

International Trade **ALERT**



AAEI

American Association of Exporters and Importers

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AAEI Action

Register Now for Winter Seminar

This is your last chance to register for the AAEI 2011 Winter Seminar in Washington, D.C. on **Thursday, January 27**. The Winter Seminar is the Association's premier winter event in the New Year. Register today online by visiting www.aaei.org, or contact [Michelle Measel](mailto:Michelle.Measel@aaei.org) at mmeasel@aaei.org with any questions.

Teleconferences and Seminars

If you would like to join an AAEI committee, please send an e-mail to AAEI's Manager of Public Affairs, Chris Enyart, at cenyart@aaei.org.

Customs Committee meeting

Tuesday, January 25
3:30 pm (ET)

International Policy Committee meeting

Tuesday, February 1
2:00 pm (ET)

Trade Policy Committee meeting

Monday, February 14
2:00 pm (ET)

Membership Committee meeting

Tuesday, February 15
1:00 pm (ET)

Drawback Committee meeting

Tuesday, February 15
2:00 pm (ET)

Export Compliance Committee meeting

Thursday, February 17
12:30 pm (ET)

Regulated Industries Committee meeting

Tuesday, February 22
2:00 pm (ET)

Customs Committee meeting

Thursday, February 24
3:30 pm (ET)

1050 17th St., N.W. Suite 810
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China

Obama, Hu Talk about Trade

Trade issues were high on the agenda when President Obama hosted Chinese President Hu Jintao at a state visit in Washington D.C. last week. The issue was part of a roundtable [discussion](#) with business leaders on January 19, followed by a joint [press conference](#). Among the issues raised in the bilateral talks were investment, national treatment, intellectual property rights protection, and the value of the renminbi.

While the two leaders generally struck positive notes in their public comments, they also indicated that each side has demands of the other. The frictions in the relationship were even more evident in Congress, where numerous members took advantage of the events to stress their growing frustration with the bilateral trade deficit and other irritations in the U.S.-Chinese relationship.

What the Presidents Said

On economic and trade matters, the two presidents sought to emphasize cooperation as well as areas in which they believe the other country needs to improve. In his prepared remarks to the business community, Hu said:

[President Obama and I] discussed how to advance economic cooperation between our two countries across the board. We agreed to strengthen our cooperation in the financial, economic, trade and the environment, science and technology, agriculture, infrastructure and many other fields. So, indeed, there is a promising future for trade and investment cooperation between our two countries. I do hope that companies from both countries can seize the opportunities, take active options and achieve great things.

I also have a message to American entrepreneurs. That is, we welcome you as companies to China. China follows reform and opening up. We will, as always, try to provide a transparent, just, fair, highly efficient investment climate to U.S. companies and other foreign companies. I also wish to tell you that all companies registered in China are given national treatment. In terms of innovation products, accreditation, government procurement, IPR

protection, the Chinese government will give them equal treatment.

Here, I also have a message to Chinese entrepreneurs. That is, the Chinese government will, as it has always done, support you in making investments and doing business here in the United States.

In his opening remarks at the press conference, Obama briefly described his view of the future relationship with China as “a spirit of cooperation that is also friendly competition.”

Obama announced that the two governments “completed dozens of deals that will increase U.S. exports by more than \$45 billion and also increase China’s investment in the United States by several billion dollars.” One of the largest components of the deal was an apparent \$19 billion sale of 200 Boeing airplanes, all of which had actually been contracted for between 2007 and 2010. The final step was President Hu’s approval of those sales, which he gave last week.

While Obama lauded those sales, Hu appeared to complain about U.S. restrictions on sales of sensitive goods to his country. In remarks delivered in Chicago the following day, Hu said, “We hope the United States will work in the same spirit and relax its control on high-tech exports to China as soon as possible in order to boost its exports to China.”

In answer to the one question on trade and economic issues posed by a reporter during the January 19 press conference Obama said that part of the way for the two trading partners to enjoy a “win-win situation” is for China to improve intellectual property protection:

Some of it has to do with intellectual property protection. So we were just in a meeting with business leaders, and Steve Ballmer of Microsoft pointed out that their estimate is that only one customer in every 10 of their products is actually paying for it in China. And so can we get better enforcement, since that is an area where America excels -- intellectual property and high-value added products and services.

And the Chinese government has, to its credit, taken steps to better enforce intellectual property. We’ve got further agreement as a consequence of this state visit. And I think President Hu would acknowledge that more needs to be done.

Obama said that he and Hu discussed treatment of U.S. companies in China. The two presidents discussed the issue of government procurement policies at length. According to Obama, as a result of their talks “we’re making progress on making sure that the government procurement process in China is open and fair to American businesses. And we’ve made progress as a consequence of this state visit.”

In his remarks to the press, Obama said,

I did also stress to President Hu that there has to be a level playing field for American companies competing in China, that trade has to be fair. So I welcomed his commitment that American companies will not be discriminated against when they compete for Chinese government procurement contracts. And I appreciate his willingness to take new steps to combat the theft of intellectual property.

During his speech in Chicago the next day, the president of China countered with his own complaints about unfair treatment. He told his audience:

We hope the U.S. side will provide a level playing field for Chinese companies pushing to invest in the United States so that they will have more opportunities to contribute to the development of the U.S. economy.

At the joint press conference, Obama also touched on the dispute over China’s currency. He credited the Chinese government for having “intervened very forcefully in the currency markets. They’ve spent \$200 billion just recently, and that’s an indication of the degree to which it’s still undervalued.”

The Mood on Capitol Hill

Although Hu sought to emphasize his government’s support for the multilateral trading system, as well as a cooperative spirit in bilateral relations, some members of Congress take a more skeptical or even hostile view. This was expressed both both in word and, in the decisions of some leaders not to accept invitations to the state dinner at the White House,¹ by pointed silence.

Representatives Brad Sherman (D-CA), Walter Jones (R-NC), Marcy Kaptur (D-OH), and Peter DeFazio (D-OR) announced plans to cosponsor the “Emergency China Trade Act,” a bill to revoke Most Favored Nation (MFN) status for China six months after enactment of the bill into law. The effect of the law would be to raise tariffs on most products imported from China. It would direct the president to negotiate a new trading relationship “designed to eliminate the trade imbalance within four years,” according to a “Dear Colleague” letter describing the bill and soliciting cosponsors in the House. The bill would also provide for the expedited consideration of a new trade partnership with China that is intended to bring the U.S. trade deficit with China to zero.

A bipartisan group of 84 House members, led by representatives Michael Michaud (D-ME) and Thaddeus McCotter (R-MI), cosigned a [letter](#) on January 18 to President Obama demanding that the president stress to Chinese President Hu Jintao that “America’s patience is near an end” concerning “China’s disregard for the binding commitments they agreed to as part of their accession to the World Trade Organization in 2001.” Arguing that “ten years is more than enough time for China to have implemented its WTO commitments,” the signatories wrote,

Numerous economic policies in China violate their WTO commitments, and all of them harm U.S. businesses and employment. Its currency is manipulated by as much as 40 percent, and its low value helps China to maintain its status as the world’s biggest exporter. Its paper sector benefits from illegal subsidies that have allowed the industry – which lacks natural forest reserves and a competitive advantage – to become the world’s largest paper producer. China’s green energy companies also enjoy illicit subsidies, as well as interest-free, government loans, at the direct expense of U.S. competitors. Their limit on the exportation of rare earth materials puts U.S. high-tech companies at a severe disadvantage. And widely applied technology transfer requirements mean U.S. companies doing business in China often have to share their research and development in order to operate there, only to face competition down the road from Chinese companies using the very same U.S.-developed technology.

¹ Speaker of the House John Boehner (R-OH), Senate Republican Leader Mitch McConnell (R-KY), and Senate Majority Leader Harry Reid (D-NV) all opted not to attend the function.

... [T]he problem with China cannot be solved by a piecemeal enforcement approach. It is no coincidence that our trade deficit with China has nearly tripled since they joined the WTO. Nor is it a coincidence that employment in our manufacturing sector has declined by more than 25% in the same period. Achieving the goal of your National Export Initiative of doubling U.S. exports is impossible without addressing China's predatory, protectionist, and illegal policies that not only limit our access to their market, but also limit our opportunities in other markets around the globe.

The signatories include at least seven of the Republican "Tea Party" freshmen² and one freshman Democrat. None of the 84 signatories is a member of the House Ways and Means Committee, which would have primary jurisdiction over any legislative initiative addressing trade measures regarding China.

China's Regional Defense Strategies

Agency: U.S.-China Economic and security review Commission

Action: Open meeting

Meeting date: January 27, 2011

Federal Register: [January 18, 2011 \(Vol.76 No. 11\)](#)

For further information contact: Michael Danis (202) 624-1407

The U.S.-China Economic and Security Review Commission will hold a public hearing in Washington, D.C. to address "China's Active Defense Strategy and its Regional Impact." This is the first public hearing the commission will hold during its 2011 report cycle to collect input from leading academic, industry, and government experts on national security implications of the U.S. bilateral trade and economic relationship with China. The hearing will examine China's current defense strategies and their impact on U.S. and regional interests.

China Institutes New Customs Rule

The General of Customs in China has begun strict enforcement of its new requirements for dutiable shipments as of January 1, 2011. Customs

Notice No.33³ implements new requirements intended to verify invoice values and actual shipment commodity description for all import and export shipments to ensure that all required information is being declared properly. The new declaration requirements are apparently having a particularly disruptive effect on courier delivery services.

The key elements of Customs Notice No.33 are:

1. HARMONIZED SYSTEM CODES (HS CODE): All shipments exporting/importing into China require a Harmonized System Code (HS CODE) on the submitted Customs Declaration Form, with the exception of documents.
2. CUSTOMS REGISTRATION CODES (CR CODE) FOR IMPORTERS/EXPORTERS: All shipments exporting/importing into China require a Customs Registration Code (CR Code) on the submitted Customs Declaration Form with the exception of documents and personal effects. (All exporters/importers in China will need to register with Customs authorities to obtain this code from Customs).
3. SAMPLES and ADVERTISING MATERIALS DUTY EXEMPTION WITHDRAWAL: The existing advertising and samples exemption (materials under RMB400/US\$71) is no longer in effect. All advertising and sample materials will now be taxed based on HS Code and duty liability. All shipments with duty liability (less than RMB50/US\$7) are automatically exempt from tax and duties.

In order to register for the mandatory CR Code an importer/exporter must be a Chinese Registered Entity, in order to be eligible to apply for a CR Code from China's Custom Authorities. One who is not a Chinese Registered Entity must appoint an importer or exporter of record (IOR/EOR) agent to import/export on his behalf, using the IOR/EOR's CR Code number.

With regard to valuation, China Customs will use the CIF value for duty calculation purposes, so

² Republican freshmen: Steve Austria (OH), Hansen Clarke (MI), Chip Cravaack (MN), Rick Crawford (AR), Reid Ribble (WI), Steve Stivers (OH), and Mick Mulvaney (SC). Mark Critz (D-PA) is also a freshman.

³ "Customs Notice No.33" is one translation of the requirement. **ALERT** has also seen references to "China Order 33." These alternate translations apparently refer to the same requirements.

the agency will require the true declared value on all imported items.

Currently, no CR Code is required if one is shipping to a consignee who is a private individual, but Customs will require proof that the items being imported are for Personal Use only. The consignee will need to submit a passport or ID copy and a letter of explanation to the China Customs Authorities. Customs will then decide whether to allow the import of the shipment as Personal Effects. In instances in which Customs finds the explanation or quantity questionable, the agency may reject the entry and classify the import as General Trade. If that occurs, a CR Code number will be required.

Chinese End-User Approved

Agency: Bureau of Industry and Security, Commerce Department

Action: Final rule

Effective date: January 18, 2011

Federal Register: [January 18, 2011 \(Vol.76 No.11\)](#)

For further information contact: Karen Nies-Vogel (202) 482-5991

The Bureau of Industry and Security (BIS) amends the Export Administration Regulations (EAR) to add one end-user, CSMC Technologies Corporation (CSMC), to the list of validated end-users in the People's Republic of China (PRC). With this rule, exports, reexports, and transfers (in-country) of certain items to three CSMC facilities in the PRC are now authorized under Authorization Validated End-User.

In this rule, BIS also amends the EAR to revise the validated end-user authorization for Advanced Micro Devices China, Inc. (AMD) in the PRC by amending the list of buildings associated with one of the company's approved facilities and by updating the description of items eligible for export, reexport, or transfer (in-country) to AMD's approved facilities.

Export Rules

Census Mandatory AES Filing

Agency: Census Bureau, Commerce Department

Action: Notice of proposed rulemaking

Comment deadline: March 22, 2011

Federal Register: [January 21 2011 \(Vol.76 No. 14\)](#)

For further information contact: William G. Bostic, Jr. (301) 763-8842

The Census Bureau proposes to amend its regulations to reflect new export reporting requirements. Specifically, the Census Bureau is proposing to require mandatory filing of export information through the Automated Export System (AES) or through AESDirect for all shipments of used self-propelled vehicles, temporary exports and household goods. The Census Bureau is also proposing to modify the post-departure filing program by changing the filing time frame from ten calendar days to five calendar days and only allowing post-departure reporting for approved commodities.

In addition to the new export reporting requirements and the modifications to the post-departure filing program, the proposed rule would make remedial changes to the Foreign Trade Regulations to improve clarity and to correct errors.

Regulations

Obama Orders Regs Reviews

President Obama on January 18 signed [Executive Order 13563](#) directing all Federal departments and agencies to submit a preliminary plan to the Office of Information and Regulatory Affairs within 120 days reviewing its "existing significant regulations to determine whether any such regulations should be modified, streamlined, expanded, or repealed so as to make the agency's regulatory program more effective or less burdensome in achieving the regulatory objectives."

The order does not seek to eliminate any particular regulations, nor does it deal in any way with proposed regulations or those expected to go into effect after the date the order was signed. Since Obama took office in 2009 his administration is outpacing his predecessors in the number of "significant" regulations (43) that have been put in place. As explained by the [Office of Management and Budget](#), a "significant" regulation is generally one in which the regulation is expected to have an effect on the economy of more than \$100 million per year.

The president also signed a [memorandum](#) to all departments and agencies encouraging them to post online in a searchable, accessible, and downloadable format public information

“concerning their regulatory compliance and enforcement activities.”

Finally, the president signed another [memorandum](#) to his departments and agencies directing them to “give serious consideration to whether and how it is appropriate, consistent with law and regulatory objectives, to reduce regulatory burdens on small businesses, through increased flexibility.” The memorandum suggests that such “flexibility” could include extending compliance dates for small entities, performance standards rather than design standards, simplification of reporting and compliance requirements, different requirements for large and small firms, and partial or total exemptions from regulations for small businesses.

The [Small Business Administration's](#) Advocacy's Office of Interagency Affairs monitors Federal agencies' compliance with the Regulatory Flexibility Act of 1980, as amended by the Small Business Regulatory Enforcement Fairness Act of 1996. The law requires Federal agencies to analyze the impact of proposed regulations on small businesses and the Office of Advocacy reports annually on agencies' compliance to Congress.

This item will be placed on the agenda for all AAEI committee meetings, giving members an opportunity to discuss any regulations that they believe should be reviewed.

Court Rulings

Federal Circuit Vacates CIT

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Equitable Result Required

[Papierfabrik August Koehler AG v. United States](#), slip op. 2010-1147 (Fed. Cir. Jan. 11, 2011)

In a nonprecedential opinion, the U.S. Court of Appeals for the Federal Circuit vacated the judgment of the U.S. Court of International Trade (“CIT”) affirming the U.S. International Trade Commission’s (“ITC”) material injury determination in the antidumping duty investigations on light weight thermal paper. The

ITC found that the imports posed a threat of material injury to the U.S. industry.

Papierfabrik August Koehler (“Koehler”) challenged the affirmative threat of injury determination because it was based in large part on the impact of Koehler’s 48 gsm paper product on the U.S. industry but the Department of Commerce had found that product was not being dumped. The ITC “determined that increased imports of 48 gsm jumbo rolls from Germany threatened the domestic LWTP industry even though those rolls were not being [dumped].” When the CIT affirmed the ITC’s determination, Koehler took its case to the Federal Circuit. The Federal Circuit ruled that the ITC can review Commerce’s intermediate calculations when making its injury determination. The Federal Circuit ruled that the ITC incorrectly denied Koehler’s request to consider the lack of dumping related to the 48 gsm rolls. Thus, the CIT erred in affirming the ITC’s decision. As the Federal Circuit noted, “[w]hen the threat determination is based almost exclusively on one product within the subject merchandise, and that one product is not being sold at LTFV, the Commission should be able to use all materials at its disposal to make an equitable determination.”

Commerce Must Compare Correctly

[Union Steel v. United States](#), slip op. 11-3 (Ct. Int’l Trade Jan. 11, 2011)

Union Steel, a producer and exporter of corrosion-resistant carbon steel flat products from Korea objected to the Department of Commerce’s model-match methodology in the thirteenth administrative review of the antidumping duty on that product. Specifically, Union Steel did not agree that Commerce should compare Union’s U.S. sales of painted products to Union’s home market sales, which included not only painted products but also laminated products. The CIT agreed with Union Steel. The CIT noted that the record lacked substantial evidence supporting a finding that the physical differences distinguishing the laminated products from the products Commerce compared to the laminated products are minor and commercially insignificant. Thus, the CIT remanded the case for further proceedings.

AFA Rate Redux

[Tianjin Mach. Import & Export Corp. v. United States](#), slip op. 11-1 (Ct. Int’l Trade Jan. 4, 2011)

Chinese producers and exporters of heavy forged hand tools continued to disagree with Commerce's use of adverse facts available in administrative reviews of the antidumping duty orders on those tools. The CIT reviewed Commerce's remand determinations, which continued to apply large adverse facts available margins, and agreed with some of Commerce's results, but not all.

Commerce continued to apply a 139.31 percent margin to Tianjin's imports of bars and wedges. The CIT sustained this result, finding that Commerce used a previously calculated rate for the company and justified it with substantial evidence. However, the CIT did not agree that Commerce could apply this same rate to another producer and exporter. The CIT ruled that the rate was not grounded in the "commercial reality" of that supplier. The CIT directed Commerce to choose a lower rate. The CIT also directed the same result for Tianjin's picks and mattocks.

Disputes & Sanctions

Canada Loses Twice, Charged Again

The London Court of International Arbitration (LCIA)⁴ on January 21 issued a decision that subsidies provided to the lumber industry by two Canadian provincial governments, Ontario and Quebec, violated the [U.S.-Canada Softwood Lumber Agreement](#) (SLA). This is the second time the arbitration panel has found Canada in violation of its obligations under the 2006 SLA. Only days before the LCIA issued its decision, the United States filed a third complaint alleging that Canada is illegally subsidizing softwood lumber produced in British Columbia.

The LCIA tribunal agreed with the United States that certain provincial assistance programs put into place by Quebec and Ontario to aid the Canadian softwood lumber industry breach Canada's obligations under the anti-circumvention provisions of the SLA. The tribunal determined that, if Canada fails to cure the breach within 30

days, Canada must impose, as an appropriate adjustment to compensate for the breach, additional charges on exports of softwood lumber to the United States originating in Quebec and Ontario. These additional export charges will remain in place for the duration of the SLA and it is anticipated that they will result in the collection of US \$59.4 million, according to the Office of the U.S. Trade Representative.

If Canada does not take action in accordance with the tribunal's decision within 30 days, the United States is authorized by the SLA to impose additional import duties on softwood lumber from Canada.

This is the second time the LCIA has found that Canadian provinces have violated the SLA by offering illegal subsidies to their lumber industry. In 2009 an arbitration tribunal sided with the United States, finding that the provinces of Quebec, Ontario, Manitoba, and Saskatchewan were all in violation the SLA by exceeding quota requirements. The Canadian government was required to collect more than CAN\$68 million in export duties on lumber exports to the United States.

USTR Initiates Third SLA Complaint

USTR Ron Kirk on January 16 announced that he is [requesting arbitration](#) with Canada under the SLA for a third time. In this complaint, the United States alleges that Canada is under-pricing timber harvested from public lands in British Columbia. In announcing the new dispute, Kirk said,

Canada is providing an additional benefit to Canadian exporters of softwood lumber by selling timber harvested from public lands for prices below those provided for under the timber pricing system grandfathered under the SLA. By doing so, Canada is in breach of its commitments under the Agreement.

The USTR contends that the central issue in the dispute involves the mis-assignment of public timber to the salvage "grade 4," which British Columbia then sells to Canadian softwood lumber producers at the very low fixed rate of 25 cents per cubic meter. Since the SLA entered into force in 2006, according to the USTR, the share of timber harvested from public lands in the Interior region of British Columbia and provided as "grade 4" (or otherwise priced at 25 cents per cubic meter) has increased dramatically. The United States charges

⁴ Under the terms of the SLA differences between the United States and Canada regarding interpretation of the Agreement are subject to binding arbitration conducted under the rules of the London Court of International Arbitration.

that this increase is not justified under the British Columbia provincial timber pricing system recognized under the SLA, even when known factors affecting timber quality (such as damage from the mountain pine beetle) are fully taken into consideration.

[Consultations](#) between the two parties last fall failed to resolve the matter, so the United States has availed itself of the option to seek binding arbitration in the LCIA.

Immigration & Visas

Seaports and Illegal Immigration

The General Accountability Office (GAO) has released its report on [Maritime Security: Federal Agencies Have taken Actions to Address Risks Posed by Seafarers, but Efforts Can Be Strengthened](#). The purpose of the report was to assess Federal and industry efforts to ensure security by preventing illegal immigration through U.S. seaports, including immigration by foreign seafarers.

GAO produced the report at the request of the House Homeland Security Committee. The agency examined:

- (1) The measures Federal agencies take to address risks posed by foreign seafarers;
- (2) The challenges the Department of Homeland Security (DHS) faces in tracking illegal entries by foreign seafarers and how it enforces penalties; and
- (3) The implementation status of the International Labor Organization (ILO) Seafarers' Identity Documents Convention (ILO 185).

In addition to the major findings the report provides a background on seafarers by nationality, how the United States screens seafarers, and the provisions of ILO-185.

GAO found that U.S. Customs and Border Protection (CBP) and other agencies conduct cargo vessel admissibility inspections on board vessels, but very frequently conduct the inspections without the aid of tools that can provide instant verification through electronic means. Frequently these inspections are done aboard ship without the benefit of tools to verify a seafarer's identity or immigration status electronically. GAO also found that DHS did not

have reliable data on illegal entries by foreign seafarers at U.S. seaports. Data on absconders and deserters for the same port varied widely between CBP and the U.S. Coast Guard, and between the field level and headquarters level.

GAO's research found that international implementation of ILO 185 has been limited. Only 18 countries, representing ten percent of the global seafarer supply, have ratified ILO 185. In addition, key ILO mechanisms to promote compliance are not expected to be in place for another year at the earliest, according to GAO. As of December 2010, the United States had not ratified ILO 185 largely due to concerns over a provision allowing shore leave for foreign seafarers without visas.

GAO recommends that DHS assess risks of not electronically verifying cargo vessel seafarers for admissibility, identify reasons for absconder and deserter data variances, and, with the Department of Justice (DOJ), develop a plan with timelines to adjust civil monetary penalties for inflation. DHS and DOJ concurred with GAO's recommendations.

Transportation

Transporting Hazardous Materials

Agency: Pipeline and Hazardous Materials Safety Administration, Department of Transportation

Action: Final rule

Effective date: January 19, 2011

Voluntary Compliance Date: January 1, 2011

Federal Register: [January 19, 2010 \(Vol.76 No.12\)](#)

For further information contact: Michael Stevens (202) 366-8553

The Pipeline and Hazardous Materials Safety Administration (PHMSA) is amending the Hazardous Materials Regulations to maintain alignment with international standards by incorporating various amendments, including:

- ❖ changes to proper shipping names,
- ❖ hazard classes,
- ❖ packing groups,
- ❖ special provisions,
- ❖ packaging authorizations,
- ❖ air transport limited quantities, and
- ❖ vessel stowage requirements.

These revisions are necessary to harmonize the Hazardous Materials Regulations with recent

changes made to the International Maritime Dangerous Goods Code, the International Civil Aviation Organization's Technical Instructions for the Safe Transport of Dangerous Goods by Air, and the United Nations Recommendations on the Transport of Dangerous Goods-Model Regulations. This final rule encompasses a very large number of different issues, including packaging of certain types of hazardous materials, labeling requirements, regulations dependent on the transportation vehicle, and so forth. Any reader involved in any aspect of transportation of hazardous materials is urged to consult the notice.

Trade People

Immelt Chairs New WH Jobs Board

President Obama on January 21 [named](#) General Electric Co. Chief Executive Jeffrey Immelt to chair a new "President's Council on Jobs and Competitiveness." The purpose of the new advisory council is to propose ways to encourage businesses to invest domestically and promote job growth.

The president also announced the departure of Paul Volcker, who chaired the President's Economic Recovery Advisory Board. The board's two-year mandate expires on February 6.

Food & Agriculture

Canada Proposes New Food License

The [Canadian Food Inspection Agency](#) (CFIA) is [considering adoption of a licensing regime](#) that would apply to all importers of food products or

food ingredients in the non-federally registered sector (NFRS). Under this regulatory proposal, the CFIA intends to introduce import controls for most Non Federally Registered Sector (NFRS) products. The new import licenses would be in addition to all import licensees and regulatory requirements already in place.

The CFIA is proposing establishment of minimum food safety and labeling requirements for all imported foods, or food ingredients, and license requirements for anyone importing such foods. The proposal would apply to agricultural products that are intended for use as food, or as an ingredient for food. The proposal would institute new licensing requirements, and new recall procedures, including recordkeeping and notification requirements.

Meetings

Transportation Equipment Exports

Agency: Bureau of Industry and Security, Commerce Department

Action: Partially closed meeting

Meeting date: February 10, 2011

Federal Register: [January 20, 2011 \(Vol.76 No.13\)](#)

For further information contact: Yvette Springer (202) 482-2813

The Transportation and Related Equipment Technical Advisory Committee will meet on February 10, at 9:30 a.m., at the Commerce Department. The committee advises the Office of the Assistant Secretary for Export Administration with respect to technical questions that affect the level of export controls applicable to transportation and related equipment or technology.



Unfair Trade Laws

Recent Actions Taken under Unfair Trade Laws by the International Trade Administration (ITA) and the U.S. International Trade Commission (ITC)

Law	Product	Exporters	Action	FR Vol.76
AD	Folding tables and chairs	China	ITA final results of 2007-2008 deferred antidumping duty administrative review and final results of 2008-2009 antidumping duty administrative review are <i>de minimis</i>	#11
AD	Polyester staple fiber	China	ITA final results of administrative review weighted average margin ranges from 0.00 to 44.30 percent and partial rescission of administrative review	#11
AD	Porcelain-on-steel cookware	China	ITC schedules expedited five-year review	#11
AD	Welded carbon steel pipe and tube	Turkey	ITA extends time limit for preliminary results of administrative review	#12
AD	Silicon metal	China	ITA final results and partial rescission of 2008-2009 administrative review weighted average margin is 3.14 percent	#12
AD	Roller bearings and parts	China	ITA final results and partial rescission of 2008-2009 administrative review weighted average margin ranges from 0.00 to 38.39 percent	#12
AD	Purified carboxy-methylcellulose	Finland, Mexico, Netherlands, Sweden	ITC revised schedule for subject reviews	#12
AD	Welded carbon steel pipe and tube	Taiwan	ITA extends time limit for preliminary results of administrative review	#13
AD	Granular polytetrafluoroethylene resin	Japan	ITA final results of sunset review and revocation of order	#13
CVD	Carbon steel flat products	Korea	ITA final results of administrative review	#13



Upcoming Events

January

Monday, January 24

International Trade Administration of the Department of Commerce holds a no-cost forum in Denver on proposed amendments to the substantive and procedural rules for the authorization of Foreign-Trade Zones.

Tuesday, January 25

President Obama delivers State of the Union address to Congress.

House Ways and Means Committee holds [hearing](#) on the pending free trade agreements with Korea, Colombia, and Panama. Contact: (202) 225-3625.

Wednesday, January 26

International Trade Administration of the Department of Commerce holds a no-cost forum in Seattle on proposed amendments to the substantive and procedural rules for the authorization of Foreign-Trade Zones.

Wednesday-Sunday, January 26-30

World Customs Day. The World Customs Organization has designated 2011 as the “Year of Knowledge.”

[World Economic Forum](#) meets in Davos, Switzerland.

Thursday, January 27

AAEI holds its Winter Seminar, entitled “Advice from the Trenches: Practical Approaches & Ideas for Your Trade Compliance Program,” at the offices of Alston + Bird LLP in Washington, D.C. For more information or to register: <http://www.aaei.org/Events/2011WinterSeminar/tabid/290/Default.aspx>.

Friday, January 28

International Trade Administration of the Department of Commerce holds a no-cost forum in San Francisco on proposed amendments to the substantive and procedural rules for the authorization of Foreign-Trade Zones.

February

Saturday, February 5

First of four sessions of the U.S. Customs Broker Exam Preparatory Course offered by the [Foreign Trade Association](#) (Los Angeles). The other sessions will be taught February 19 and 26, and March 5. All classes are at the Hacienda Hotel, El Segundo California. Contact the Foreign Trade Association at (818) 352-6753.

Monday, February 7

Comments due to the Bureau of Industry and Security, Commerce Department for the proposed rulemaking on improving CCL item descriptions and license exceptions for some items.

International Trade Administration of the Department of Commerce holds a public forum in Washington on proposed amendments to the substantive and procedural rules for the authorization of Foreign-Trade Zones.

Tuesday, February 8

Comments due to the State Department for revisions to the munitions list and a single list of controlled items.

Wednesday, February 9

International Trade Administration of the Department of Commerce holds a public forum in Washington on proposed amendments to the substantive and procedural rules for the authorization of Foreign-Trade Zones.

Tuesday, February 15

Animal and Plant Health Inspection Service holds its initial stakeholder meeting as part of its user-fee review. The meeting will be held at the APHIS conference center at 4700 River Road, Riverdale, MD near the University of Maryland at College Park. To join the meeting live and online at 10:00 am (ET), go to <https://themeetingson.webex.com/themeetingsonrun/j.php?ED=149186492&UID=0&RT=MiMxMQ%3D%3D> to register. To join the teleconference only Conference dial-in number: 1-800-851-3547 (US) Access code: 6372910.

Wednesday, February 16

The [Foreign Trade Association](#) (Los Angeles) holds a workshop on “Working with the World.” Contact the Foreign Trade Association at (818) 352-6753.

Wednesday-Friday, March 2-4

Georgetown University Law School in Washington, D.C. offers a one-day [course](#) entitled “Trade and Customs Law – Basics You Need to Know” on Wednesday, March 2, followed by a two-day International Trade Update 2011 [program](#). For more information on the course go to <https://www.law.georgetown.edu/cle/pdfs/243.pdf>.

March**Tuesday, March 18**

U.S. Customs and Border Protection [annual fee due-date](#) of \$138, assessed for each permit held by a broker, whether an individual, partnership, association, or corporation. Contact: Robert Morris (202) 863-6543.

Tuesday-Thursday, March 29-31

U.S. Customs and Border Protection will host two 2011 C-TPAT Supply Chain Security Training Seminars in San Diego, California. CBP will be hosting two seminars due to the expected demand, and to expand the opportunity to as many member companies to attend as possible. The theme is “A Decade of Supply Chain Security and Innovation.” The agenda will focus on facing the challenges of balancing security needs and economic efficiency in today’s environment. Registration is free, but only C-TPAT certified or validated companies may attend. For more information and to register go to http://www.cbp.gov/xp/cgov/trade/cargo_security/ctpat/registration_notice.xml. **Note:** AAEI members are asked to register for this seminar because the other C-TPAT conference (June 8-9) overlaps with several meetings scheduled for the day after AAEI’s Annual Conference.

Thursday, March 31

Deadline for the Office of the U.S. Trade Representative to issue the 2011 edition of the National Trade Estimate report on foreign trade barriers.

April**Wednesday-Thursday, April 13-14**

U.S. Customs and Border Protection hosts its [2011 Trade Symposium](#) at the Ronald Reagan Building and International Trade Center in Washington, D.C. This year's theme is "Working Together to Strengthen Economic Competitiveness." CBP will issue further information regarding registration procedures for in-person attendance and webcast details next month.

Thursday, April 21

The [Foreign Trade Association](#) (Los Angeles) holds a workshop on "Working with Americans." Contact the Foreign Trade Association at (818) 352-6753.

Saturday, April 30

Deadline for the Office of the U.S. Trade Representative to issue its annual Special 301 report on foreign countries' enforcement of intellectual property rights.

June**Sunday-Tuesday, June 5-7**

AAEI holds its Annual Convention at the Hilton New York.

Wednesday-Thursday, June 8-9

U.S. Customs and Border Protection hosts the 2011 C-TPAT Supply Chain Security Training Seminar in New Orleans, Louisiana. The theme is "A Decade of Supply Chain Security and Innovation." These seminars are very popular, so early registration is encouraged. The agenda will focus on facing the challenges of balancing security needs and economic efficiency in today's environment. Registration is free, but only C-TPAT certified or validated companies may attend. For more information and to register go to http://www.cbp.gov/xp/cgov/trade/cargo_security/ctpat/registration_notice.xml.

November**Thursday-Friday, November 17-18**

[ODASCE](#) presents the 11th European Customs Conference at the Lyon Convention Center. Contact: http://www.odasce.asso.fr/colloque_2011/coll_accueil.htm or e-mail odasce@wanadoo.fr or call (011) 33-1-55-34-76-80.

