of 1 October 2015 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States, as regards the entries for Estonia (notified under document C(2015) 6643)

OJ Date	Subject
	Commission Implementing Decision (EU) 2015/1784 of 2 October 2015 amending Annex II to Decision 2003/467/EC as regards the declaration of the region of Northern Ireland of the United Kingdom as officially brucellosis-free as regards bovine herds (notified under document C(2015) 6630)
07-10-15	Commission Directive (EU) 2015/1787 of 6 October 2015 amending Annexes II and III to Council Directive 98/83/EC on the quality of water intended for human consumption Regulation (EU) 2015/1775 of the European Parliament and of the Council of 6 October 2015 amending Regulation (EC) No 1007/2009 on trade in seal products and repealing Commission Regulation (EU) No 737/2010
09-10-15	Decision No 1/2015 of the EU-Republic of Moldova Trade and Sustainable Development Sub-Committee of 7 July 2015 adopting the rules of procedure of the Trade and Sustainable Development Sub-Committee [2015/1818] Decision No 2/2015 of the EU-Republic of Moldova Trade and Sustainable Development Sub-Committee of 7 July 2015 adopting the list of experts on Trade and Sustainable Development in accordance with Article 379(3) of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part [2015/1819] Commission communication in the framework of the implementation of the Directive 2001/95/EC of the European Parliament and of the Council of 3 December 2001 on general product safety (Publication of titles and references of European standards under the directive). [2015/C 335/1] Commission communication in the framework of the implementation of Directive 94/9/EC of the European Parliament and of the Council of 23 March 1994 on the approximation of the laws of the Member States concerning equipment and protective systems intended for use in potentially explosive atmospheres (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2015/C 335/2]
10-10-15	Commission Implementing Regulation (EU) 2015/1820 of 9 October 2015 amending Regulation (EU) No 37/2010 as regards the substance 'Diethylene glycol monoethyl ether'
13-10-15	Commission Delegated Regulation (EU) 2015/1829 of 23 April 2015 supplementing Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in third countries Commission Delegated Regulation (EU) 2015/1830 of 8 July 2015 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis Commission Implementing Regulation (EU) 2015/1831 of 7 October 2015 laying down rules for application of Regulation (EU) No 1144/2014 of the European Parliament and of the Council on information provision and promotion measures concerning agricultural products implemented in the internal market and in the third countries Commission Regulation (EU) 2015/1832 of 12 October 2015 amending Annex II to Regulation (EC) No 1333/2008 of the European Parliament and of the Council as regards the use of Erythritol (E 968) as a flavour enhancer in energy-reduced or with no added sugars flavoured drinks Commission Implementing Regulation (EU) 2015/1833 of 12 October 2015 amending Regulation (EEC) No 2568/91 on the characteristics of olive oil and olive-residue oil and on the relevant methods of analysis Council Decision (CFSP) 2015/1838 of 12 October 2015 amending Decision 2013/391/CFSP in support of the practical implementation of United Nations Security Council Resolution 1540 (2004) on non-proliferation of weapons of mass destruction and their means of delivery Council Decision (CFSP) 2015/1837 of 12 October 2015 on Union support for the activities of the Preparatory Commission of the Comprehensive Nuclear-Test-Ban Treaty Organisation (CTBTO) in order to strengthen its monitoring and verification capabilities and in the framework of the implementation of the EU Strategy against Proliferation of Weapons of Mass Destruction
14-10-15	Commission Implementing Decision (EU) 2015/1842 of 9 October 2015 on the

OJ Date	Subject
	technical specifications for the layout, design and shape of the combined health warnings for tobacco products for smoking (notified under document C(2015) 6729)
15-10-15	Commission Delegated Regulation (EU) 2015/1844 of 13 July 2015 amending Regulation (EU) No 389/2013 as regards the technical implementation of the Kyoto Protocol after 2012
	Commission Implementing Decision (EU) 2015/1849 of 13 October 2015 on measures to prevent the introduction into and the spread within the Union of harmful organisms as regards certain vegetables originating in Ghana (notified under document C(2015) 6858)
16-10-15	Commission Implementing Regulation (EU) 2015/1850 of 13 October 2015 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products
	Council Decision (EU) 2015/1855 of 13 October 2015 establishing the position to be taken on behalf of the European Union within the Council for Trade-Related Aspects of Intellectual Property Rights and the General Council of the World Trade Organisation as regards the request from least-developed country Members for an extension of the transitional period under paragraph 1 of Article 66 of the Agreement on Trade-Related Aspects of Intellectual Property Rights concerning certain obligations related to pharmaceutical products, and for a waiver of the obligations under paragraphs 8 and 9 of Article 70 of that Agreement
	Regulation (EU) 2015/1843 of the European Parliament and of the Council of 6 October 2015 laying down Union procedures in the field of the common commercial policy in order to ensure the exercise of the Union's rights under international trade rules, in particular those established under the auspices of the World Trade Organization
	Corrigendum to Regulation (EU) No 978/2012 of the European Parliament and of the Council of 25 October 2012 applying a scheme of generalised tariff preferences and repealing Council Regulation (EC) No 732/2008 (OJ L 303, 31.10.2012)
	Corrigendum to Regulation (EC) No 1073/2009 of the European Parliament and of the Council of 21 October 2009 on common rules for access to the international market for coach and bus services, and amending Regulation (EC) No 561/2006 (OJ L 300, 14.11.2009)
	Communication in accordance with Article 12(5)(a) of Council Regulation (EEC) No 2913/92, on the information provided by the customs authorities of the Member States concerning the classification of goods in the customs nomenclature [2015/C 341/1]
	Update of the list of border crossing points referred to in Article 2(8) of Regulation (EC) No 562/2006 of the European Parliament and of the Council establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2015/C 341/9]
20-10-15	Commission Implementing Regulation (EU) 2015/1866 of 13 October 2015 laying down detailed rules for the implementation of Regulation (EU) No 511/2014 of the European Parliament and of the Council as regards the register of collections, monitoring user compliance and best practices [relates to Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization]
	Council Implementing Decision (EU) 2015/1873 of 8 October 2015 on subjecting 4-methyl-5-(4-methylphenyl)-4,5-dihydrooxazol-2-amine (4,4'-DMAR) and 1-cyclohexyl-4-(1,2-diphenylethyl)piperazine (MT-45) to control measures
	Council Implementing Decision (EU) 2015/1874 of 8 October 2015 on subjecting 4-methylamphetamine to control measures
	Council Implementing Decision (EU) 2015/1875 of 8 October 2015 on subjecting 4-iodo-2,5-dimethoxy-N-(2-methoxybenzyl)phenethylamine (25I-NBOMe), 3,4-dichloro-N-[[1-(dimethylamino)cyclohexyl]methyl]benzamide (AH-7921), 3,4-methylenedioxypropylvalerone (MDPV) and 2-(3-methoxyphenyl)-2-(ethylamino)cyclohexanone (methoxetamine) to control measures
	Council Implementing Decision (EU) 2015/1876 of 8 October 2015 on subjecting 5-(2-aminopropyl)indole to control measures

OJ Date	Subject
21-10-15	<p>Council Decision (EU) 2015/1878 of 8 October 2015 authorising the Kingdom of Belgium and the Republic of Poland, respectively, to ratify, and the Republic of Austria to accede to the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI)</p> <ul style="list-style-type: none"> • Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI)
	<p>Commission Implementing Regulation (EU) 2015/1884 of 20 October 2015 amending Annex I to Regulation (EC) No 798/2008 as regards the entries for Canada and the United States in the list of third countries, territories, zones or compartments from which poultry and poultry products may be imported into or transit through the Union in relation to highly pathogenic avian influenza outbreaks in these countries</p>
	<p>Commission Implementing Regulation (EU) 2015/1885 of 20 October 2015 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances 2,4-D, acibenzolar-s-methyl, amitrole, bentazone, cyhalofop butyl, diquat, esfenvalerate, famoxadone, flumioxazine, DPX KE 459 (flupyrsulfuron-methyl), glyphosate, iprovalicarb, isoproturon, lambda-cyhalothrin, metalaxyl-M, metsulfuron methyl, picolinafen, prosulfuron, pymetrozine, pyraflufen-ethyl, thiabendazole, thifensulfuron-methyl and triasulfuron</p>
	<p>Commission Regulation (EU) 2015/1886 of 20 October 2015 refusing to authorise certain health claims made on foods and referring to children's development and health</p>
22-10-15	<p>Commission Regulation (EU) 2015/1898 of 21 October 2015 refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health</p>
	<p>Council Decision (EU) 2015/1900 of 5 October 2015 establishing the position to be taken on behalf of the European Union within the Stabilisation and Association Council established by the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, concerning a Decision of the Stabilisation and Association Council adopting its rules of procedure</p>
	<p>Commission Implementing Decision (EU) 2015/1901 of 20 October 2015 laying down certification rules and a model health certificate for importation into the Union of consignments of live animals and of animal products from New Zealand and repealing Decision 2003/56/EC (notified under document C(2015) 7013)</p>
	<p>Corrigendum to Commission Implementing Regulation (EU) No 140/2014 of 13 February 2014 approving the active substance spinetoram, 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 (OJ L 44, 14.2.2014)</p>
	<p>Corrigendum to Commission Implementing Regulation (EU) No 447/2014 of 2 May 2014 on the specific rules for implementing Regulation (EU) No 231/2014 of the European Parliament and of the Council establishing an Instrument for Pre-accession assistance (IPA II) (OJ L 132, 3.5.2014)</p>
	<p>Corrigendum to Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (OJ L 190, 12.7.2006)</p>
23-10-15	<p>Commission Regulation (EU) 2015/1905 of 22 October 2015 amending Annex II to Regulation (EC) No 183/2005 of the European Parliament and of the Council as regards the dioxin testing of oils, fats and products derived thereof</p>
	<p>Commission Regulation (EU) 2015/1906 of 22 October 2015 amending Regulation (EC) No 282/2008 on recycled plastic materials and articles intended to come into contact with foods</p>
	<p>Council Decision (CFSP) 2015/1908 of 22 October 2015 in support of a global reporting mechanism on illicit small arms and light weapons and other illicit conventional weapons and ammunition to reduce the risk of their illicit trade ('iTrace II')</p>
	<p>Corrigendum to Information concerning the signature of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European</p>

OJ Date	Subject
	<p>Community and its Member States, of the one part, and Tunisia, of the other part, on a Framework Agreement between the European Union and Tunisia on the general principles for the participation of Tunisia in Union programmes (OJ L 104, 23.4.2015)</p> <p>Council Decision (EU) 2015/1891 of 1 October 2015 on the conclusion, on behalf of the European Union and its Member States, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of 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</p> <p>Council Decision (EU) 2015/1892 of 18 February 2014 approving the conclusion, by the European Commission, on behalf of the European Atomic Energy Community, of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and 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</p>
24-10-15	<p>Information concerning the signature of the Protocol to the Euro-Mediterranean Agreement establishing an association between the European Communities and their Member States, of the one part, and Republic of Tunisia, of the other part, to take account of the accession of the Republic of Bulgaria and Romania to the European Union</p> <p>Commission Regulation (EU) 2015/1910 of 21 October 2015 amending Annexes III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for quazatine in or on certain products</p> <p>Commission Implementing Decision (EU) 2015/1918 of 22 October 2015 establishing the Administrative Assistance and Cooperation system ('AAC system') pursuant to Regulation (EC) No 882/2004 of the European Parliament and of the Council on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules (notified under document C(2015) 7132)</p> <p>Corrigendum to Commission Regulation (EU) 2015/845 of 27 May 2015 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 azoxystrobin, chlorantraniliprole, cyantraniliprole, dicamba, difenoconazole, fenpyroximate, fludioxonil, glufosinate-ammonium, imazapic, imazapyr, indoxacarb, isoxaflutole, mandipropamid, penthiopyrad, propiconazole, pyrimethanil, spirotetramat and trinexapac in or on certain products (OJ L 138, 4.6.2015)</p>
27-10-15	<p>Commission Decision of 26 October 2015 recognising the Department of Environment, Government of Nunavut in accordance with Article 3 of Commission Implementing Regulation (EU) 2015/1850 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products [2015/C 355/4]</p> <p>Commission Decision of 26 October 2015 recognising the Greenland Department of Fisheries, Hunting and Agriculture (APNN) in accordance with Article 3 of Commission Implementing Regulation (EU) 2015/1850 laying down detailed rules for the implementation of Regulation (EC) No 1007/2009 of the European Parliament and of the Council on trade in seal products [2015/C 355/5]</p>
28-10-15	<p>Commission Implementing Regulation (EU) 2015/1932 of 26 October 2015 suspending submission of applications for import licences under the tariff quota opened by Regulation (EC) No 1918/2006 for olive oil originating in Tunisia until the end of the 2015 quota year</p> <p>Commission Regulation (EU) 2015/1933 of 27 October 2015 amending Regulation (EC) No 1881/2006 as regards maximum levels for polycyclic aromatic hydrocarbons in cocoa fibre, banana chips, food supplements, dried herbs and dried spices</p> <p>Communication from the Commission on the termination of the restriction process on cadmium in artists' paints under Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) [2015/C 356/1]</p>
29-10-15	<p>Commission Regulation (EU) 2015/1940 of 28 October 2015 amending Regula-</p>

OJ Date	Subject
	tion (EC) No 1881/2006 as regards maximum levels of ergot sclerotia in certain unprocessed cereals and the provisions on monitoring and reporting Council Decision (EU) 2015/1942 of 26 October 2015 establishing the position to be taken on behalf of the European Union within the General Council of the World Trade Organisation on the United States' request for a WTO waiver to extend the AGOA programme Commission Implementing Decision (EU) 2015/1943 of 27 October 2015 amending Implementing Decision 2014/909/EU by extending the period of application of the protective measures in relation to the small hive beetle in Italy (notified under document C(2015) 7330)
30-10-15	Commission Implementing Regulation (EU) No 1101/2014 of 16 October 2014 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff Council Decision (EU) 2015/1947 of 1 October 2015 on the conclusion, on behalf of the European Union, of the Protocol Amending the Marrakesh Agreement establishing the World Trade Organisation <ul style="list-style-type: none"> Protocol amending the Marrakesh Agreement establishing the World Trade Organization Commission Implementing Regulation (EU) 2015/1951 of 28 October 2015 amending Regulation (EC) No 1484/95 as regards fixing representative prices in the poultrymeat and egg sectors and for egg albumin Commission Delegated Decision (EU) 2015/1958 of 1 July 2015 on the applicable systems to assess and verify constancy of performance of geosynthetics and related products pursuant to Regulation (EU) No 305/2011 of the European Parliament and of the Council Commission Delegated Decision (EU) 2015/1959 of 1 July 2015 on the applicable systems to assess and verify constancy of performance of wastewater engineering products pursuant to Regulation (EU) No 305/2011 of the European Parliament and of the Council Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 September 2015 to 30 September 2015 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2015/C 361/1]

Restrictive measures established, amended, corrected or repealed

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

OJ Date	Restrictive Measure
02-10-15	Council Decision (CFSP) 2015/1763 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi Council Regulation (EU) 2015/1755 of 1 October 2015 concerning restrictive measures in view of the situation in Burundi Council Decision (CFSP) 2015/1764 of 1 October 2015 amending Decision 2014/512/CFSP concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
06-10-15	Council Decision (CFSP) 2015/1782 of 5 October 2015 repealing Common Position 2004/487/CFSP concerning further restrictive measures in relation to Liberia and amending Common Position 2008/109/CFSP concerning restrictive measures imposed against Liberia Council Regulation (EU) 2015/1776 of 5 October 2015 repealing Regulation (EC) No 872/2004 concerning further restrictive measures in relation to Liberia Council Decision (CFSP) 2015/1781 of 5 October 2015 amending Decision 2014/119/CFSP concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine Council Implementing Regulation (EU) 2015/1777 of 5 October 2015 implementing Regulation (EU) No 208/2014 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Ukraine

OJ Date	Restrictive Measure
08-10-15	Council Regulation (EU) 2015/1797 of 7 October 2015 amending Regulation (EU) No 833/2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine
09-10-15	Commission Implementing Regulation (EU) 2015/1815 of 8 October 2015 amending for the 238th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al-Qaida network
13-10-15	Council Decision (CFSP) 2015/1836 of 12 October 2015 amending Decision 2013/255/CFSP concerning restrictive measures against Syria
	Council Regulation (EU) 2015/1828 of 12 October 2015 amending Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria
	Council Decision (CFSP) 2015/1863 of 18 October 2015 amending Decision 2010/413/CFSP concerning restrictive measures against Iran
18-10-15	Council Regulation (EU) 2015/1861 of 18 October 2015 amending Regulation (EU) No 267/2012 concerning restrictive measures against Iran
	Council Implementing Regulation (EU) 2015/1862 of 18 October 2015 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran
	Council Declaration (2015/C 345/01) [on reintroduction of nuclear-related sanctions]
20-10-15	Corrigendum to Council Implementing Regulation (EU) No 961/2014 of 8 September 2014 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 271, 12.9.2014)
	Corrigendum to Council Decision 2014/658/CFSP of 8 September 2014 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 271, 12.9.2014)
24-10-15	Corrigendum to Council Implementing Regulation (EU) 2015/1514 of 14 September 2015 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 239, 15.9.2015)
	Corrigendum to Council Decision (CFSP) 2015/1524 of 14 September 2015 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 239, 15.9.2015)
27-10-15	Council Decision (CFSP) 2015/1924 of 26 October 2015 amending Decision 2011/101/CFSP concerning restrictive measures against Zimbabwe
	Council Regulation (EU) 2015/1919 of 26 October 2015 amending Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe
	Commission Implementing Regulation (EU) 2015/1921 of 26 October 2015 amending Council Regulation (EC) No 314/2004 concerning certain restrictive measures in respect of Zimbabwe
	Council Implementing Decision (CFSP) 2015/1927 of 26 October 2015 implementing Decision 2014/932/CFSP concerning restrictive measures in view of the situation in Yemen
	Council Implementing Regulation (EU) 2015/1920 of 26 October 2015 implementing Regulation (EU) No 1352/2014 concerning restrictive measures in view of the situation in Yemen
	Council Decision (CFSP) 2015/1923 of 26 October 2015 amending Decision 2010/638/CFSP concerning restrictive measures against the Republic of Guinea
	Council Decision (CFSP) 2015/1925 of 26 October 2015 amending Decision 2010/573/CFSP concerning restrictive measures against the leadership of the Transnistrian region of the Republic of Moldova
30-10-15	Council Decision (CFSP) 2015/1957 of 29 October 2015 amending Decision 2012/642/CFSP concerning restrictive measures against Belarus
	Council Implementing Regulation (EU) 2015/1949 of 29 October 2015 implementing Article 8a(1) of Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus

OJ Date	Restrictive Measure
	Council Regulation (EU) 2015/1948 of 29 October 2015 amending Regulation (EC) No 765/2006 concerning restrictive measures in respect of Belarus

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
01-10-15	No 7086, 15-053 Products whose conditions of use qualify them for the application of preferential tax regime established by Article 265 of the Customs Code
08-10-15	2015/45-Notice to importers of oxalic acid originating in China
14-10-15	2015/46-Notice to importers of certain son of stainless steel from India
15-10-15	2015/47-Notice to importers of wire rod originating in China
19-10-15	2015/48-Notice to importers of fiberglass open mesh fabrics in the EU from GSP beneficiary countries belonging to regional cumulation groups I and III
29-10-15	2015/49-Notice to importers of certain tube and pipe fittings of iron or steel originating in China

Switzerland

Switzerland to follow UN and EU in lifting nuclear-related economic and financial sanctions on Implementation Day

On 21 October 2015 the Federal Council of Switzerland announced that it would also ease its sanctions measures on Implementation Day, in line with the UN and the EU.

The Federal Council declared that it welcomed the formal adoption of the JCPOA on 18 October 2015 and the publication of EU and US legislation needed to lift nuclear-related economic and financial sanctions against Iran, noting that this further easing of sanctions would open new prospects for cooperation with Iran.

For its part, the Swiss Federal Department of Economic Affairs, Education and Research (EAER) was instructed to prepare the necessary modifications to the *Ordinance on Measures Against the Islamic Republic of Iran* (RS 946.231.143.6). Swiss sanctions currently in place against Iran will remain in place until Implementation Day.

The announcement from the Swiss Confederation can be found [here](#) (available in German, French, and Italian).

For additional information, please contact [Philippe M. Reich](#) of our Zurich office. Check the [Sanctions blog](#) for further updates.

China and Switzerland agree on direct transport documentation

[Circular D30, updated on 1 October 2015](#) announced that China and Switzerland have found a solution to providing proof of direct transport from Switzerland to China for a large proportion of export consignments under the *Switzerland-China Free Trade Agreement* which entered into force on 1 July 2014. Due to differing interpretations, problems were encountered when applying the direct transport regulations in accordance with Article 3.13 of the main Agreement. Several expert meetings took place to alleviate the problem for Swiss exporters.

For consignments which are transported only by air freight and are covered by an air waybill for the entire journey from Switzerland to China, the air waybill will be recognised as proof of direct transport. In the case of consignments other than air freight only, with origin declarations (only approved exporters), the following documents may be submitted as proof of direct transport:

Commercial document with the origin declaration, supplemented with the following information:

- precise transport route between Switzerland and China and
- number(s) of the Swiss export customs declaration(s).

This document must be identical to the document transmitted via EACN (approved exporter data exchange with China).

In the case of transport via the EU: additionally a copy of the T1 form or a copy of the CIM Consignment Note is required (conditions in case of the CIM Consignment Note: it is issued in Switzerland and the case in box 58 b) is marked with a cross).

For consignments with EUR. 1 movement certificates, the wording of Article 3.13 continues to apply, which leaves it to the customs administration of the importing contracting party to decide whether or not the conditions have been fulfilled and which documents have to be submitted.

These rules were effective immediately.

United Kingdom

HMRC updates

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

Release Date	Ref. No. and Subject
08-10-15	CIP 35 (2015): checking your goods meet the appropriate preferential origin rules
13-10-15	CIP 36 (2015): checks an importer should make on origin before claiming preference
14-10-15	CIP 37 (2015): Economic Operator Registration and Identification numbers for temporary exhibition imports
	CIP 38 (2015): Low Value Bulking of Imports reauthorisation requirements
23-10-15	CIP 39 (2015): implementation of the Union Customs Code
26-10-15	CIP 40 (2015): Transfer of Residence - implementation of Article 123 of EC Regulation 1186/2009
29-10-15	CIP 42 (2015): Authorised Economic Operators and the impact of the Union Customs Code

ECO Updates and Amends 23 OGELs

On 8 October 2015, the UK's Export Control Organisation (ECO) updated and amended 23 Open General Export Licences (OGELs). Full details of the updates are available [here](#).

OGELs are pre-published licences which can be applied for through SPIRE, the ECO's licensing database. Users of OGELs must state where they will keep records of the exports or transfers, and where the ECO may inspect these records. OGELs are limited to certain low-risk destinations, and generally license less restrictive controlled military or dual-use goods.

The new OGELs will come into effect on 19 October 2015. The existing licences will remain in force until 23.59 on 18 October, but they have now been removed from the gov.uk website. As part of this update, the *OGEL (international non-proliferation regime decontrols: military items)* has been permanently revoked.

Amendments to the OGELs are not uniform, but common changes include:

- The Ministry of Defence clarifying security requirements in areas such as sub-contracting and collaboration activity;
- Changes to ratings codes ML8 and PL5001, following the update of Schedule 2 of the Export Control Order 2008, which entered into force on 24 March 2015 via the [Export Control \(Amendment\) Order 2015](#);
- South Sudan or South Korea being added as an authorised destination on certain OGELs; and
- Pre-visit questionnaire ("PVQ") clauses being added, meaning that in certain circumstances the ECO can require an exporter to complete and return a PVQ prior to any audit of its records.

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
08-10-15	Notice to Exporters 2015/25: 23 open licences updated and 1 revoked
06-10-15	BIS/15/225 Open general export licence (military goods, software and technology)
	BIS/15/226 Open general export licence (exports of non-lethal military and dual-use goods: to UK diplomatic missions or consular posts)
	BIS/15/227 Open general export licence (export for repair/replacement under warranty: military goods)
	BIS/15/228 Open general export licence (software and source code for military goods)
	BIS/15/229 Open general export licence (export for exhibition: military goods)
	BIS/15/230 Open general export licence: export under the US-UK defence trade co-operation treaty
	BIS/15/231 Open general export licence (military goods: for demonstration)
	BIS/15/232 Open general export licence (certified companies)
	BIS/15/233 Open general export licence (export after repair/replacement under warranty: military goods)
	BIS/15/234 Open general export licence: exports in support of Joint Strike Fighter (F-35 Lightning II)
	BIS/15/235 Open general export licence (military goods, software and technology: government or NATO end use)
	BIS/15/236 Open general export licence (military goods: collaborative Project

Date	Notice No. and Subject
	Typhoon
	BIS/15/237 Open general export licence (military components)
	BIS/15/238 Open general export licence (military and dual-use goods: UK force deployed in embargoed destinations)
	BIS/15/239 Open general export licence (military goods: A400M collaborative programme)
	BIS/15/240 Open general export licence (export after exhibition or demonstration: military goods)
	BIS/15/241 Open general export licence (technology for military goods)
	BIS/15/242 Open general export licence (military surplus vehicles)
	BIS/15/244 Open general export licence (military and dual-use goods: UK forces deployed in non-embargoed destinations)
	BIS/15/246 Open general licence (Iraq)
07-10-15	BIS: Iran List: WMD end-use control Update (5 Oct. 2015)
08-10-15	BIS/15/574 Open general export licence (access overseas to software and technology for military goods: individual use only)
	BIS/15/575 Open general export licence (historic military goods)
	BIS/15/576 Open general export licence (exports or transfers in support of UK Government defence contracts)
12-10-15	BIS: Guidance - Export control: licensing performance dashboard
13-10-15	BIS/15/578 WEEE compliance fee methodology 2015
	WEEE compliance fee methodology: proposals received
14-10-15	BIS/15/P97B Export control training bulletin, July to December 2015
28-10-15	BIS/15/P97C Export control training bulletin, January to June 2016
30-10-15	BIS/14/1284 EU Sanctions against Russia: further information
	Notice to Exporters 2015/26: book now for ECO training courses in 2016

Other EU-EFTA Notices

Import-export related measures

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

Date*	Measure
France	
01-10-15	Law 2015-1197 of 30 September 2015 authorizing the ratification of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism
08-10-15	Report to the President of the Republic on Order No. 2015-1242 of 7 October 2015 on the organization of surveillance in animal health, plant health and food
	Ordinance No. 2015-1242 of 7 October 2015 on the organization of surveillance in animal health, plant health and food
	Report to the President of the Republic on Order No. 2015-1243 of 7 October 2015 on trade and protection of pets
	Ordinance No. 2015-1243 of 7 October 2015 on trade and protection of pets
18-10-15	Decree No. 2015-1297 of 15 October 2015 concerning the publication of the Agreement between the Government of the French Republic and the Government of the Kingdom of Belgium on transfrontier cooperation in police and customs matters, signed in Tournai 18 March 2013
20-10-15	Law No. 2015-1302 of 19 October 2015 authorizing the ratification of the Agreement between the European Community and its Member States, on the one hand, and the Republic of South Africa, on the other hand, amending the agreement on trade, development and cooperation
	Law No. 2015-1303 of 19 October 2015 authorizing the ratification of the Economic Partnership Agreement between Côte d'Ivoire, on the one hand, and

Date*	Measure
27-10-15	the European Community and its Member States, on the other Law No. 2015-1350 of 26 October 2015 authorizing the ratification of the protocol to eliminate illicit trade in tobacco products
Germany	
23-10-15	Act to Amend the Fish Labelling Act and the Animal Health Act (25-10-15) from no. 40 of 10.23.2015, page 1736 Act on the reorganization of the law relating to the Sale, Return and Environmentally Sound Disposal of Electrical and Electronic Equipment (20-10-15) from no. 40 of 10.23.2015, page 1739 Fee Ordinance for Waste Electrical and Electronic Equipment Act (Waste Electrical and Electronic Equipment Act Fee Ordinance – ElektroGGebV) (20-10-15) from no. 40 of 10.23.2015, page 1776
Ireland (Eire)	
09-10-15	S.I. No. 425/2015 - European Union (Parallel Import of Plant Protection Product) Regulations 2015
13-10-15	S.I. No. 430/2015 - European Union (Household Food Waste and Biowaste) Regulations 2015
16-10-15	S.I. No. 431/2015 - European Communities (Official Controls on the Import of Food of Non-Animal Origin for Pesticide Residues) (Amendment) (No. 4) Regulations 2015
16-10-15	S.I. No. 432/2015 - European Communities (Official Controls on the Import of Food of Non-Animal Origin) (Amendment) (No. 4) Regulations 2015
Liechtenstein	
16-10-15	№ 264 Agreement between the Government of the Principality of Liechtenstein and the Swiss Federal Council on Cooperation in the field of authorization procedures for biocidal products pursuant to Regulation (EU) no. 528/2012 of the European Parliament and of the Council concerning the making available on the market and use of biocidal products (LR 0.812.491.011)
Malta	
09-10-15	№ 325 of 2015 - Biocidal Products (Implementation of Regulation (EU) No 528/2012) (Amendment) Regulations, 2015 - Government Gazette of Malta No. 19,483 – 09.10.2015 № 327 of 2015 - Approval and Market Surveillance of Agricultural and Forestry Vehicles Regulations, 2015 - Government Gazette of Malta No. 19,483 – 09.10.2015 № 328 of 2015 - Approval and Market Surveillance of Two or Three-Wheel Vehicles and Quadricycles Regulations, 2015 - Government Gazette of Malta No. 19,483 – 09.10.2015 № 329 of 2015 - Malta Council for Economic and Social Development Act (Gozo Regional Committee) (Amendment) Regulations, 2015 - Government Gazette of Malta No. 19,483 – 09.10.2015
27-10-15	№ 347 of 2015 - Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment (Amendment No. 2) Regulations, 2015 - Government Gazette of Malta No. 19,489 – 27.10.2015
Norway	
02-10-15	FOR-2015-09-09-1122 Agriculture and Food Regulation amending Regulations relating to plants and measures against pests FOR-2015-09-25-1124 Climate and Environment Ministry Regulation amending the Regulation on the restriction of use of hazardous chemicals and other products (Product Regulations) FOR-2015-09-25-1125 Ministry of Health Regulation amending the Regulation on maximum levels for drug residues in foodstuffs of animal origin FOR-2015-09-25-1126 Climate and Environment Ministry Regulation amending the Regulation on the restriction of use of hazardous chemicals and other products (Product Regulations) FOR-2015-09-26-1129 Labour and Social Affairs, Climate and Environment Ministry Regulation amending the Regulation on biocides (Biocide) FOR-2015-09-28-1130 Agriculture and Food Regulation amending the Regulation on pesticide

Date*	Measure
	FOR-2015-09-29-1133 Ministry of Health Regulations amending the aroma Regulations
	FOR-2015-09-29-1134 Industry and Fisheries Ministry of Agriculture and Food, Ministry of Health Regulation amending the Regulation on residues of pesticides in food and feed
	FOR-2015-09-29-1135 Industry and Fisheries Ministry of Agriculture and Food, Ministry of Health Regulation amending the Regulation on official controls of compliance with legislation on feed, food and health and welfare of animals (control regulation)
	FOR-2015-09-30-1136 Finance Regulation amending the Regulation on Excise Duties
	FOR-2015-09-30-1138 Ministry Regulation amending the Regulation on the use class, GVW and permitted gross combination length for normal transport, timber transport and driving with modular trucks on the highway (road list highway)
	FOR-2015-09-30-1139 Ministry Regulation amending the Regulation on the approval of vehicles and trailers for cars and regulations on the use of vehicles
	FOR-2015-09-21-1140 Defense Ministry Decisions on changes in procurement rules for defense sector (ARF)
06-10-15	FOR-2015-10-02-1145 Agriculture and Food Regulation amending the Regulation on special protection measures to prevent the spread of African swine fever to Norway from states outside the EEA
	FOR-2015-10-05-1147 Agriculture and Food, and Industry and Ministry of Fisheries Regulations amending the food safety regulations for unhealthy additives
	FOR-2015-09-28-1154 Ministry of Health - Regulation amending the Regulation on drugs
09-10-15	FOR-2015-10-05-1160 Ministry of Health, Ministry of Industry and Ministry of Fisheries, Agriculture and Food - Regulation amending the Regulation on additives for use in animal nutrition
	FOR-2015-10-05-1162 Agriculture and Food - Regulation amending the Regulation on imports from third countries of certain live animals, bees, bumblebees and fresh meat of certain animals
13-10-15	FOR-2015-10-08-1172 Ministry of Health, Ministry of Industry and Ministry of Fisheries, Agriculture and Food Regulation amending the Regulation on additives for use in animal nutrition
20-10-15	FOR-2015-09-29-1188 Ministry of Health Regulation amending the Regulation on nutrition and health claims made on foods
27-10-15	FOR-2015-09-26-1209 Ministry of Health Regulations amending the additive regulations
	FOR-2015-10-22-1210 Finance Regulations amending the Customs Regulations
Poland	
02-10-15	№ 1525 Council of Ministers of 15 September 2015. Amending the Regulation on the obligations the governor for financing and maintenance of border crossings, go tourist destinations crossing the border on tourist routes and points a night stop at the border rivers, their response equipment, as well as the competent authorities the deposition and maintenance of border markers in the internal waters
	№ 1529 Minister of Environment of 25 August 2015. On a model certificate of processed waste batteries or waste batteries and records of certificates processed waste batteries or waste batteries
05-10-15	№ 1533 Statement of the Minister of Finance dated 18 September 2015. On announcing single text of the Regulation of the Minister of Finance on the exemption of excise goods from the obligation to mark excise labels
	№ 1534 Announcement of the President of the Council of Ministers of 18 September 2015. On the uniform text of the Council of Ministers on the establishment of regular air and sea border crossings and type of traffic allowed through the crossing
09-10-15	№ 1574 Regulation of the Minister of Agriculture and Rural Development dated 16 September 2015. On the charge related to the issuance of a passport for non-commercial moving pets accompanying travelers
	№ 1575 Council of Ministers of 6 October 2015. On the use of forces and the

Date*	Measure
	<p>Border Guard units and subunits of the Polish Armed Forces in case of threat to public safety or public order disturbances within the territorial border crossing and the border zone</p> <p>№ 1576 Regulation of the Minister of Agriculture and Rural Development dated 17 September 2015. Repealing the ordinance on the conditions to be met by plants of the genus Brugmansia Pers. and Solanum jasminoides Paxton, introduced into the territory of the Republic of Polish or moved through its territory to prevent the spread of Potato spindle tuber viroid</p> <p>№ 1577 Regulation of the Minister of Agriculture and Rural Development dated 24 September 2015. Amending the Regulation on the border of wood packaging phytosanitary inspection carried out at random</p>
13-10-15	<p>№ 1610 Agreement between the Government of the Polish Republic and the Government of the Slovak Republic on railway transport across the state border, signed at Warsaw on 18 August 1994.</p> <p>№ 1611 Government announcement on 21 August 2015. On the binding force of the Agreement between the Government of the Polish Republic and the Government of the Slovak Republic on railway transport across the state border, signed in Warsaw on 18 August 1994.</p>
16-10-15	<p>№ 1631 Regulation of the Minister of Finance dated 2 October 2015. Amending the regulation on labeling goods with excise marks</p>
19-10-15	<p>№ 1638 Government announcement dated 12 May 2015. On the entry into force of the amendments to the Regulations annexed to the European Agreement concerning the international carriage of goods by inland waterways of dangerous goods (ADN), concluded in Geneva on 26 May 2000. Applicable as from 1 January 2015.</p>
21-10-15	<p>№ 1656 The Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, on the other hand, done in Luxembourg on 16 June 2008.</p> <p>№ 1657 Government statement of 22 May 2015. On the binding force of the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, on the other hand, signed in Luxembourg on 16 June 2008.</p>
23-10-15	<p>№ 1677 Council of Ministers Ordinance of 21 October 2015. Amending the regulation on the implementation of the Agricultural Market Agency tasks related to the establishment of further temporary emergency support measures for producers of certain fruit and vegetables because of the prohibition of imports from the European Union to the Russian Federation</p> <p>№ 1688 The Act of 11 September 2015. Waste Electrical and Electronic Equipment</p>
26-10-15	<p>№ 1703 Regulation of the Minister of Agriculture and Rural Development dated 30 September 2015. On veterinary requirements for the production of products of animal origin intended for direct sale</p>
28-10-15	<p>№ 1729 Council of Ministers of 6 October 2015. Amending the regulation on the Pomeranian Special Economic Zone</p> <p>№ 1730 Statement of the Minister of Economy of 30 September 2015. On announcing single text of the Regulation of the Minister of Economy and Labour regarding tenders, negotiations and criteria for evaluating the intended business undertakings which are to be undertaken on the Kamienna Góra Special Economic Zone</p>
Spain	
02-10-15	<p>Hacienda: Resolution of 22 September 2015, the Presidency of the State Tax Administration Agency, approving the customs area of the docks of Puerto Exterior de Ferrol is enabled. (BOE-A-2015-10613)</p>
16-10-15	<p>Industry, Energy and Tourism: Resolution of 5 October 2015, the Directorate General of Industry and Small and Medium Enterprises, for which the draft standards undergo the public information UNE Spanish Association for Standardization and Certification is pending, for the month September 2015. (BOE-A-2015-11155)</p> <p>Industry, Energy and Tourism: Resolution of 5 October 2015, the Directorate General of Industry and Small and Medium Enterprises, for which undergo public information projects European and international standards that have been</p>

Date*	Measure
	processed as UNE projects, for the month September 2015. (BOE-A-2015-11156)
21-10-15	Hacienda: Resolution of 13 October 2015, the Presidency of the State Tax Administration Agency, approving the customs area of the new port facility called "Dock Valliniello" located on the right bank of the estuary of Avilés is enabled. (BOE-A-2015-11336)
22-10-15	Hacienda: Border cooperation agreements - Resolution of 29 September 2015, the Ministry of Public Administration, by the Convention of border cooperation between the Aragon and Midi Pyrénées Region (France) is published. (BOE-A-2015-11376)
24-10-15	Hacienda: Resolution of 30 September 2015, the Ministry of Public Administration, for which the amended Statutes of the Consortium for the maintenance and operation of the Bielsa-Aragouet tunnel and its access management, established by the Convention CBC are published signed between the Aragon and the Department of Hautes-Pyrenees (France). (BOE-A-2015-11459)
28-10-15	Foreign Affairs: Agreement between the Kingdom of Spain and the Republic of Moldova on cooperation and mutual assistance in customs matters, signed in Madrid on October 22, 2013. (BOE-A-2015-11547)
	Foreign Affairs: Corrigendum to the provisional application of the Agreement between the Government of the Kingdom of Spain and the Government of the Kingdom of Morocco on the international road transport of passengers and goods and its application protocol, done at Rabat on October 3, 2012. (BOE-A-2015-11548)
Switzerland	
06-10-15	Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on customs relief, OADou) (RS 631.012)
	Ordinance of the Swiss Agency for Therapeutic Products on the enactment of the pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11)
13-10-15	Ordinance of the FDF on contributions rates to the export of agricultural commodities (RS 632.111.723.1)
	Ordinance of the OSAv establishing measures to prevent the introduction of avian influenza from Germany (RS 916.443.102)
	Decision № 1/2014 of the EU-Switzerland Joint Committee of 10 October 2014 determining for the waiver of the transmission of data referred to in Article 3, paragraph 3, first paragraph, of Annex I to the Agreement of 25 June 2009 between the European Community and the Swiss Confederation on the simplification of inspections and formalities in respect of carriage of goods and on customs security measures (RS 0.631.242.052)
20-10-15	Ordinance of the OSAv establishing measures to prevent the introduction of African swine fever present in certain Member States of the European Union (RS 916.443.107)
27-10-15	Ordinance of the FDF on customs (OD-DFF) (RS 631.011)
	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
	Ordinance on the import of agricultural products (Ordinance on agricultural imports, OIAgr) (RS 916.01)
	Ordinance of the FOAG on fixing periods and deadlines and that on authorization parts tariff quota of fresh vegetables, fresh fruit and fresh cut flowers (Ordinance authorizing imports on the OIELFP) (RS 916.121.100)
	Ordinance on the international trade in rough diamonds (diamonds Ordinance) (RS 946.231.11)
	Agreement between the Swiss Federal Council and the Government of the Principality of Liechtenstein on cooperation in the field of biocidal products authorization procedures in accordance with Regulation (EU) n o 528/2012 of the European Parliament and the Council on the provision on the market and use of biocidal products (RS 0.813.151.4)
	DFI Ordinance of 26 October 2015 on the control of import and transit of animals and animal products (Ordinance on controls OITE) [Special Publication]

Date*	Measure
United Kingdom	
01-10-15	SI 2015/1729 - The Counter-Terrorism and Security Act 2015 (Commencement No. 3) Regulations 2015
28-10-15	SI 2015/1833 - The Modern Slavery Act 2015 (Transparency in Supply Chains) Regulations 2015
	SI 2015/1827 - The Plant Health (England) (Amendment) Order 2015

Restrictive measures established, amended, corrected

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

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

Date*	Restrictive Measure
Liechtenstein	
01-10-15	№ 252 Decree of 29 September 2015 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda"
02-10-15	№ 253 Decree of 30 September 2015 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda"
06-10-15	№ 254 Ordinance of 1 October 2015 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda"
08-10-15	№ 256 Decree of October 6, 2015 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda"
16-10-15	№ 257 Ordinance of October 13, 2015 concerning amendment of the ordinance on measures against certain individuals from the Ukraine (LR 946.224.0)
22-10-15	№ 265 Ordinance of 20 October 2015 concerning amendment of the ordinance on measures against individuals and entities with links to the grouping "Al Qaeda"
29-10-15	№ 283 Ordinance of October 27, 2015 concerning amendment of the ordinance on measures against the Central African Republic
	№ 284 Regulation of 27 October 2015 Sanctions against Burundi
Luxembourg	
01-10-15	Mem. A № 190 – Ministerial Regulation of 29 September 2015 amending Annex IC of grand-ducal regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the context of the fight against terrorist financing
	– Ministerial Regulation of 30 September 2015 amending Annex IC of grand-ducal regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of resolutions of the United Nations Security Council and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the context of the fight against terrorist financing
02-10-15	Mem. A. № 191 Ministerial Regulation of 1 October 2015 amending Annex IC of grand-ducal regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters against certain persons, entities and groups in the context of the fight against terrorist financing
06-10-15	Mem. A № 192 Ministerial Regulation of 5 October 2015 amending Annex IC of grand-ducal regulation of 29 October 2010 implementing the law of 27 October 2010 on the implementation of UN Security Council resolutions and acts adopted by EU including prohibitions and restrictive measures in financial matters to

Date*	Restrictive Measure
	against certain persons, entities and groups as part of the fight against terrorist financing.
Norway	
10-10-15	FOR-2015-10-02-1158 Foreign Affairs - Regulations on changes in regulations on sanctions and measures against Iran
Switzerland	
06-10-15	Ordinance on Measures against Yemen (RS 946.231.179.8)
	Ordinance on measures to prevent the circumvention of international sanctions connected with the situation in Ukraine (RS 946.231.176.72)
	Ordinance on Measures against Individuals and Entities Associated with Usama bin Laden, the Group «Al-Qaïda» or the Taliban (RS 946.203)
13-10-15	Ordinance on Measures against persons and entities associated with Usama bin Laden, the group «Al-Qaïda» and the Taliban (RS 946.203)
	Ordinance on measures to prevent the circumvention of international sanctions in connection with the situation in Ukraine (RS 946.231.176.72)
15-10-15	Ordinance on Measures against Individuals and Entities Associated with Usama bin Laden, the Group «Al-Qaïda» or the Taliban (RS 946.203)
27-10-15	Ordinance on Measures against persons and entities associated with Usama bin Laden, the group «Al Qaeda» and the Taliban (RS 946.203)
	Ordinance on Measures against Liberia (RS 946.231.16)
29-10-15	Ordinance on measures against the Central African Republic (RS 946.231.123.6)
	Ordinance on Measures against persons and entities associated with Usama bin Laden, the group «Al Qaeda» and the Taliban (RS 946.203)
United Kingdom	
02-10-15	SI 2015/1740 - The Burundi (European Union Financial Sanctions) Regulations 2015
09-10-15	SI 2015/1763 - The Terrorist Asset-Freezing etc. Act 2010 (Isle of Man) (Revocation) Order 2015
15-10-15	SI 2015/1772 - The Iran (Restrictive Measures) (Overseas Territories) (Amendment) (No. 2) Order 2015

Non EU-EFTA European Countries

Ukraine

Ukraine adopts E-Commerce Law

On 30 September 2015, the Law of Ukraine “On Electronic Commerce” (the “E-Commerce Law”) became effective. The purpose of the law is primarily to set the rules to prepare contracts in electronic form in the course of on-line transactions and to confirm the application of Ukrainian consumer protection regulations to such transactions.

What the law says

1. A contract may be prepared in the electronic form by way of exchanging an electronic message with an offer (setting out the required material terms of the contract) and its acceptance, which may be delivered by (i) electronic message, (ii) designed electronic form, or (iii) carrying out certain actions which are regarded as acceptance.
2. An offer to enter into an electronic contract may be made by (i) delivery of an electronic message regarded as commercial, or (ii) placement of such offer on the Internet or other informational or telecommunication networks. Such commercial electronic messages must be delivered to the addressee only with his/her express consent, unless the addressee unsubscribes from receiving such messages.
3. A contract in electronic form may contain certain provisions in addition to those envisaged by the Civil Code of Ukraine, in particular: (i) the procedure for exchanging elec-

tronic messages, (ii) the procedure for amending a mistakenly sent message with acceptance of an offer, (iii) the procedure for making amendments and other terms.

4. To enter into a contract in the electronic system of the offering counterparty, the accepting counterparty must log into such system. The respective system must allow the accepting counterparty to change the provided information prior to accepting the offer.

5. A contract in electronic form may be formed by: (i) electronic signature or electronic digital signature, (ii) electronic identification signature (by exchanging of randomly generated codes), and (iii) by application of analog of personal signature (signature stamp). An electronic contract formed based on one of the above methods is regarded as a contract executed in writing.

6. Settlements may be carried out by applying various payment instruments, electronic money, transfer of funds, provision of cash and by other means.

7. Sellers of goods and providers of services must disclose to consumers via their websites or by other technological means full name, address, e-mail and/or web-site, EDRPOU code (state identification code for legal entities), taxpayers registration code for individuals, VAT tax registration certificate, information about any licenses and other information which is subject to mandatory disclosure.

8. Buyers making purchases by virtue of an electronic contract must provide information necessary to conclude a contract. The list of information to be provided is defined by the applicable laws or agreed by the parties to the transaction.

9. Internet service providers, domain name registrars, hosting providers and operators of payment infrastructure services (the "ISPs") when involved in "mere conduit" activities receive absolute immunity from liability for all third party infringements subject to the following conditions: (i) the ISP does not initiate the transmission, (ii) the ISP does not select the recipient of the information, (iii) the ISP does not modify the information contained in the transmission.

Conclusion

The E-Commerce Law was adopted to establish a consistent legal framework for preparing commercial contracts in electronic form. Its purposes include, inter alia, the following (i) addressing existing legislative uncertainties concerning formation and enforceability of the electronic contracts and (ii) bringing Ukrainian legislation in line with EC Directive 2000/31 on electronic commerce. It is expected that the E-Commerce Law should boost the electronic commerce industry by bringing more certainty into this segment of the economy.

For more information, please contact [Ihor Olekhov](#), [Maksym Hlotov](#) or [Oleksiy Stolyarenko](#).

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

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

Publication Date	Title
Supreme Eurasian Economic Council	
19-10-15	Decision BEĖC № 21 (16-10-15) On Amendments to the Regulations of the

Publication Date	Title
	Eurasian Economic Commission Decision BEЭC № 22 (16-10-15) On some issues related to the accession of the Republic of Kazakhstan to the World Trade Organization Decision BEЭC № 23 (16-10-15) The numerical composition of the Board of Eurasian Economic Commission Decision BEЭC № 24 (16-10-15) About the Chairman of the Board of the Eurasian Economic Commission Decision BEЭC № 25 (16-10-15) On the order of adoption in the Eurasian Economic Union new members and termination of membership in the Eurasian Economic Union Decision BEЭC № 26 (16-10-15) On the main directions of the international activity of the Eurasian Economic Union in the years 2015-2016
19-10-15	Decision BEЭC № 28 (16-10-15) On the main directions of economic development of the Eurasian Economic Union Decision BEЭC № 29 (16-10-15) To start negotiations with Israel for an agreement on free trade zone Decision BEЭC № 30 (16-10-15) Approval of the list of sectors (sub-sectors) services for which the formation of a single market for services within the framework of the Eurasian Economic Union will be carried out in accordance with the plans of liberalization (for a transitional period) Decision BEЭC № 31 (16-10-15) On Amendments to the list of sectors (sub-sectors) service, which operates a single market for services within the Eurasian Economic Union Decision BEЭC № 32 (16-10-15) On Amendments to the decision of the Supreme Eurasian Economic Council on December 23, 2014 № 112 Decision BEЭC № 33 (16-10-15) On approval of the external audit (control) in the organs of the Eurasian Economic Union Decision BEЭC № 34 (16-10-15) Draft agreement between the Eurasian Economic Union and the Republic of Belarus on the conditions of the Court of the Eurasian Economic Union on the territory of the Republic of Belarus Decision BEЭC № 35 (16-10-15) Working group for the creation of a unified system of identification of foreign economic activity participants on the customs territory of the Eurasian Economic Union
Council (Cобет) of the Eurasian Economic Commission	
19-10-15	Decision № 56 (21-08-15) Approval of the results of the evaluation system of quarantine phytosanitary control, as well as get acquainted with the system of sanitary and epidemiological supervision (control) of the Kyrgyz Republic Decision № 57 (14-10-15) About the international agreement related to the accession of the Republic of Kazakhstan to the World Trade Organization, and the draft decision of the Supreme Eurasian Economic Council "On some issues related to the accession of the Republic of Kazakhstan to the World Trade Organization" Decision № 58 (14-10-15) About the order of the Supreme Eurasian Economic Council "On the interaction of the Member States of the Eurasian Economic Union on pairing the EAEC and the Economic Belt of the Silk Road" Decision № 59 (14-10-15) On the list of goods in respect of which the Republic of Kazakhstan in accordance with the commitments made as a condition of joining the World Trade Organization, the rates of import customs duties, lower compared to the rates of the Common Customs Tariff duties of the Eurasian Economic Union, and the amount of such duty rates
23-10-15	Decision № 60 (04-28-15) Draft Protocol on amendments to the Agreement on the single customs registry of intellectual property states - members of the customs union on May 21, 2010
28-10-15	Decision № 61 (14-10-15) On the draft decision of the Supreme Eurasian Economic Council "On the numerical composition of the Board of Eurasian Economic Commission" Decision № 62 (14-10-15) On the draft decision of the Supreme Eurasian Economic Council "On approval of the external audit (control) in the organs of the Eurasian Economic Union"

Publication Date	Title
	Decision № 63 (14-10-15) On the draft decision of the Supreme Eurasian Economic Council "On Amendments to the Regulations of the Eurasian Economic Commission"
	Decision № 64 (14-10-15) On the draft decision of the Supreme Eurasian Economic Council "On Amendments to the list of sectors (sub-sectors) service, which operates a single market for services within the Eurasian Economic Union"
Council Regulations/Orders	
28-10-15	№ 23 (14-10-15) The draft Protocol amending the Agreement on the movement of goods by individuals for personal use through customs border of the Customs Union and customs operations connected with their release, on June 18, 2010
	№ 24 (14-10-15) The time and venue of the next meeting of the Council of the Eurasian Economic Commission
Board (Коллегии) of the Eurasian Economic Commission	
07-10-15	Decision № 129 (06-10-15) On amendments to some decisions of the Commission of Customs Union and the Board of the Eurasian Economic Commission
	Decision № 130 (06-10-15) On amendments to the list of bodies of executive authority of the Eurasian Economic Union member states, which includes authorised representatives in the composition of the Consultative Committee on Cooperation between supervisory authorities at the customs border of the Eurasian Economic Union
	Decision № 131(06-10-15) On amendments to Decision No. 30 of the Board of the Eurasian Economic Commission dated April 21, 2015
	Decision № 132 (06-10-15) On the invalidity of paragraph 2 of Decision No. 195 of the Board of the Eurasian Economic Commission dated October 28, 2014
12-10-15	Decision № 133 (06-10-15) On the extension of the anti-dumping measure established by Decision of the Customs Union Commission No. 702 dated 22nd June, 2011
14-10-15	Decision № 134 (06-10-15) On establishing the volumes of tariff quotas for the import of certain types of agricultural goods to the territory of the Kyrgyz Republic in 2015 and 2016
13-10-15	Decision № 135 (12-10-15) On amendments to Decision No. 827 of the Customs Union Commission dated October 18, 2011
	Decision № 136 (12-10-15) On amendments to the Rules of the internal document management in the Eurasian Economic Commission
	Decision № 137(12-10-15) On the approval of technical specifications for the creation of an integrated information system of the Eurasian Economic Union
	Decision № 138 (12-10-15) On the Draft Agreement on the requirements for the implementation of activities in the financial markets
Board Распоряжение	
02-10-15	№ 100 (28-09-15) On the draft decision by the Council of the Eurasian Economic Commission "On amendments to the Decision of the Customs Union Commission No. 299 dated 28 May 2010"
	№ 101 (28-09-15) On the composition of the Advisory Committee on Consumer Protection Rights of the Member States of the Eurasian Economic Union
04-10-15	№ 102 (27-09-15) Draft decision of the Council of the Eurasian Economic Commission "On Amendments to the Customs Union Commission Decision of 18 June 2010 № 317"
07-10-15	№ 103 (06-10-15) On the Draft Decision by the Council of the Eurasian Economic Commission "On amendments to the Decision of the Council of the Eurasian Economic Commission No. 101 dated November 12, 2014".
	№ 104 (06-10-15) On amendments to the composition of the Advisory Committee for Cooperation between regulatory bodies at the customs border of the Eurasian Economic Union
	№ 105 (06-10-15) On amendments to the composition of the Consultative Committee for the agroindustrial complex.
	№ 106 (06-10-15) On the Draft Memorandum of Understanding between the Eurasian Economic Commission and the Organization for Railways Coopera-

Publication Date	Title
	tion
	№ 107 (06-10-15) On amendments to the composition of the committee on interstate testing of the integrated information system of international and mutual trade.
	№ 108 (06-10-15) On the Draft Decision of the Council of the Eurasian Economic Commission "On the Draft Decision of the Supreme Eurasian Economic Council "On amending the list of sectors (subsectors) of services in which a single services market within the Eurasian Economic Union operates."
09-10-15	№ 109 (06-10-15) On the composition of the working group on implementation of the Agreement on Implementation of the Unified Forms of Vehicle Registration Certificate (Vehicle Chassis Registration Certificate) and Self-Propelled Machines and other Machines Registration Certificate and Organization of Electronic Registration Certificate Systems.
	№ 110 (12-10-15) On the Draft Decision of the Eurasian Economic Commission Council "On the Draft Decision of the Supreme Eurasian Economic Council "On amending the Decision of the Supreme Eurasian Economic Council No. 112 dated December 23, 2014"
	№ 111 (12-10-15) On the Draft Decision by the Council of the Eurasian Economic Commission "On amendments to technical regulations of the Customs Union "On the safety of perfume and cosmetic products" (TR TC 009/2011)"
13-10-15	№ 112 (12-10-15) On amendments to the composition of the Advisory Committee for electrical energy
	№ 113 (12-10-15) On amendments to the composition of the Advisory Committee for oil and gas
	№ 114 (12-10-15) On amendments to the plan of scientific research works by the Eurasian Economic Commission for 2015 - 2016
23-10-15	№ 115 (12-10-15) Draft decision of the Council of the Eurasian Economic Commission "On the draft decision of the Intergovernmental Council of the Eurasian" On the draft decision of the Supreme Eurasian Economic Council "On the budget of the Eurasian Economic Union in 2016"
	№ 116 (20-10-15) Draft decision of the Council of the Eurasian Economic Commission, "About the order of the Supreme Eurasian Economic Council" On population census round in 2020 in the states - members of the Eurasian Economic Union"
	№ 117 (20-10-15) About recommendations of the Council of the Eurasian Economic Commission "On the development of cooperation of the states - members of the Eurasian Economic Union in the production of iron and steel products"
21-10-15	№ 118 (20-10-15) On Amendments to the composition of the Interdepartmental Working Group on the mutual recognition of digital signatures, made in accordance with the laws of one state - a member of the Customs Union and the Common Economic Space, another state - a member of the Customs Union and the Common Economic Space in order to implement the Agreement on the state (municipal) procurement
	№ 119 (20-10-15) On Amendments to the Advisory Committee on Intellectual Property
Board Recommendations	
07-10-15	№ 24 (06-10-15) On the Methods for determination and harmonization of output of the processed products of precious metals and raw materials containing precious metals
	№ 25 (06-10-15) On the Methods for determination and coordination of output of the processed products of precious metals

Preliminary classification decisions issued by the Customs Authorities of the States

The Commission of the Customs Union has posted a table which provides a collection of [preliminary decisions of the Customs authorities](#) of Russia, Belarus and Kazakhstan which involve the tariff classification of goods as of 6 October 2015. The

tables list the tariff codes, a description, rationale (GRIs) for the decision and country that issued the decision.

Belarus

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through September 2015. 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 14 July 2015. 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
05-10-15	The federal list of extremist materials
19-10-15	The federal list of extremist materials
23-10-15	Unified federal list of organizations, including foreign and international organizations recognized in accordance with the legislation of the Russian Federation as terrorist (August 12, 2015)
28-10-15	Federal Law of the Russian Federation dated October 27, 2015 N 292-FZ "On Amending Article 12 of the Federal Law" On licensing of certain activities "in connection with the adoption of the Federal Law" On Plant Quarantine."

Africa

Algeria

New Code of Public Tenders

Background - The new *Code of Public Tenders* (Presidential Decree No. 15-247 of September 16, 2015), which had been approved on July 22, 2015 by the Council of Ministers, has finally been published in the Algerian *Official Journal* dated September 20, 2015 and will become effective three months after the date of publication, i.e. on December 20, 2015.

Analysis - The recent Presidential Decree abrogates the *2010 Code of Public Tenders* and revamps the tender process in many ways.

1. In an effort to more closely control the tender process, the National Contract Committees are replaced with sectorial or regional Contract Committees. In addition, a Monitor for the regulation of public tenders and a national body for the resolution of disputes are to be created.
2. Ethics and deontology are reinforced through the adoption of a Code of Ethics for public officials which are involved in the tender process (to be drafted by the foregoing Monitor and approved by the Ministry of Finance). The foregoing public officials must undertake to comply with such Code and sign a declaration of absence of conflict of interest.
3. The new Code expressly sets forth an obligation for the contracting department and the Contract Committees to comply with the principles of freedom of access to the tender process, equality of treatment for bidders and transparency of procedures. Offers must be assessed based on objective selection criteria (such as quality, delivery time, price, technical value, after-sale service, financing terms, aesthetic and functional characteristics, social performances to promote occupational integration, sustainability) decided prior to the launch of the tender procedure. As a general rule, the contract is awarded, without negotiation, to the offer considered as the most economically advantageous. Bidders can appeal the award of the contract to the relevant Contract Committee within 10 days of the publication of the award.
4. The new regulation also attempts to clarify and simplify the tender process. For instance, the following rules are clarified:
 - a. the authorization procedure for the performance of services prior to the conclusion of a contract in case of emergency;
 - b. the offer evaluation procedure and the criteria to be used for the choice of the contractor;
 - c. the rules applicable to group of companies;
 - d. the appeal procedure;
 - e. the amendment mechanism;
 - f. the conditions applicable to subcontracting; and
 - g. the acceptance procedure.
5. Emphasis is placed on national production and Algerian manufacturing entities. For instance:
 - a. The governmental purchaser must:
 - take into account the potential of Algerian companies (in particular SMEs) when drafting the eligibility criteria and the offer evaluation procedure;
 - favor integration to the national economy and the significance of batches or products which are subcontracted or acquired on the Algerian market;
 - include in the specifications a training and transfer of knowledge mechanism in relation with the contract;
 - provide in the specifications, in the case of foreign companies bidding alone, the obligation to subcontract at least 30% of the original contract price to Algerian companies, except in case of duly justified impossibility.
 - b. Regardless of the chosen contract procedure, there is also an obligation to include a clause in the contract requiring that imported products may only be used if the national equivalent is not available or its quality is not in compliance with applicable standards; moreover, the governmental purchaser may only use foreign sub-contractors when Algerian entities are unable to meet its needs;
 - c. Negotiated contracts after consultation which pertain to “national institutions of State sovereignty” (e.g. defense contracts) and contracts concluded pur-

suant to the simple negotiation procedure (e.g. a priority project of national significance which is urgent; a project which promotes national production) may be exempt from the investment in partnership requirement whereas the 2010 Code exempted these contracts. Thus, it cannot be excluded that a number of contracts previously shielded from the “partnership commitment” will now contain an express requirement to make an investment into the local economy.

6. As far as pricing is concerned, the contract price can exceptionally be set up on a provisional basis. Moreover, in the case of complex contracts, concluded on the basis of performance criteria to be achieved, the governmental purchaser can include an incentive clause in the contract in order to obtain a better price/quality/completion time. Additional guidelines are used for the selection of indices when prices can be updated.
7. The new *Code of Public Tenders* also introduces the French legal concept of «public service delegation» at the end of the Code, thanks to which the State can proceed, in areas where the law allows it, with the performance of works or purchase of goods necessary for the operation of public service through a concession, leasing, governance or management contract. At the end of the contract term, the works or goods become the property of the relevant public institution or administration.

Conclusion - The new *Code of Public Tenders* incorporates a number of best practices that have developed since 2010. It is unclear, however, whether this updated *Code of Public Tenders* will have a real impact in terms of access and transparency to the Algerian tender process for foreign bidders and how the partnership requirement will be applied in practice.

A number of implementing regulations remain to be adopted to give effect to the new provisions. In the meantime, the implementing regulations of the *2010 Code of Public Tenders* will continue to apply until new texts are promulgated.

For additional information, please contact [Michael L. Coleman](#) (Partner), [Céline van Zeebroeck](#) (Special Legal Consultant, Admitted in Belgium), or [Jessica Norrant-Eyme](#) (Special Legal Consultant, Admitted in France) who authored this [Client Alert](#).

Foreign Investment Rules revised

Background: Marred by falling oil and gas prices, Algeria has been forced to reconsider its investment framework in order to attract new foreign investors and prevent foreign shareholders from leaving the country.

Algeria derives over 95% of its external revenues from hydrocarbons, and oil and gas tax revenues represent 60% of Algeria’s annual budget. Since external revenues have been cut by half, the Algerian Government has decided to accelerate exploration projects with foreign partners in order to fund its expensive social programs.

The country is also in dire need of diversification of its industry. In the past years, foreign investors have been reluctant to invest in a country which imposes Algerian majority shareholding (the so-called 51/49% rule) and keeps toughening its foreign direct investment (FDI) rules.

Analysis: The Algerian Council of Ministers approved on October 6, 2015 a draft bill on Investment presented by the Minister of Industry and Mines. According to a statement issued at the end of the Council of Ministers meeting, “this text aims to adapt the rules to the conclusions drawn from experience and the financial situation of the country, and improve the attractiveness of the investment legislation.”

- The draft bill repeals the requirement of a surplus balance sheet in foreign currency for foreign investors in order to encourage partnerships which are willing to take risks to help reduce imports.
- It also abrogates the clause which triggered the obligation for foreign investors to adopt the 51/49% rule in case of a change in the trade register **but only** for foreign investments which were carried out before the adoption of the 51/49% rule in 2009. For companies which were incorporated prior to 2009, it would thus be possible to, for instance, increase or decrease the share capital without taking into account the 51/49% rule or to transfer or exchange qualifying shares between old and new directors when the value of such shares exceeds 1% of the share capital of the company. New activities could also be added to the commercial registry of the company without triggering the obligation to partner with resident Algerian nationals holding 51% of the share capital.
- The requirement to resort to local financing for the contribution of the foreign investor is also abrogated in the draft bill.

Finally, the draft bill relaxes the State's pre-emptive right, in the case of a transfer abroad, by an investor, of its shares in a project localized in Algeria.

Conclusion: The reform of the investment framework does not go as far as to abrogate the 51/49% rule and falls short from repealing the requirement that only purely Algerian entities (i.e. entities which are 100% owned by Algerian national resident shareholders) can partner with foreign investors. However, this is a step in the right direction. Moreover, renewed discussions with the European Union regarding the compatibility of the 51/49 rule in the context of the EU Association Agreement may lead to additional reforms in the future.

For additional information, please contact [Michael L. Coleman](#) (Partner), [Céline van Zeebroeck](#) (Special Legal Consultant, Admitted in Belgium), or [Jessica Norrant-Eyme](#) (Special Legal Consultant, Admitted in France) who authored this [Client Alert](#).

South Africa

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

Publication Date	Publication Details	Subject	Implementation Date
16-10-15	GG 39300 Notice R.990	Part 1 of Schedule No. 3 – Deletion of rebate items 320.01/5903.20.90/01.08 and 320.01/5907.00.90/01.08 and the insertion of rebate items 320.01/5903.20.90/02.08 and 320.01/5907.00.90/02.08 in order to amend the wording of qualifying fabrics - ITAC Report 503. <ul style="list-style-type: none"> • Notice R.990 	16 -10-15
30-10-15	GG 39340 Notice R.1027	Part 1 of Schedule No. 1 – Substitution of tariff subheadings 1701.12, 1701.13, 1701.14, 1701.91 and 1701.99 to increase the rates of customs duty on sugar from 242,6c/kg to 304c/kg - Minute M06/2015. <ul style="list-style-type: none"> • Notice R.1027 	30 -10-15
	GG 39340 Notice R.1028	Part 1 of Schedule No. 2 – Substitution of anti-dumping item 202.02/0703.20 and 202.02/0712.90.90 to increase the rates of anti-dumping duty on garlic from 1	

Publication Date	Publication Details	Subject	Implementation Date
		037c/kg to 1 925c/kg -ITAC's Report 506 • Notice R.1028	

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

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

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FRB=Federal Reserve Board; 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; USPIPS=Postal Inspection Service; USDA= US Department of Agriculture; ; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; DA= District Attorney; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs.]

Date of Release	Subject
10-06-15	Two Sentenced for Roles in Prescription Drug Smuggling Ring (DOJ, CBP, ICE)
	Government Files Enforcement Actions against Two California Companies and Three Individuals to Stop Importation of Dangerous Children's Products (DOJ, CPSC)
	Massachusetts Man Sentenced to 37 Months in Prison for Trafficking Counterfeit Military Goods (DOJ, ICE, DoD)
	Florida resident sentenced for distribution of counterfeit Apple, Otter goods (DOJ, ICE)
	Three Ocean Shipping Executives Indicted for Fixing Prices and Rigging Bids (DOJ, FBI, CBP)
10-07-15	Lumber Liquidators Agrees to Pay \$10 Million to Settle Lacey Act, Customs Violations (DOJ,
	Filipino National Admits Conspiring to Export Firearms Parts from the United States (DOJ, ATF, ICE)
10-08-15	ICE returns stolen Charles Darwin book (ICE, RCMP)
10-13-15	In the Matter of Rex Gene Maralit – Denial of Export Privileges (BIS)
	In the Matter of Wilfredo Maralit – Denial of Export Privileges (BIS)
10-13-15	Canadian Railway Equipment Exported Illegally to Iran: Two Men and their Company Face Justice [for alleged violations of Canada's Export Control List and <i>Export and Import Permits Act</i>] (RCMP)
10-20-15	Crédit Agricole Corporate and Investment Bank Settles Potential Civil Liability for Apparent Violations of Multiple Sanctions Programs (\$329,593,585) (OFAC, DOJ, NYDA, FRB, State of NY)
10-23-15	Former Connecticut Resident Sentenced to Over Eight Years in Prison for Attempting to Send U.S. Military Technology to Iran (DOJ, ICE, FBI, DoD, BIS, CBP)
10-26-15	Three Defendants Convicted of Conspiring to Illegally Export Controlled Technol-

Date of Release	Subject
	ogy to the Russian Military (DOJ, FBI, BIS)
10-27-15	Gil Tours Travel, Inc. Settles Potential Civil Liability for Apparent Violations of the Cuban Assets Control Regulations [\$43,875] (OFAC) Counterfeit Jewelry Worth \$2.85 Million Seized by CBP at Miami International Airport (CBP)

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [July 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. For feedback and questions about the newsletter, please contact:

- [Jochen Meyer-Burrow, Partner, Tax](#)
- [Roger van de Berg, Senior Associate, Tax](#)

Publications, Alerts, Newsletters

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

Subject
International Trade, Tax and Anti-corruption
Global – International Trade Compliance Update – October 2015 [Archives]
Global Trade & Commerce Trans-Pacific Partnership Client Alert: Trans-Pacific Trade Deal Concluded
Global Sanctions Update Client Alert: U.S. Government Takes Additional Steps to Relax Comprehensive Embargo of Cuba
Global Sanctions Update Client Alert: Focus on Iran - European Union, United States, and Switzerland Move Forward on Sanctions Relief for Iran Following JCPOA's Adoption Day
Australia Client Alert: TPP: ISDS Included in the final deal
Singapore Pharmaceuticals & Healthcare Newsletter October 2015: The Transpacific Partnership At A Glance and other articles.
Japan IP: TPP concludes with insights into the IP Chapter
North American Tax Practice Group Tax News and Developments (October 2015) Newsletter
Australia Tax Client Alert: GST on cross border e-commerce
Buenos Aires Tax Alert: Extension of the Amnesty Program for the Disclosure of Unreported Foreign Currency (Eng.); Prorroga del Regimen de Blanqueo de Moneda Extranjera (Span.)
Buenos Aires International Trade Alert: Establishment of the control system of signs and/or labels (FDR) (Eng.); Creación del Sistema de fiscalización de rótulos y/o etiquetas (FRD) (Span.)
Buenos Aires Tax Alert: Swiss-Argentine Double Taxation Treaty (Eng.); Convenio para evitar la doble imposición celebrado entre la Confederación Suiza y la República Argentina (Span.)
Mexico International Trade & Customs Legal Alert: The duty rate applicable to certain goods of the steel industry are temporarily increased (Eng.); Se incrementa de manera temporal el arancel aplicable a diversos bienes de la industria del acero (Span.)
Client Alert: Algeria - Foreign Investment Rules Revised
Client Alert: Algeria - New Code of Public Tenders
Jakarta Corporate & Securities Client Alert: Stimulus Packages I to III: What They Changed and Did Not in Customs and Trade

Subject
Jakarta Corporate & Securities Client Alert: New Regulation on Imports Prohibits Manufacturers from Importing Industrial/Finished Goods
Other Practices
Global Information Technology & Communications Industry & Practice Group LegalBytes October 2015
Global IP Practice – IP Dispatch October 2015
Global Equity Services: The Impact of the CJEU US/EU Safe Harbor Program Judgment on Equity Compensation Programs
Buenos Aires Administrative & Public Law Alert: Creation of the Governmental Private Stock National Agency (Eng.); Creación de la Agencia Nacional de Participaciones Estatales en Empresas Privadas (Span.)
Kyiv Employment and Migration Client Alert: Employment and Labor Litigation: Court practice bulletin (Eng.); Інформаційний бюлетень судової практики з трудових спорів (Ukr.); Информационный бюллетень судебной практики по трудовым спорам (Russ.)
Kyiv Banking and Finance Client Alert: NBU Eases Capital Control Restrictions (Eng.)
Paris Technologies de l'information / Communication Alerte juridique: Invalidation du Safe Harbor par la CJUE : la nécessité de rapidement mettre en place une feuille de route ! (Invalidation of the Safe Harbor of the ECJ: the need to rapidly implement a roadmap!)
Kuala Lumpur Data Protection Client Alert: Personal Data Protection Code of Practice – Banking and Financial Sector

Webinars, Meetings, Seminars, Etc.

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 20] not yet available:
- Anti-Bribery and Corruption: Key Developments [Original date: December 11] not yet available

Cross-Border Transactions Webinar Series

Baker & McKenzie's Cross-Border Transactions Webinar Series provides practical tips on how to succeed in cross-border deals and ways to minimize transaction risk in various jurisdictions. Whether you are doing deals involving established global money centers or emerging markets such as Brazil, China, Russia, or the Middle East, you will find our webinars helpful in developing your approach to managing a multitude of regulatory environments and business cultures. The 2014 webinars have been recorded and may be accessed via the links below or at our [Cross-Border Transactions Webinars website](#).

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:

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

A note on spelling, grammar and dates--

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

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

Credits:

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

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

Recorded Webinars:

- [Southeast Asia M&A: Seizing Opportunities Today](#)
- [Successfully Implementing a Cross-Border Transaction](#)
- [Brazil M&A: Seizing Opportunities Today](#)
- [China M&A: Seizing Opportunities Today](#)
- [Winning Strategies in Cross-Border Deals: Tips for Success](#)
- [Joint Ventures: Tackling the Unique Challenges in a Cross-Border JV.](#)
- [India M&A: Seizing Opportunities Today](#)
- [Compliance: Navigating the Regulatory Minefield in a Cross-Border Transaction](#)
- [Technology & IP: Winning Strategies in Cross-Border Deal Making](#)
- [Planning Ahead for a Successful Post-Acquisition Integration](#)
- [Africa M&A: Seizing Opportunities Today](#)
- [Middle East M&A: Seizing Opportunities Today](#)

For more information, please contact [Kathy Heffley](#) or [Chad Cole](#).

2014 Eye on China Webinar Series

China is the world's second largest economy and one of its fastest growing. Multinational corporations need to be aware of the emerging opportunities and pitfalls created by China's ever-changing laws and regulations. This year, in this series of 60-minute webinars, our award-winning China and North American teams focused on the most significant concerns facing MNCs in China today and provided actionable solutions.

The following 2014 webinars were recorded so that you may play them or download the presentations at your convenience.

- [New Curbs on Hiring Contingent Workers - Presentation](#)
- [Hot Topics in China Disputes - Presentation](#)
- [Protecting Your Inventions and Trade Secrets – Presentation](#)
- [Navigating the Shanghai Pilot Free Trade Zone – Presentation](#)
- China Supply Chain Compliance (Not yet available)
- Increase in China Antitrust Enforcement – Why and How to be Prepared (Not yet available)
- Effective E-Commerce Strategies in China
- China Wages War on Pollution

For more information, please contact [Michal Cenek](#).

View 2013 International Trade Compliance Webinar Series on-line

Our [2013 International Trade Compliance Webinar Series](#) focused on “*Globalization of the Supply Chain: Trade Regulation and Developments.*” If you missed any webinars in this series, or would like to see them again, you may view them or download only the PowerPoint used, by clicking on the link above or title below:

- [Russia's Accession to the WTO](#) - Speakers: Alexander Bychkov (Moscow) and Vladimir Efremov (Moscow), Terrie Gleason (Washington, DC) [Original broadcast January 15] [PowerPoint only](#)
- [US, EU and Swiss Trade Sanctions Enforcement Cases and Trends](#) - Speakers: Jasper Helder (Amsterdam), Jonathan Poling (Washington, DC) Philippe Reich (Zurich), Terrie Gleason (Washington, DC) [Original broadcast: February 12, 2013] [PowerPoint only](#)
- [Trans-Pacific Partnership and Other Trade Agreement Developments](#) - Speakers: Frederick Burke (Ho Chi Minh City), Edmundo Elias (Guadalajara), Diane MacDonald (Chicago), Brian Cacic (Toronto), Terrie Gleason (Washington, DC) [Original broadcast March 12, 2013] [PowerPoint only](#)
- [Increased Customs Scrutiny and Enforcement Activity in Latin America](#) - Speakers: Adriana Ibarra-Fernandez (Mexico City), Alessandra Machado (Sao Paulo), Esteban Ropolo (Buenos Aires), Terrie Gleason (Washington, DC) [Original broadcast April 23, 2013] [PowerPoint only](#)
- [Post-Election US Trade Policy](#) - Speakers: Stuart Seidel (Washington, DC), Teresa Gleason (Washington, DC), and John McKenzie (San Francisco/Palo Alto) [Original broadcast June 4, 2013] [PowerPoint only](#)
- [FCPA and Anti-Bribery Cases and Trends in the US, China and Russia](#) - Speakers: Reagan Demas (Washington, DC), Michelle Gon (Shanghai), Alexander Bychkov (Moscow) - Moderator: Maria McMahan (Washington, DC) [Original broadcast June 18, 2013] [PowerPoint only](#)
- [Customs Valuation and Transfer Pricing: Developments in the US, Canada, EU and China](#) - Speakers: Robert Eisen (New York), Paul Burns (Toronto), Jennifer Revis (London), Eugene Lim (Hong Kong) - Moderator: William D. Outman (San Francisco) [Original broadcast July 23, 2013] [PowerPoint only](#)

View EU Anti-Bribery, Trade and Customs Webinar Series 2013 online

Our EU Compliance, International Trade and Customs Groups brought together their considerable local knowledge and on the ground experience to deliver their second webinar series. 2013's series covered a range of customs, export control, trade sanctions and anti-bribery and corruption topics.




















All webinars are scheduled to run for 90 minutes. Our panel of speakers provided a practical overview of each of the topics listed below, using both examples of re-cent cases and case studies. Our panel of speakers and moderators was comprised of leading international trade experts from various EMEA locations including: Alexander Bychkov (Moscow), Ross Denton (London), Jasper Helder (Amsterdam), Nicole Looks (Frankfurt), Sunny Mann (London).






- [EU Trade Sanctions](#) [Original broadcast: March 21] [PowerPoint only](#)
- [Anti-Bribery and Corruption : M&A Due Diligence](#) [Original broadcast: April 18] [PowerPoint only](#)
- [May 23: Third Party Supply Chain Risks \(Customs, Export Controls and Anti-Bribery\)](#) [Original broadcast: May 23] [PowerPoint only](#)
- [June 20: Customs Valuation: Focus on Intercompany Transactions](#) [Original broadcast: June 20] [PowerPoint only](#)
- [Import and Export Controls for Encryption Items](#) [Original broadcast: September 5] [PowerPoint only](#)
- [Customs Tariff Classification Update](#) [Original broadcast: September 19] [PowerPoint only](#)




















- [Fundamentals and Pitfalls in EU Export Controls](#) [Original broadcast: October 24] [PowerPoint only](#)
- [Customs: Free Trade Agreements / Origin](#) [Original broadcast: November 21] [PowerPoint only](#)
- [Anti-Bribery and Corruption: Key Developments](#) [Original broadcast : December 12] [PowerPoint 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 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/293	9/25/2015	10/23/2015	Lifts and lift components
 Argentina	ARG/284/Add.3	10/20/2015	Not given	Herbal medicines, plant-based drugs and preparations of plant-based drugs
 Argentina	ARG/294	10/20/2015	Not given	All products subject to certification regimes
 Argentina	ARG/295	10/20/2015	Not given	Food, beverages, liquid foods, perfumery products, toiletries, personal care products and household cleaning products
 Bahrain, Kingdom of	BHR/255/Add.1	10/1/2015	Not given	Labelling of pre-packaged food stuffs
 Bahrain, Kingdom of	BHR/400	10/2/2015	12/1/2015	Cosmetics
 Bahrain, Kingdom of	BHR/401	10/19/2015	12/18/2015	Pummelos
 Bahrain, Kingdom of	BHR/402	10/20/2015	12/19/2015	Sugar
 Bahrain, Kingdom of	BHR/403	10/20/2015	12/19/2015	Yoghurt
 Bahrain, Kingdom of	BHR/404	10/20/2015	12/19/2015	Cereal Flakes
 Bahrain, Kingdom of	BHR/405	10/20/2015	12/19/2015	Shawurma
 Bahrain, Kingdom of	BHR/406	10/20/2015	12/19/2015	Natural pomegranate molasses
 Bahrain, Kingdom of	BHR/407	10/20/2015	12/19/2015	Cake
 Bahrain, Kingdom of	BHR/408	10/23/2015	12/22/2015	Certain canned vegetables
 Bahrain, Kingdom of	BHR/409	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Bahrain, Kingdom of	BHR/410	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Bahrain, Kingdom of	BHR/411	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Bahrain, Kingdom of	BHR/412	10/26/2015	12/25/2015	Grinded thyme mix
 Bahrain, Kingdom of	BHR/413	10/26/2015	12/25/2015	Lactose







Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Bahrain, Kingdom of	BHR/414	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Bahrain, Kingdom of	BHR/415	10/26/2015	12/25/2015	Animal feeding-corn
 Brazil	BRA/442/Add.4	10/8/2015	Not given	Single use appliances for transfusion (HS 9018.90)
 Brazil	BRA/474/Add.5	10/8/2015	Not given	Baby carriages (HS 8715)
 Brazil	BRA/501/Add.2	10/20/2015	Not given	Matches (HS 3605)
 Brazil	BRA/504/Add.3	10/20/2015	Not given	Matches (HS 3605)
 Brazil	BRA/567/Add.4	10/19/2015	Not given	Baby Feeding Bottles and Nipples
 Brazil	BRA/647	10/15/2015	11/9/2015	Spring mattresses (HS 9404)
 Brazil	BRA/648	10/16/2015	12/10/2015	Pesticides
 Brazil	BRA/649	10/16/2015	12/11/2015	Food additives and technology supporting used in wine (HS 2204)
 Brazil	BRA/650	10/16/2015	12/10/2015	MERCOSUR Certificate of Free Sale to extra zone export of personal hygiene products, cosmetics and perfumes
 Brazil	BRA/651	10/21/2015	11/16/2015	Transition food to lactating and early childhood
 Brazil	BRA/652	10/21/2015	12/17/2015	Cigarette lighters (HS 9613)
 Canada	CAN/467	10/7/2015	10/15/2015	Terminal equipment
 Canada	CAN/468	10/8/2015	12/16/2015	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Canada	CAN/469	10/8/2015	12/16/2015	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Canada	CAN/470	10/16/2015	12/23/2015	Prescription status of medicinal ingredients for human use (HS 3004.90)
 Chile	CHL/325	10/2/2015	12/1/2015	Washing machines
 Chile	CHL/326	10/2/2015	12/1/2015	Inclined lifts and skip hoists or funiculars
 Chile	CHL/327	10/20/2015	12/19/2015	Three-phase electric induction motors
 China	CHN/253/Rev.1	10/1/2015	Not given	Vehicles of category N1 which have a maximum speed of no less than 50km/h and category M2 which have a maximum mass of no more than 3 500kgs, equipped with positive-ignition engines or compression-ignition engines (HS 8702, 8704)
 China	CHN/1139	10/19/2015	12/18/2015	Consumer products - Electrical & electronic products, products for children (HS 84;85;39;48;61;62;87;94;95). Plastics and articles thereof (HS 39), paper and paperboard; articles of paper pulp, of paper or of paperboard (HS 48), articles of apparel and clothing accessories, knitted or crocheted (HS 61), articles of apparel and clothing accessories, not knitted or crocheted (HS 62), nuclear reactors, boilers, machinery and mechanical appliances; parts thereof (HS


Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				84), electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles (HS 85), vehicles other than railway or tramway rolling-stock, and parts and accessories thereof (HS 87), furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings; lamps and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated buildings (HS 94), toys, games and sports requisites; parts and accessories thereof (HS 95); Manufacturing engineering
 Colombia	COL/85/Add.1	10/2/2015	Not given	Land snails
 Ecuador	ECU/319	10/8/2015	1/3/2016	Electric heaters for domestic use (HS 8516.29.90)
 Ecuador	ECU/320	10/8/2015	1/3/2016	Computers and input and output peripherals (HS 8471.30, 8471.41, 8471.49, 8471.50, 8471.60.20, 8471.60.90, 8471.80.00 and 8471.90.00)
 Ecuador	ECU/321	10/8/2015	1/3/2016	Microphones (HS 8518.10)
 Egypt	EGY/105	10/15/2015	12/14/2015	Preserved Tomato Products
 Egypt	EGY/106	10/15/2015	12/14/2015	Preserved Tomato Products
 Egypt	EGY/107	10/15/2015	12/14/2015	Preserved Tomato Products
 Egypt	EGY/108	10/15/2015	12/14/2015	Food grade salt
 Egypt	EGY/109	10/16/2015	12/15/2015	Food grade salt
 Egypt	EGY/110	10/16/2015	12/15/2015	Sanitary tap ware
 European Union	EU/317	10/1/2015	11/30/2015	Chemical substances placed on the EU market
 European Union	EU/318	10/2/2015	Not given	Food
 European Union	EU/319	10/16/2015	12/15/2015	Tricyclazole (pesticide active substance)
 European Union	EU/320	10/16/2015	12/15/2015	Electrical and electronic equipment
 European Union	EU/321	10/16/2015	Not given	Diaphragms (used in electrolysis installations) that contain asbestos (chrysotile) fibres and the fibres themselves
 European Union	EU/322	10/26/2015	12/25/2015	Biocidal products
 Georgia	GEO/92	10/2/2015	Not given	Wood
 India	IND/47/Add.1/Corr.1	10/14/2015	Not given	Addition of 15 products to the Schedule of the "Electronics and Information Technology Goods (Requirements for Compulsory Registration) Order, 2012" (List attached)
 India	IND/47/Add.1	10/12/2015	Not given	Addition of 15 products to the Schedule of the "Electronics and Information








Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				Technology Goods (Requirements for Compulsory Registration) Order, 2012” (List attached)
 Korea, Republic of	KOR/606	10/7/2015	12/6/2015	Telecommunications equipment and electrical appliances
 Korea, Republic of	KOR/607	10/7/2015	12/6/2015	Household desiccant
 Korea, Republic of	KOR/608	10/19/2015	12/18/2015	Gas lighters
 Korea, Republic of	KOR/609	10/19/2015	12/18/2015	Electrical appliances
 Korea, Republic of	KOR/610	10/22/2015	12/21/2015	Sticks for the elderly
 Kuwait	KWT/283	10/2/2015	12/1/2015	Cosmetics
 Kuwait	KWT/284	10/19/2015	12/18/2015	Pummelos
 Kuwait	KWT/285	10/20/2015	12/19/2015	Sugar
 Kuwait	KWT/286	10/20/2015	12/19/2015	Yoghurt
 Kuwait	KWT/287	10/20/2015	12/19/2015	Cereal Flakes
 Kuwait	KWT/288	10/20/2015	12/19/2015	Shawurma
 Kuwait	KWT/289	10/20/2015	12/19/2015	Natural pomegranate molasses
 Kuwait	KWT/290	10/20/2015	12/19/2015	Cake
 Kuwait	KWT/291	10/23/2015	12/22/2015	Certain canned vegetables
 Kuwait	KWT/292	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Kuwait	KWT/293	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Kuwait	KWT/294	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Kuwait	KWT/295	10/26/2015	12/22/2015	Grinded thyme mix
 Kuwait	KWT/296	10/26/2015	12/25/2015	Lactose
 Kuwait	KWT/297	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Kuwait	KWT/298	10/26/2015	12/25/2015	Animal feeding-corn
 Mexico	MEX/270/Add.3	10/16/2015	Not given	Petrol-fuelled motor vehicles
 Mexico	MEX/292/Add.1	10/5/2015	Not given	Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles (Chapter 85)
 Oman	OMN/211	10/2/2015	12/1/2015	Cosmetics
 Oman	OMN/212	10/7/2015	12/6/2015	Children and adult jewellery
 Oman	OMN/213	10/19/2015	12/18/2015	Pummelos
 Oman	OMN/214	10/20/2015	12/19/2015	Sugar
 Oman	OMN/215	10/20/2015	12/19/2015	Yoghurt
 Oman	OMN/216	10/20/2015	12/19/2015	Cereal Flakes
Oman	OMN/217	10/20/2015	12/19/2015	Shawurma
Oman	OMN/218	10/20/2015	12/19/2015	Natural pomegranate molasses
Oman	OMN/219	10/20/2015	12/19/2015	Cake
Oman	OMN/220	10/23/2015	12/22/2015	Certain canned vegetables

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Oman	OMN/221	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Oman	OMN/222	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Oman	OMN/223	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Oman	OMN/224	10/26/2015	12/25/2015	Grinded thyme mix
 Oman	OMN/225	10/26/2015	12/25/2015	Lactose
 Oman	OMN/226	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Oman	OMN/227	10/26/2015	12/25/2015	Animal feeding-corn
 Peru	PER/80	9/25/2015	12/22/2015	Measuring instruments, electric energy, static meters
 Peru	PER/81	10/2/2015	Not given	- Pharmaceutical products classified under Chapter 30 of the Harmonized System or Customs Tariff. - Medical devices classified under headings of the Harmonized System or Customs Tariff.
 Qatar	QAT/397	10/2/2015	12/1/2015	Cosmetics
 Qatar	QAT/398	10/19/2015	12/18/2015	Pummelos
 Qatar	QAT/399	10/20/2015	12/19/2015	Sugar
 Qatar	QAT/400	10/20/2015	12/19/2015	Yoghurt
 Qatar	QAT/401	10/20/2015	12/19/2015	Cereal Flakes
 Qatar	QAT/402	10/20/2015	12/19/2015	Shawurma
 Qatar	QAT/403	10/20/2015	12/19/2015	Natural pomegranate molasses
 Qatar	QAT/404	10/20/2015	12/19/2015	Cake
 Qatar	QAT/405	10/23/2015	12/22/2015	Certain canned vegetables
 Qatar	QAT/406	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Qatar	QAT/407	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Qatar	QAT/408	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Qatar	QAT/409	10/26/2015	12/25/2015	Grinded thyme mix
 Qatar	QAT/410	10/26/2015	12/25/2015	Lactose
 Qatar	QAT/411	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Qatar	QAT/412	10/26/2015	12/25/2015	Animal feeding-corn
 Saudi Arabia	SAU/861	10/2/2015	12/1/2015	Cosmetics
 Saudi Arabia	SAU/862	10/7/2015	12/6/2015	LED Luminaires
 Saudi Arabia	SAU/863	10/7/2015	12/6/2015	LED-Lamps
 Saudi Arabia	SAU/864	10/7/2015	12/6/2015	LED Modules
 Saudi Arabia	SAU/865	10/19/2015	12/18/2015	Deformed and plain low-alloy steel bars for concrete reinforcement
 Saudi Arabia	SAU/866	10/19/2015	12/18/2015	Deformed and plain carbon-steel bars for concrete reinforcement
 Saudi Arabia	SAU/867	10/19/2015	12/18/2015	Luminaires, incorporating electric light sources
 Saudi Arabia	SAU/868	10/19/2015	12/18/2015	Pummelos

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Saudi Arabia	SAU/869	10/20/2015	12/19/2015	Sugar
 Saudi Arabia	SAU/870	10/20/2015	12/19/2015	Yoghurt
 Saudi Arabia	SAU/871	10/20/2015	12/19/2015	Cereal Flakes
 Saudi Arabia	SAU/872	10/20/2015	12/19/2015	Shawurma
 Saudi Arabia	SAU/876	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Saudi Arabia	SAU/875	10/23/2015	12/22/2015	Certain canned vegetables
 Saudi Arabia	SAU/874	10/20/2015	12/19/2015	Cake
 Saudi Arabia	SAU/873	10/20/2015	12/19/2015	Natural pomegranate molasses
 Saudi Arabia	SAU/877	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Saudi Arabia	SAU/878	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Saudi Arabia	SAU/879	10/26/2015	12/25/2015	Grinded thyme mix
 Saudi Arabia	SAU/880	10/26/2015	12/25/2015	Lactose
 Saudi Arabia	SAU/881	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Saudi Arabia	SAU/882	10/26/2015	12/25/2015	Animal feeding-corn
 South Africa	ZAF/3/Rev.1	10/5/2015	Not given by country	Hydraulic brake and clutch fluid
 South Africa	ZAF/182/Add.1	10/1/2015	Not given	Motor vehicles for the transport of goods (HS 8704)
 South Africa	ZAF/184/Add.1	10/1/2015	Not given	Motor vehicles for the transport of ten or more persons, including the driver (HS 8702, 8704, 8709)
 South Africa	ZAF/185/Add.1	10/1/2015	Not given	Electrical apparatus for switching or protecting electrical circuits, or for making connections to or in electrical circuits (for example, switches, relays, fuses, surge suppressors, plugs, sockets, lamp-holders, junction boxes), for a voltage not exceeding 1,000 volts (HS 8536)
 Taiwan Economy	TPKM/216	10/1/2015	11/30/2015	Food for human consumption
 Taiwan Economy	TPKM/217	10/1/2015	11/30/2015	Drinking water dispenser (warm-hot type CCCN 8516.10, iced-warm-hot type CCCN 8418.69)
 Taiwan Economy	TPKM/218	10/7/2015	12/6/2015	Air conditioners (HS Chapter 84)
 Taiwan Economy	TPKM/219	10/14/2015	12/13/2015	Food utensils, food containers or packaging containing plastic material
 Taiwan Economy	TPKM/220	10/14/2015	12/13/2015	Food utensils, food containers or packaging containing plastic material
 Taiwan Economy	TPKM/211/Add.2	10/21/2015	Not given	Food for human consumption
 Taiwan Economy	TPKM/221	10/21/2015	12/20/2015	Agro-pesticides (CCCN: 1302.19.30.00-6; 3808.50.00.10-5; 3808.50.00.90-8; 3808.91.10.00-6; 3808.91.90.00-9; 3808.92.10.90-6; 3808.92.20.90-4; 3808.99.11.00-7; 3808.99.12.00-6;

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
				3808.99.21.00-5; 2908.91.00.00-9; 2848.00.90.10-1; 3808.93.11.00-3; 3808.93.12.00-2; 3808.93.19.00-5; 3808.93.21.00-1; 3808.93.22.00-0)
 Thailand	THA/466	10/8/2015	12/7/2015	Household or laundry - type washing machines, including machines which both wash and dry (HS 8450)
 Thailand	THA/467	10/15/2015	12/14/2015	Other standards related to lamps
 Uganda	UGA/522	10/1/2015	11/30/2015	Pastry
 Uganda	UGA/523	10/1/2015	11/30/2015	Banana (Matooke) Flour
 Uganda	UGA/524	10/22/2015	12/21/2015	Smoked fish; Smoke flavoured fish; Smoked dried fish (HS 0305)
 Uganda	UGA/525	10/22/2015	12/21/2015	Quick frozen prawns and shrimp
 Uganda	UGA/526	10/22/2015	12/21/2015	Frozen octopus
 Uganda	UGA/527	10/22/2015	12/21/2015	Fish sausages
 Uganda	UGA/528	10/22/2015	12/21/2015	Crackers from marine and freshwater fish; Crackers from crustacean and molluscan shellfish
 United Arab Emirates	ARE/268	10/1/2015	11/30/2015	Motor vehicle spare parts
 United Arab Emirates	ARE/269	10/2/2015	12/1/2015	Cosmetics
 United Arab Emirates	ARE/270	10/7/2015	12/6/2015	Mechanical structures for electronic equipment
 United Arab Emirates	ARE/271	10/19/2015	12/18/2015	Pummelos
 United Arab Emirates	ARE/272	10/20/2015	12/19/2015	Chewing Gum
 United Arab Emirates	ARE/273	10/20/2015	12/19/2015	Yoghurt
 United Arab Emirates	ARE/274	10/20/2015	12/19/2015	Cereal Flakes
 United Arab Emirates	ARE/275	10/20/2015	12/19/2015	Shawurma
 United Arab Emirates	ARE/276	10/20/2015	12/19/2015	Natural pomegranate molasses
 United Arab Emirates	ARE/277	10/20/2015	12/19/2015	Cake
 United Arab Emirates	ARE/278	10/21/2015	12/20/2015	Rotodynamic water pumps
 United Arab Emirates	ARE/279	10/21/2015	12/20/2015	Nutrition Labeling
 United Arab Emirates	ARE/280	10/23/2015	12/22/2015	Certain canned vegetables
 United Arab Emirates	ARE/281	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake (ICS: 67.190)
 United Arab Emirates	ARE/282	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
United Arab Emirates	ARE/283	10/23/2015	12/22/2015	Food packages made of aluminium foil
United Arab Emirates	ARE/284	10/26/2015	12/25/2015	Grinded thyme mix
United Arab Emirates	ARE/285	10/26/2015	12/25/2015	Lactose
United Arab Emirates	ARE/286	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
United Arab Emirates	ARE/287	10/26/2015	12/25/2015	Animal feeding-corn
United Kingdom	GBR/24/Add.1	10/2/2015	Not given	Tobacco and manufacture tobacco substitutes (HS 24)
United Kingdom	GBR/26	10/2/2015	12/31/2015	Non-automatic weighing instruments

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 United Kingdom	GBR/27	10/2/2015	12/31/2015	Measuring instruments
 United States	USA/1016/Add.1	10/12/2015	Not given	Motor vehicles
 United States	USA/1031	10/1/2015	11/24/2015	Tobacco products (HS 2402)
 United States	USA/1032	10/1/2015	Not given	Proximity detection systems
 United States	USA/1033	10/1/2015	12/1/2015	Proximity detection systems
 United States	USA/1033/Add.1	10/5/2015	Not given	Proximity detection systems
 United States	USA/1034	10/5/2015	11/30/2015	Table grapes
 United States	USA/1035	10/12/2015	11/2/2015	Chemical substances
 United States	USA/1036	10/12/2015	10/19/2015	Food standards and labeling policy
 United States	USA/1037	10/12/2015	12/7/2015	Motor vehicle parts and accessories
 United States	USA/1038	10/12/2015	11/9/2015	Air emission sources
 United States	USA/1039	10/12/2015	12/7/2015	Pediatric hospital beds, medical cribs and medical bassinets (HS 9402)
 United States	USA/1040	10/21/2015	1/8/2016	Hazardous liquid pipelines: Pipeline components and pipelines
 United States	USA/1041	10/21/2015	11/13/2015	Allowable lead content limits
 United States	USA/1041/Add.1	10/26/2015	Not given	Allowable lead content limits
 United States	USA/1042	10/21/2015	1/4/2016	Children's folding chairs and stools
 United States	USA/1043	10/21/2015	1/4/2016	Infant bouncer seats
 United States	USA/1044	10/23/2015	12/18/2015	Hazardous waste
 United States	USA/743/Corr.2	10/5/2015	Not given	School buses (HS 8702)
 United States	USA/813/Add.2	10/21/2015	Not given	Infant formula
 United States	USA/826/Add.4	10/26/2015	Not given	Refrigerated beverage vending machines (HS 8476)
 United States	USA/881/Add.1	10/1/2015	Not given	Tobacco products (HS 2402)
 United States	USA/893/Add.6	10/21/2015	Not given	Food products, labelling
 United States	USA/903/Add.1/Corr.2	10/21/2015	Not given	Residential clothes washers (HS 8450)
 United States	USA/974/Add.3	10/26/2015	Not given	Residential furnaces (HS 8416)
 United States	USA/993/Corr.1	10/5/2015	Not given	Motorcycle helmets
 Yemen	YEM/3	10/2/2015	12/1/2015	Cosmetics
 Yemen	YEM/4	10/19/2015	12/18/2015	Pummelos
 Yemen	YEM/5	10/20/2015	12/19/2015	Sugar
 Yemen	YEM/6	10/20/2015	12/19/2015	Yoghurt
 Yemen	YEM/7	10/20/2015	12/19/2015	Cereal Flakes
 Yemen	YEM/8	10/20/2015	12/19/2015	Shawurma
 Yemen	YEM/9	10/20/2015	12/19/2015	Natural pomegranate molasses
 Yemen	YEM/10	10/20/2015	12/19/2015	Cake
 Yemen	YEM/11	10/23/2015	12/22/2015	Certain canned vegetables

Country	Notification	Date Issued	Final Date for Comments	Merchandise Covered
 Yemen	YEM/12	10/23/2015	12/22/2015	Cocoa nibs, cocoa mass and cocoa press cake
 Yemen	YEM/13	10/23/2015	12/22/2015	Electrolyte drinks (sports drinks)
 Yemen	YEM/14	10/23/2015	12/22/2015	Food packages made of aluminium foil
 Yemen	YEM/15	10/26/2015	12/25/2015	Grinded thyme mix
 Yemen	YEM/16	10/26/2015	12/25/2015	Lactose
 Yemen	YEM/17	10/26/2015	12/25/2015	Wheat protein products including wheat gluten
 Yemen	YEM/18	10/26/2015	12/25/2015	Animal feeding-corn

CBSA Advance Rulings

No [advance rulings](#) have been recently 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.

CBP Rulings: Downloads and Searches

Because US Customs and Border Protection issues several thousand rulings a year, it is not practical to list each ruling. However, rulings are made available for downloading in self extracting files approximately every two weeks. Information about downloading rulings is available on the [CROSS search engine](#) home page. In addition, almost all rulings issued by US Customs or US Customs and Border Protection from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#). Over 187,000 such rulings are in the database.

CBP Rulings: Revocations or Modifications

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

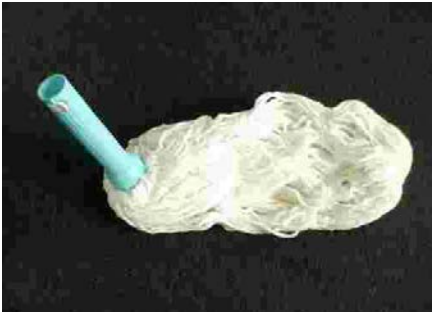
Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
(P) 10-28-15	Tariff classification of a play table with a detachable mobile seat	NY N074173 (M)	9401.80.4045	HQ H166336	9503.00.0071 [GRI 3(b)]	(C) 11-27-15
	Tariff classification of women's suit-type jackets	NY N086736 (M) NY N086592 (M)	Separately in 6204.33.50 &	HQ H110416	As a suit in 6204.13.20 [GRI 1]	

Published in CBP Bulletin (P) Proposed (A) Action	Product(s) or Issue(s)	Ruling(s) to be Modified (M) or Revoked (R)	Old Classification or Position	New Ruling	New Classification or Position	Comments Due (C) or Effective Date (E)
	and pants.		6204.63.35			
	Tariff classification of automotive cylinder lock sets	NY I84093 (R)	8536.50.9065 8301.20.0060	HQ H060579	8301.20.0060 [GRI 3(b)]	
(A) 10-28-15	Tariff classification of electric flatiron for hair	NY N025515 (M) NY N060719 (R) NY N060721 (M)	8516.40.4000	HQ H157778	8516.32.0040 [GRI 1]	(E) 12-28-15
	Tariff classification of a triathlon short.	NY N007456 (R)	6104.63.2006	HQ H039658	6114.30.3070 [GRI's 1 and 6]	
	Tariff classification of an inkjet printer/cutter	NY N004132 (M)	8477.80.00	HQ H128416	8443.32.1040 [GRI 1]	
	Tariff classification of a PowerCap and a PowerCap with Crystal	NY N093423 (R)	8504.40.9540	HQ H192478	8506.50.00 [GRIs 1 and 6]	
	Tariff classification of mobile phone kits.	NY N049055 (R)	8517 unassembled kit [GRI 2(a)]	HQ H252291	4901.99.00 8504.40.85 8517.12.00 [GRIs 1, 2(a) and 6]	
	Tariff classification of electronic learning devices for children	NY I84192 (R) NY E84480 (R) NY F8587 (R) NY J84806 (R) NY L85697 (R) NY L86633 (R) NY E86264 (M)	9503	HQ H039058	8543.70.96 [GRI 1]	
	Tariff classification of Linzess® (Linaclotide) from Sweden.	NY N233631 (R)	3004.90.91	HQ H250309	3002.90.51 [GRI 1]	
Tariff classification of sliced and diced potatoes.	HQ 966202 (M) NY I89048 (M) HQ 954208 (M)	2005.20.00	HQ H243645	0712.90.30 [GRI 1]		

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) 2015/1785 05-10-15	An article (so-called 'mop head') consisting of cords of textiles fixed to a plastic adaptor which is designed to connect the article with a handle. (See photograph) ⁽¹⁾	9603 90 99	Classification is determined by general rules 1, 2(a) and 6 for the interpretation of the Combined Nomenclature (GIR) and by the wording of CN codes 9603, 9603 90 and 9603 90 99. A bundle of textile cords mounted on a handle constitutes a mop. The article is a bundle of cords of textiles fixed to a plastic adaptor which serves to connect the article with a handle. Consequently, the mop head should be considered an incomplete article which has the essential character of a mop within the meaning of GIR 2(a), because the plastic adaptor is designed

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
			<p>to be mounted on a handle (See also the Harmonized System Explanatory Notes to heading 9603, (D), first paragraph)</p> <p>The article is therefore to be classified under CN code 9603 90 99 as a 'mop'.</p>
<p>(EU) 2015/1799 08-10-15</p>	<p>A product in the form of powder, put up for retail sale in a plastic box containing 300 g. The recommended daily dose (10 g) consists of (in milligrams):</p> <ul style="list-style-type: none"> — amino-acids (blend of arginine and citrulline) 5 20 0 — vitamin C (as ascorbic acid) 500 — L-taurine 300 — vitamin E (as D-alpha-tocopheryl acetate) 90 — alpha-lipoic acid 10 — folic acid 0,4 — lemon balm 50 — calcium (as CaCO₃) 66 <p>The product also contains small amounts of citric acid, sucralose and silicon dioxide.</p> <p>According to the label, the product is a dietary supplement for human consumption which provides help in taking care of the body and offering a lifetime of well-being.</p> <p>The recommended daily dose indicated is 10 g (2 scoops).</p>	<p>2106 90 92</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, Additional Note 1(a) to Chapter 30 and the wording of CN codes 2106, 2106 90 and 2106 90 92.</p> <p>The product is a preparation presented as a dietary supplement for human consumption, containing vitamins and amino-acids.</p> <p>The product is not intended to diagnose, treat, cure or prevent any disease within the meaning of heading 3004. Even if it contains a level of vitamins C and E significantly higher than the recommended daily allowance, it does not meet the requirements of Additional note 1 (a) to Chapter 30. Classification under CN code 3004 is therefore excluded.</p> <p>As the product is put up in packaging with the indication that it maintains general health or well-being, it is a food preparation not elsewhere specified or included (see also the Harmonized System Explanatory Notes to heading 2106, second paragraph, point (16)).</p> <p>The product is therefore to be classified under CN code 2106 90 92 as other food preparation</p>
<p>(EU) 2015/1800 08-10-15</p>	<p>A portable electronic apparatus, with measurements of 7 × 60 × 110 mm and a weight of 100 g, consisting of the following main components in a single plastic housing:</p> <ul style="list-style-type: none"> — a colour LED display with touch screen with a diagonal measurement of the screen of 8,9 cm (3,5 inches) and a resolution of 960 × 640 pixels, — a central processing unit, — a RAM memory of 256 MB, — a storage capacity of 32 GB, — a module for wireless connection to other apparatus and to the in- 	<p>8471 30 00</p>	<p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature, note 3 to Section XVI, note 5(A) to Chapter 84 and by the wording of CN codes 8471 and 8471 30 00.</p> <p>The apparatus is designed for performing two or more complementary or alternative functions within the meaning of note 3 to Section XVI (data processing, communication over a wireless network, sound and video recording and reproducing, capturing video and still images, displaying still and video images).</p> <p>Due to the objective characteristics of the apparatus, in particular its capability of downloading,</p>

Commission Implementing Regulation	Description of the goods	Classification (CN code)	Reasons
	<p>ternet,</p> <ul style="list-style-type: none"> — a rechargeable lithium battery, — a loudspeaker, — a microphone, and — a camera for capturing video and still images. <p>It has the following interfaces:</p> <ul style="list-style-type: none"> — a connector to charge the apparatus and to connect it to other apparatus such as an automatic data processing (ADP) machine, and — a 3,5 mm jack plug. <p>The apparatus allows the user, inter alia, to connect to the internet, to download, execute and modify software applications, to receive and send e-mails, to play games, and to download, record and reproduce music, video and photos.</p>		<p>storing modifying and executing programs, its principal function is data processing (see also the HS Classification Opinions 8471.30/2, 3 and 4). The other functions are considered secondary.</p> <p>Consequently the apparatus is to be classified under CN code 8471 30 00 as a portable automatic data-processing machine, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display.</p>

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
337-TA-910	Certain television sets, television receivers, television tuners, and components thereof	Commission determination terminating the investigation with a finding of no violation of section 337
337-TA-932	Certain consumer electronics and display devices with graphics processing and graphics processing units therein	Notice of request for statements on the public interest
337-TA-935	Certain personal transporters, components thereof, and manuals therefor	Commission determination to review in part an initial determination granting complainant's motion for summary determination of violation of section 337 and, on review, to modify the initial determination; request for written submissions on remedy, the public interest, and bonding
337-TA-938	Certain coaxial cable connectors and components thereof and products containing same	Commission determination not to review an initial determination terminating the investigation in its entirety based upon withdrawal of the complaint
337-TA-948	Certain toy figurines and toy sets containing the same	Commission's determination to terminate the investigation in its entirety based upon consent order stipulations and settlement agreements; issuance of consent orders
337-TA-955	Certain protective cases for electronic devices and components thereof	Notice of a Commission determination not to review an initial determination terminating the investigation in its entirety based upon withdrawal of the complaint

Ref. Number	Commodity	Action
337-TA-956	Certain Recombinant Factor VIII Products	Commission determination not to review an initial determination granting an unopposed motion to amend the complaint and notice of investigation
337-TA-958	Certain automated teller machines and point of sale devices and associated software thereof	Notice of Commission determination not to review an initial determination granting complainant's motion to amend the complaint and the notice of investigation
337-TA-961	Certain lip balm products, containers for lip balm, and components thereof	Commission decision not to review an initial determination granting a motion to terminate the investigation; investigation terminated in its entirety
337-TA-968	Certain radiotherapy systems and treatment planning software, and components thereof	Institution of Investigation based on a complaint filed on behalf of Varian Medical Systems, Inc. and Varian Medical Systems International AG alleging patent infringement

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

Ref. №	Commodity	Complaint filed on behalf of:
DN 3086	Certain radiotherapy systems and treatment planning software, and components thereof	Varian Medical Systems, Inc. and Varian Medical Systems International AG
DN 3088	Certain woven textile fabrics and products containing same	AAVN, Inc.
DN 3088	Certain woven textile fabrics and products containing same	AAVN, Inc. (Amended Complaint)
DN 3089	Certain blood cholesterol test strips and associated systems containing same	Polymer Technology Systems, Inc.
DN 3090	Certain height-adjustable desk platforms and components thereof	Varidesk LLC
DN 3091	Certain air mattress systems, components thereof, and methods of using the same	Select Comfort Corporation and Select Comfort SC Corporation
DN 3092	Certain automated teller machines, ATM modules, components thereof, and products containing the same	Diebold, Incorporated and Diebold Self-Service Systems
DN 3093	Certain vehicular smartwatch systems, related software, components thereof, and products containing the same	Intellectual Capital Consulting, Ltd.

Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

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

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



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

Case №	Merchandise/Country	Action
A-570-894	Certain tissue paper products from China	Final results of expedited sunset review of the ADD order
A-549-502	Circular welded carbon steel pipes and tubes from Thailand	Final results of ADD administrative review; 2013-2014


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

Case No	Merchandise/Country	Action
C-570-938	Citric acid and certain citrate salts from China	Rescission of CVD administrative review; 2014
A-475-820 A-588-843 A-580-829 A-469-807 A-583-828	Stainless steel wire rod from Italy, Japan, S. Korea, Spain, and Taiwan	Final results of the expedited sunset reviews of the ADD orders
A-570-962	Certain potassium phosphate salts from China	Final results of the expedited first sunset reviews of the ADD order
C-570-963	Certain potassium phosphate salts from China	Final results of the expedited first sunset reviews of the CVD order
C-570-948	Steel grating from China	Final results of the expedited first sunset reviews of the CVD order
A-570-947	Steel grating from China	Final results of the expedited first sunset reviews of the ADD order
A-570-848	Freshwater crawfish tail meat from China	Preliminary results of ADD administrative review and new shipper reviews; 2013-2014
A-583-844	Narrow woven ribbons with woven selvedge from Taiwan	Preliminary results of ADD administrative review; 2013-2014
A-533-843	Certain lined paper products from India	Notice of preliminary results of ADD administrative review; 2013-2014
C-351-844 C-533-866 C-570-030 C-580-882 C-821-823	Certain cold-rolled steel flat products from Brazil, India, China, S Korea, and the Russian Federation	Postponement of preliminary determinations in the CVD investigations
A-570-851	Certain preserved mushrooms from China	Initiation of ADD new shipper review
A-570-831	Fresh Garlic from China	Final rescission of the semiannual ADD new shipper review of Jinxiang Kaihua Imp & Exp Co., Ltd
A-570-981	Utility scale wind towers from China	Notice of rescission of ADD administrative review; 2014-2015
A-552-814	Utility scale wind towers from Vietnam	Notice of rescission of ADD administrative review; 2014-2015
A-570-912	Certain new pneumatic off-the-road tires from China	Preliminary results of ADD administrative review; 2013-2014
A-570-890	Wooden Bedroom Furniture From China	Preliminary results of changed circumstances review, and intent to revoke ADD order in part
A-570-904	Certain activated carbon from China	Final results of ADD administrative review; 2013-2014
A-428-602	Brass sheet and strip from Germany	Final results of ADD administrative review and final determination of no shipments; 2013-2014
A-583-848	Certain stilbenic optical brightening agents from Taiwan	Final results of ADD administrative review; 2013-2014
C-489-502	Circular welded carbon steel pipes and tubes from Turkey	Final results of CVD administrative review; calendar year 2013 and rescission of CVD administrative review, in part
A-570-945 C-570-946	Prestressed concrete steel wire strand from China	Continuation of the AD and CVD orders
C-580-877	Welded Line Pipe from S. Korea:	Final negative CVD determination
A-580-876	Welded Line Pipe from S. Korea	Final determination of sales at LTFV
C-489-823	Welded Line Pipe from Turkey	Final affirmative CVD determination
A-489-822	Welded Line Pipe from Turkey	Final determination of sales at LTFV
A-475-832 A-533-863 A-570-026 A-580-878 A-583-856	Certain corrosion-resistant steel products from India, Italy, China, S. Korea, and Taiwan	Postponement of preliminary determinations of ADD investigations


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

Case No	Merchandise/Country	Action
A-201-842	Large residential washers from Mexico	Partial rescission of ADD administrative review; 2014 – 2015
C-570-978	Certain high pressure steel cylinders from China	Rescission of CVD administrative review; 2014
A-122-853	Citric acid and certain citrate salts from Canada	Final results of ADD administrative review; 2013-2014
A-570-836	Glycine from China	Final results of ADD administrative review and partial rescission of ADD administrative review; 2013-2014
C-489-825	Heavy walled rectangular welded carbon steel pipes and tubes from Turkey	Postponement of preliminary determination in the CVD investigation
A-570-952	Narrow woven ribbons with woven selvage from China	Final results of ADD administrative review
A-421-811	Purified carboxymethylcellulose from the Netherlands	Final results of changed circumstances review and revocation of the ADD order
A-307-820	Silicomanganese from Venezuela	Rescission of ADD administrative review; 2014-2015
A-122-855	Certain polyethylene terephthalate resin from Canada	Affirmative preliminary determination of sales at LTFV and postponement of final determination
A-533-861	Certain polyethylene terephthalate resin from India	Affirmative preliminary determination of sales at LTFV, affirmative preliminary determination of critical circumstances, and postponement of final determination
A-570-024	Certain polyethylene terephthalate resin from China	Preliminary determination of sales at LTFV and postponement of final determination
A-523-810	Certain polyethylene terephthalate resin from Oman	Affirmative preliminary determination of sales at LTFV and postponement of final determination
A-570-929	Small Diameter Graphite Electrodes From China	Final rescission of ADD new shipper review; 2014
A-570-937	Citric acid and certain citrate salts from China	Rescission of ADD administrative review; 2014-2015
C-122-854	Supercalendered paper from Canada	Final affirmative CVD Determination
A-570-910 [later retracted]	Circular welded carbon quality steel pipe from China	Final redetermination pursuant to court remand: Wheatland Tube Co. v. United States [Court No. 12-00296] Sec. 129 [Retracted on 10-30-15]
C-570-019	Boltless steel shelving units prepackaged for sale from China	Amended final affirmative CVD determination and CVD order
A-570-018	Boltless steel shelving units prepackaged for sale from China	ADD order
C-351-846 C-580-884 C-489-827	Certain hot-rolled steel flat products from Brazil, S. Korea, and Turkey	Postponement of preliminary determinations in the CVD investigations
A-570-979	Crystalline silicon photovoltaic cells, whether or not assembled into modules, from China	Preliminary results of the changed circumstances review
A-570-848	Freshwater crawfish tail meat from China	Initiation of ADD new shipper review
A-570-928	Uncovered Innerspring Units from China	Affirmative preliminary determination of circumvention of the ADD order
A-570-890	Wooden bedroom furniture from China	Partial rescission of ADD administrative review
A-570-970	Multilayered wood flooring from China	Initiation of ADD new shipper review; 2013-2014
A-533-867	Welded stainless pressure pipe from India	Initiation of ADD investigation
C-533-868	Welded stainless pressure pipe from India	Initiation of CVD investigation
A-475-818	Certain pasta from Italy	Notice of final results of ADD changed circumstances review


United States International Trade Commission (USITC)

Case No	Merchandise/Country	Action
701-TA-469	Certain seamless carbon and alloy	(Review) Institution of five-year reviews


United States International Trade Commission (USITC)

Case No	Merchandise/Country	Action
731-TA-1168	steel standard, line, and pressure pipe from China	
701-TA-470-471 731-TA-1169-1170	Certain Coated Paper Suitable For High-Quality Print Graphics Using Sheet-Fed Presses From China and Indonesia	(Review) Institution of five-year reviews
701-TA-249 731-TA-262, 263, 265	Iron construction castings from Brazil, Canada, and China	(4 th Review) Institution of five-year reviews
701-TA-464 731-A-1160	Prestressed concrete steel wire strand from China	(Review) Determination that revocation of the CV and ADD orders would be likely to lead to continuation or recurrence of material injury to an industry in the US within a reasonably foreseeable time
731-TA-1174-1175	Seamless refined copper pipe and tube from China and Mexico	(Review) Institution of five-year reviews
731-TA-1047	Ironing tables and certain parts thereof from China	(2 nd 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
701-TA-548 731-TA-1298	Welded stainless steel pressure pipe from India	(Preliminary) Institution of AD and CVD investigations and scheduling of preliminary phase investigations
701-TA-523 731-TA-1259	Boltless steel shelving units prepackaged for sale from China	(Final) Determinations that an industry in the US is materially injured by reason of imports that have been found by Commerce to be sold in the US at LTFV, and to be subsidized by the government of China
701-TA-462, 1156-1158 731-TA-1043-1045	Polyethylene retail carrier bags from China, Indonesia, Malaysia, Taiwan, Thailand, and Vietnam	(Review-462, 1156-1158; Second Review-1043-1045) Scheduling of full five-year reviews)
731-TA-1269	Silicomanganese from Australia	(Final) Scheduling of the final phase of an ADD investigation
701-TA-524	Certain welded line pipe from Korea	(Final) Termination of investigation
731-TA-149	Barium chloride 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 United States within a reasonably foreseeable time.


Canadian International Trade Tribunal (CITT)

Ref. Number	Merchandise/Country	Action
PI-2015-001	Hot-rolled carbon steel plate and high-strength low-alloy steel plate originating in or exported from India and the Russian Federation	Preliminary determination of injury
RR-2014-005	Greenhouse bell peppers originating in or exported from the Netherlands.	Order issued rescinding its finding after expiry review
LE-2015-002	Dumping of flat hot-rolled carbon and alloy steel sheet and strip, including secondary or non-prime material originating in or exported from Brazil, China, Chinese Taipei, India and Ukraine, and the subsidizing of such products originating in or exported from India	Notice of expiry of order on August 14, 2016; Notices of participation and representation, declarations and undertakings are due November 4, 2015


Canada Border Services Agency (CBSA)

Ref. Number	Merchandise/Country	Action
AD 1262	Certain flat hot-rolled carbon and alloy steel sheet and strip originating in or exported from the Brazil, China, Chinese Taipei, India, and Ukraine	Notice of conclusion of re-investigation of normal values and export prices from listed countries and subsidy from India


NAFTA Panels

Ref. Number	Merchandise/Country	Action
None		


Mexico - Ministry of Economy

Ref. №	Merchandise/Country	Action
10-07-2015	Multilayer paper sacks for lime and cement from Brazil	Expiration 01-26-2016 – Deadline for submission: 12-03-2015
(09-29-2015)	Seamless stainless steel from China	Expiration 02-25-2016 – Deadline for submission: 01-19-2016
	Mushrooms from China and Chile	Expiration 05-18-2016 – Deadline for submission: 04-11-2016
	Synthetic polybutadiene styrene rubber emulsion from Brazil	Expiration 05-28-2016 – Deadline for submission: 04-21-2016
	Rolled steel plate from Russia	Expiration 06-08-2016 – Deadline for submission: 05-02-2016
E.A. 06/14	Ammonium sulfate originating in the United States and China	Final results of antidumping duty investigation


European Union

Ref. Number	Merchandise/Country	Action
(EU) 2015/1821	Certain stainless steel wires originating in India	Commission Implementing Regulation amending Council Implementing Regulation (EU) No 1106/2013 imposing a definitive ADD and collecting definitively the provisional duty imposed and amending Council Implementing Regulation (EU) No 861/2013 imposing a definitive CVD and collecting definitively the provisional duty imposed
(EU) 2015/1846	Wire rod originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review
(EU) 2015/1928	Certain aluminium foil originating in China	Commission Implementing Decision terminating the AD proceeding
2015/C 355/6	Certain aluminium wheels originating in China	Notice of initiation of an expiry review of the AD measures
2015/C 355/7	Sodium gluconate originating in China	Notice of initiation of an expiry review of the AD measures
(EU) 2015/1934	Certain tube and pipe fittings, of iron or steel, originating in China	Commission Implementing Regulation imposing a definitive ADD following an expiry review
2015/C 357/5	Certain stainless steel tube and pipe butt-welding fittings, whether or not finished, originating in China and Taiwan	Notice of initiation of an AD proceeding
(EU) 2015/1952	Molybdenum wire, containing by weight at least 99,95 % of molybdenum, of which the maximum cross-sectional dimension exceeds 1,35 mm but does not exceed 4,0 mm, originating in China	Commission Implementing Regulation extending the definitive ADD to imports of molybdenum wire, containing by weight at least 97 % of molybdenum, of which the maximum cross-sectional dimension exceeds 4,0 mm but does not exceed 11,0 mm, originating in China



European Union

Ref. Number	Merchandise/Country	Action
(EU) 2015/1953	Certain grain-oriented flat-rolled products of silicon-electrical steel originating in China, Japan, S. Korea, the Russian Federation and the USA	Commission Implementing Regulation of 29 October 2015 imposing a definitive ADD
(EU) 2015/1963	Acesulfame potassium originating in China	Commission Implementing Regulation imposing a definitive ADD and collecting definitively the provisional duty



Australian Anti-Dumping Commission

Ref. №	Merchandise/Country	Action
2015/117	Mushrooms from China	Withdrawal of an application
2015/118	PV Modules or Panels from China	Termination of an Investigation
2015/119	Ammonium Nitrate from Russia	Initiation of Continuation Inquiry
2015/120	Aluminium Extrusions from China	Initiation of an Accelerated Review
2015/121	Biodiesel from USA	Expiry of Anti-Dumping Measures
2015/122	Steel Reinforcing Bar from Korea, Malaysia, Singapore, Spain, Taiwan, Thailand and Turkey	Termination of part of an investigation
2015/123	Steel Reinforcing Bar from China	Extension of time granted to issue SEF
2015/124	Tomatoes from Italy	Extension of time granted to issue Final Report
2015/125	Aluminium Extrusions from China	Findings in relation to a continuation inquiry into anti-dumping measures
2015/126	Various	Status Report at 30 September 2015



China Ministry of Commerce (MOFCOM)

Ref. №	Merchandise/Country	Action
32, 2015	White feather chicken products originating in the United States	The final AD measures review investigation
36, 2015	PVC originating in the USA, S. Korea, Japan, Russia and Taiwan	Final review of AD determination
37, 2015	Polyamide -6,6 slice originating in the United States, Italy, Britain, France and Taiwan	AD measures applicable to final review of the ruling
40, 2015	Various	List of AD and CV measures that will expire December 31, 2015 to December 31, 2016



Government of India Ministry of Finance (Department of Revenue)

Reference	Merchandise/Country	Action
48/2015-Cus (ADD)	Plain medium density fibre board of thickness 6 mm and above, originating in or exported from China, Malaysia, Thailand and Sri Lanka	Levies definitive ADD for a period of five years
49/2015-Cus (ADD)	Front axle beam and steering knuckles for medium and heavy commercial vehicles, originating in or exported from China	Levies definitive ADD for a period of five years


Government of India Ministry of Finance (Department of Revenue)

Reference	Merchandise/Country	Action
50/2015-Cus (ADD)	Hexamine, originating in or exported from China and UAE	Levies definitive ADD for a period of five years
51/2015-Cus (ADD)	All fully drawn or fully oriented yarn/spin draw Yarn/Flat Yarn of Polyester (non-textured and non – POY), originating in or exported from China and Thailand	Levies definitive ADD for a period of five years
52/2015-Cus (ADD)	Narrow woven fabric”falling under heading 5806 of the First Schedule to the Customs Tariff Act, originating in, or exported from, China and Chinese Taipei	Extends the validity of notification No 108/2010-Customs, dated the 6th October, 2010 for a further period of one year
53/2015-Cus (ADD)	Clear float glass of nominal thickness ranging from 4 mm to 12 mm (both inclusive), the nominal thickness being as per originating in or exported from Pakistan, Saudi Arabia and UAE	Orders provisional assessment on imports by M/s Tariq Glass Industries Limited, Pakistan (exporter) till the finalization of New Shipper Review initiated by DGAD, initiated vide notification No. 15/16/2015-DGAD, dated 23rd September, 2015


Argentina Ministry of Economy and Public Finance

Ref. Number	Merchandise/Country	Action
Res. 987/2015	Certain electrical terminals from China and Germany	Acceptance of undertaking after expiry review
Res. 1011/2015	Certain water pumps for spark engines originating in China	ADD imposed for 5 years


Brazil Ministry of Development, Industry and Trade

Reference	Merchandise/Country	Action
SECEX Cir. 62	Powdered magnesium, with a minimum of 90% of magnesium and 10% maximum of lime from China	Begins review of the ADD
SECEX Cir. 63	Monobutyl ethylene glycol ether (EB-MEG), originating in the USA	Begins review of the ADD
SECEX Cir. 64	Footwear originating in China	Start ADD of the scope of assessment
SECEX Cir. 65	Cuticle pliers China and Pakistan	Closed the investigation to determine the existence of dumping without the application of AD measure
SECEX Cir. 66	Dental panoramic X-ray machines, analog or digital from Germany	Starts investigation to ascertain the existence of dumping
SECEX Cir. 67	PET resin from China, Chinese Taipei, India and Indonesia	Conclusion of a preliminary affirmative determination of dumping, no provisional application recommendation

www.bakermckenzie.com

For further information please contact:

Editor of International Trade Compliance Update

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

Steering Committee Contacts for the International Trade, Compliance and Customs Practice Group

Customs

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

Export Controls and Sanctions

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

Trade Remedies

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

WTO

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

Anti-corruption

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

Opportunity to Request Administrative Review

In an October 1, 2015 *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 October anniversary dates:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Brazil: Carbon and Certain Alloy Steel Wire Rod	A-351-832	10/1/14-9/30/15
Indonesia: Carbon and Certain Alloy Steel Wire Rod	A-560-815	10/1/14-9/30/15
Italy: Pressure Sensitive Plastic Tape	A-475-059	10/1/14-9/30/15
Mexico: Carbon and Certain Alloy Steel Wire Rod	A-201-830	10/1/14-9/30/15
Moldova: Carbon and Certain Alloy Steel Wire Rod	A-841-805	10/1/14-9/30/15
The PR of China: Barium Carbonate	A-570-880	10/1/14-9/30/15
Barium Chloride	A-570-007	10/1/14-9/30/15
Electrolytic Manganese Dioxide	A-570-919	10/1/14-9/30/15
Helical Spring Lock Washers	A-570-822	10/1/14-9/30/15
Polyvinyl Alcohol	A-570-879	10/1/14-9/30/15
Steel Wire Garment Hangers	A-570-918	10/1/14-9/30/15
Trinidad and Tobago: Carbon and Certain Alloy Steel Wire Rod	A-274-804	10/1/14-9/30/15
Countervailing Duty Proceedings		
Brazil: Carbon and Certain Alloy Steel Wire Rod	C-351-833	1/1/14-12/31/14
Iran: Roasted In Shell Pistachios	C-507-601	1/1/14-12/31/14
Suspension Agreements		
Russia: Uranium	A-821-802	10/1/14-9/30/15

Requested Reviews

In an October 6, 2015 *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 August anniversary dates. See actual notices for companies requesting review:

AD/CVD Proceedings - Country/ Merchandise	Case No.	Period
Antidumping Duty Proceedings		
Malaysia: Polyethylene Retail Carrier Bags	A-557-813	8/1/14-7/31/15
Mexico: Light Walled Rectangular Pipe and Tube	A-201-836	8/1/14-7/31/15
Republic of Korea: Large Power Transformers	A-580-867	8/1/14-7/31/15
Russian Federation: Solid Urea	A-821-801	7/1/14-6/30/15
SR of Vietnam: Frozen Fish Fillets	A-552-801	8/1/14-7/31/15
Thailand: Polyethylene Retail Carrier Bags	A-549-821	8/1/14-7/31/15
The PR of China: Certain Steel Nails	A-570-909	8/1/14-7/31/15
Polyethylene Retail Carrier Bags	A-570-886	8/1/14-7/31/15
UKRAINE: Silicomanganese	A-823-805	8/1/14-7/31/15
Countervailing Duty Proceedings		
None		
Suspension Agreements		
None		

Initiation of Sunset Reviews

In an October 1, 2015, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the anti-dumping and countervailing duty orders listed below.

AD/CVD DOC Case No.	ITC Case No.	Country	Merchandise
A-351-503	731-TA-262	Brazil	Iron Construction Castings (4 th Review).
C-351-504	701-TA-249	Brazil	Iron Construction Castings (4 th Review).
A-122-503	731-TA-263	Canada	Iron Construction Castings (4 th Review).
A-560-823	731-TA-1170	Indonesia	Coated Paper Suitable for High-Quality
C-560-824	701-TA-471	Indonesia	Print Graphics Using Sheet-Fed Presses (1 st Review)
A-201-838	731-TA-1175	Mexico	Seamless Refined Copper Pipe and Tube (1 st Review).
A-570-958	731-TA-1169	PRC	Coated Paper Suitable For High-Quality
C-570-959	701-TA-470	PRC	Print Graphics Using Sheet-Fed Presses (1 st Review)
A-570-502	731-TA-265	PRC	Iron Construction Castings (4 th Review).
A-570-956	731-TA-1168	PRC	Seamless Carbon and Alloy Steel
C-570-957	701-TA-469	PRC	Standard, Line and Pressure Pipe (1 st Review).
A-570-964	731-TA-1174	PRC	Seamless Refined Copper Pipe and Tube (1 st Review).

Advance Notification of Sunset Reviews

In an October 1, 2015, *Federal Register* [notice](#), the US Department of Commerce advised that the following case was scheduled for a five-year (“Sunset”) review for November.

AD/CVD Proceedings - Merchandise/Country	Case No.
Wooden Bedroom Furniture from China	A-570-890 (2 nd Review)

©2015 Baker & McKenzie. All rights reserved. Baker & McKenzie International is a Swiss Verein with member law firms around the world. In accordance with the common terminology used in professional service organizations, reference to a “partner” means a person who is a partner, or equivalent, in such a law firm. Similarly, reference to an “office” means an office of any such law firm.

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

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

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