

# International Trade **ALERT**



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**Volume 109 Number 35**

**August 31, 2009**

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## **AAEI Action**

### **Your Week Ahead**

*By AAEI President and CEO Marianne Rowden*

Technically, I am on "vacation" until September 7th, but alas there is no shortage of work that is ongoing at AAEI. Here is short list of items where we need member input over the next two weeks:

- ❖ Customs Facilitation and Trade Enforcement Reauthorization Act: AAEI's committees have been assigned sections of the Customs Facilitation and Trade Enforcement Reauthorization Act ([S.1631](#)) to draft. So, if you would like to participate in a drafting session, please feel free to contact Megan Wilson at [mwilson@aaei.org](mailto:mwilson@aaei.org).
- ❖ Modification of Ruling Letter on Empty Containers with Chemical Residue: AAEI and a number of trade associations met with CBP officials on August 26 to express our concerns about the scope of the ruling and the trade community's current business operations which would make it difficult to comply by the effective date of September 16, 2009. CBP officials indicated that enforcement of the ruling would probably not occur before 60 days from the effective date (mid-November). However, inspectors at ports of entry may not know that, so importers should do their best to comply with the customs entry requirements. Also, we are gathering questions from members concerning the scope and implementation of the ruling, and you should send them to me at [mrowden@aaei.org](mailto:mrowden@aaei.org). Even if you are not an importer of chemicals, you may be affected by the ruling if you ship a commodity which leaves a residue in the container and is entered as an "instrument

of international trade.” We urge you to send questions/issues to us as soon as possible, because AAEI must submit its document by September 8.

- ❖ **Export Control Review:** AAEI fully supports the Administration and the Congress in its Export Control Review to reform and modernize the current system. Now, we need to hear from you with ideas for what we in the international trade community would like to see in legislation reforming export controls.

Although I may be out of the office, the rest of AAEI’s staff is here at HQ ready to serve you.

**P.S.:** AAEI will be holding its next quarterly **Trade Briefing on Wednesday, September 9, 2009 at 11:00 am (ET)**. Please contact me if you have not participated in past briefings and would like to be added to the roster and receive the agenda.

## 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](mailto:cenyart@aaei.org).

### *Chemical and Bulk Commodities Committee teleconference*

Tuesday, September 8  
10:00 am (ET)

### *Western Regional Conference Committee teleconference*

Tuesday, September 8  
2:00 pm (ET)

### *Trade Policy Committee teleconference*

Monday, September 14  
2:00 pm (ET)

### *Healthcare Industries Committee meeting*

Wednesday, September 9, 1:00-5:00 pm  
Thursday, September 10, 9:00 am-12:00 pm  
Meetings in Chicago at Drinker Biddle & Reath

### *Export Compliance Committee teleconference*

Thursday, September 17  
12:30 pm (ET)

### *Membership Committee teleconference*

Friday, September 18  
1:00 pm (ET)

### *Regulated Industries Committee teleconference*

Tuesday, September 22

2:00 pm (ET)

### *Customs Committee teleconference*

Thursday, September 24  
3:30 pm (ET)

## Message to Members

### Chemical Residue Container Ruling

AAEI has been working with the American Chemistry Council, American Association of Railroads, and the American Trucking Association on the impact of U.S. Customs and Border Protection’s (CBP) modification of a 1994 ruling issued to Dow Corning permitting the importation of containers with chemical residue as an “instrument of international trade” (IIT) exempt from customs entry requirements. The ruling was modified in the July 17, 2009 [issue](#) of the Customs Bulletin. While industry practice may have predated the issuance of this ruling, other companies and their carriers certainly relied upon the ruling for their business operations.

It has now become clear that the practice of using IITs has spread beyond chemicals, to oil and food products (e.g., corn syrup). If your commodities are in a liquid, molten, or non-solid state, your importations may be affected by this modification of the 1994 ruling, which essentially amounts to a revocation. CBP’s view is that importers should be complying with the customs entry requirements; the agency is not interested in accommodating current business practices.

AAEI first became aware of CBP’s concern about the entry of hazardous materials, the safety of its officers, and security during the completion of its Chemicals Industry Importer Self-Assessment Program in 2007. It is clear that CBP is reviewing all of its rulings and regulations with a view toward security and safety, and thereby, removing exceptions to general entry requirements – particularly those enjoyed on the northern border.

The economy may have stabilized, but business is not yet increasing for international trade or the transportation industry, and trade compliance is still under pressure. Nonetheless, AAEI members should take a look at their importations to see if your company is affected by the modified ruling. If so, please send us your questions as quickly as

possible, as we must submit them to CBP by **September 8, 2009**.

## Trade Legislation

### Customs Facilitation and Drawback

This is the fourth and final installment analyzing the Customs Facilitation and Trade Enforcement Reauthorization Act of 2009 (CFTERA) ([S.1631](#)). AAEI's committees are working on drafting different sections of comments, so check with Megan Wilson ([mwilson@aaei.org](mailto:mwilson@aaei.org)) to participate in the Customs Committee drafting session on **September 1<sup>st</sup> at 1:00 pm (ET)** or submit comments on the bill to [mrowden@aaei.org](mailto:mrowden@aaei.org). AAEI will review its comments at the Policy Council meeting scheduled for September 10, and then submitted to the Executive Committee on September 14 before meeting with the Staff of the Senate Finance Committee staff.

Title III of S. 1631 contains a number of disparate provisions:

- 1) Consultation on customs revenue functions;
- 2) Drawback modernization;
- 3) Articles repaired or altered;
- 4) Pilot program for land border;
- 5) Prohibition on slave labor; and
- 6) *De minimis* and informal entry requirements.

Among the striking features of S. 1631 is the mandate that the government "consult" with the international trade community (i.e., COAC or "private sector entities") on particular aspects of customs administrations. In this Title, the Secretary is directed to consult with the business community at least thirty days after proposing and thirty days before finalizing any policies, initiatives, or actions that will have an impact on CBP's trade and customs revenue functions. The Commissioner must also notify Congressional Committees at least sixty days before proposing and sixty days before finalizing any policies, initiatives, negotiating positions, or actions that will have an impact on CBP's trade and customs revenue functions or negotiating positions.

AAEI is generally supportive of such provisions, but we are concerned that they really don't amount to much in the way of preventing the "reinterpretation" of the First Sale Rule (i.e., revoking it unilaterally at the regulatory level) or the Uniform Rules of Origin.

For AAEI, the most important provision of S. 1631 is the drawback section. As you may know, AAEI, NCBFAA and CBP worked out a deal nearly six years ago to modernize and streamline the current drawback system to more companies to take advantage of the export promotion benefit of getting a refund on customs duties. Although the bill contains the basic features of statutory language that AAEI submitted for the last few

years (e.g., using eight-digit HTS subheading number), it attempts to further streamline the system. An example is that the statute uses the term "merchandise" to describe both the imported and exported product, rather than our terminology of "merchandise" as the imported product and "article" to describe the exported good.

What is not in the statutory language is just as important as what is in the bill. For example, the bill does not define the commercial relationship between the importer and the exporter as the drawback filer. Currently, CBP requires a certificate of delivery for the merchandise. In the bill, the person making the drawback claim shall submit a bill of materials or formula identifying the merchandise by the 8-digit HTS subheading number and the quantity of the merchandise.

Of course, what is most important is that drawback claims be filed electronically and our understanding from the Senate Finance Committee staff that such claims may be filed when ACE becomes the exclusive U.S. entry summary record system, not when CBP completes the drawback module in ACE. Consistent with our agreement with CBP, a person claiming drawback must submit as proof of exportation (1) the record of exportation entered in the U.S. automated export system or information similar to that contained in such record; (2) in the case of exports to Canada or Mexico, entry records from such countries; and (3) in the case of a deemed export, a record that establishes such export.

Finally, there is a hodgepodge of discrete items. One item is a new note 3 of HTS Ch. 98 that authorizes goods that were exported under bailment agreements, or for warehousing, repackaging, or both, and reimported without having been advanced in value or improved in condition by any manufacturing process or other means abroad, to be reimported under chapter 98 of the HTS. Additionally, subchapter II of chapter 98 of the HTS is amended by adding at the end of U.S. note 3 a new subsection (f) that authorizes commercially identical goods that were exported and reimported after having been advanced in value or improved in condition by any manufacturing process or other means abroad, to be reimported under chapter 98 of the HTS.

S. 1631 requires the President to establish a two-year pilot program to designate certain land border crossings (three ports on each border) as commercial ports of entry for merchandise entries, collect duties, and enforce U.S. customs and trade laws 24 hours a day. AAEI hopes that the report which the President is required to send to Congress about the pilot program demonstrates a net economic benefit to the United States and facilitates trade.

The bill includes a provision prohibiting the importation of goods produced (1) with convict labor, forced labor, or indentured labor under penal sanctions; (2) by means of coercion; or (3) by an individual being

subjected to a severe form of trafficking in persons as defined in section 103 of the Trafficking Persons Protection Act of 2000. AAEI is unsure why this provision is included in the bill as Title 19 already empowers the Commissioner to bar goods made with slave labor, and we are concerned that the bill imposes civil penalties for violations.

AAEI has supported the Express Association of America's request for an adjustment to the entry requirements including the admission of articles valued at less than \$500 to be imported by one person on one day duty-free as well as regulations to permit the informal entry of merchandise when the aggregate value of the shipment is \$2500 or less. We believe that this provision will assist in the facilitation of low value items.

## Export Rules

### Our Chance to Press for Reforms

As we reported in recent issues of the **ALERT**, AAEI supports the presidential and congressional review of U.S. export controls. AAEI is working closely with Bill Reinsch at the National Foreign Trade Council (NFTC) to develop ideas for submission to Congress for legislation or the President for action by Executive Order. As part of this effort, AAEI leaders will participate in the two substantive working groups on EAR/OFAC and ITAR. AAEI's President & CEO, Marianne Rowden, will participate on the third working group on Marketing/Communications.

So here is our chance for AAEI members to weigh in on export control reform. All AAEI members are urged to provide AAEI with their responses to the following questions:

1. What would you like to see in the bill?
2. What do you NOT want to see in the bill?
3. What ideas do you have that will "enhance the national security of the United States?"

The last point is important, because any proposal we put forward must meet a basic threshold of demonstrating how it will enhance national security, rather facilitate international trade.

AAEI members may send their ideas to Marianne Rowden at [mrowden@aei.org](mailto:mrowden@aei.org). Members are also welcome to join AAEI's Export Compliance & Facilitation Committee at its next meeting scheduled for **Thursday, September 17, 2009** at 12:30 pm (ET).

## First Sale

### First Sale Indicator Expires

U.S. Customs and Border Protection (CBP) has announced that, effective August 19, the information-collection mandate for importers whose shipments are valued using the [First Sale Rule](#) for entry summaries is expired. The 2008 Farm Bill directed CBP to collect the first sale information for a 12-month period beginning August 20, 2008. Importers were required to enter the letter "F" in a miscellaneous indicator field of the entry summary for each entry line in which the declared transaction value of the imported goods was determined on the basis of the first sale price. August 19, 2009 is, therefore, the last day for CBP to enforce this requirement.

The first sale information-collection requirement was included in the 2008 Farm Bill following a burgeoning dispute between the trade community, CBP, and, ultimately, Congress, over a [proposal](#) by CBP to change its interpretation of "sold for exportation to the United States" under transaction value, effectively revoking the longstanding First Sale Rule (**ALERT** Vol.108 Nos. 4, 5, 6). CBP was inundated with comments from AAEI and other members of the trade community. Congress eventually entered the fray, including in the farm bill a directive that blocked CBP from moving forward unilaterally with the proposal for at least three years, during which time the U.S. International Trade Commission (USITC) would study the matter and issue a report to Congress on the proposal (**ALERT** Vol.109 No.1).

As part of the USITC study, CBP was directed by the farm bill to collect the First Sale information in entry summaries for a one-year period. That information will be turned over to the USITC. The commission's report will include the following information:

- ❖ Aggregate number of importers declaring that the transaction value of the imported merchandise is determined on the basis of the First Sale Rule, including a description of the frequency of the use of that method;
- ❖ Tariff classification of such merchandise on an aggregate basis, including an analysis by sector;
- ❖ Aggregate transaction value of such merchandise, including an analysis by sector; and,

- ❖ Aggregate transaction value of all merchandise imported into the U.S. during the specified period.

The USITC will transmit its report to the House Ways and Means and Senate Finance committees by February 10, 2010.

## Product Safety

### Children's Goods and Lead Limits

Agency: Consumer Product Safety Commission  
 Action: Final rule  
 Effective date: August 26, 2009  
 Federal Register: [August 26, 2009 \(Vol.74 No.163\)](#)  
 For further information contact: Kristina Hatlelid (301) 504-7254

The Consumer Product Safety Commission (Commission) has published in the *Federal Register* its final rule on determinations that certain materials do not exceed the lead content limits specified under section 101(a) of the Consumer Product Safety Improvement Act of 2008 (CPSIA). Please see last week's **ALERT** for details (**ALERT** Vol.109 No.34).

### Civil Penalties Rule Withdrawn

Agency: Consumer Product Safety Commission  
 Action: Withdrawal of proposed rule  
 Effective date: August 26, 2009  
 Federal Register: [August 26, 2009 \(Vol.74 No.164\)](#)  
 For further information contact: Melissa V. Hampshire (301) 504-7631

In the *Federal Register* of July 12, 2006, the Consumer Product Safety Commission (CPSC) issued a proposed rule that would identify and explain related factors, other than those specified by statute, which the Commission may consider in evaluating the appropriateness and amount of a civil penalty under the Consumer Product Safety Act (CPSA). The Consumer Product Safety Improvement Act of 2008 (CPSIA), Public Law 110-314, 122 Stat. 3016, supersedes the proposed rule by amending the CPSA, the Federal Hazardous Substances Act (FHSA), and the Flammable Fabrics Act (FFA) to require the Commission to consider additional factors and to issue a rule providing its interpretation of all statutory factors pertaining to civil penalties. Consequently, the Commission is withdrawing the July 12, 2006 proposed rule (**ALERT** Vol.109 No.34)

## Homeland Security

### Border Laptop Searches To Continue

Secretary Janet Napolitano of the Department of Homeland Security (DHS) on August 27 announced that international travelers' computers and other electronic media will continue to be searched at U.S. ports of entry. She unveiled [new directives](#) that address the circumstances under which U.S. Customs and Border Protection (CBP) and U.S. Immigration and Customs Enforcement (ICE) may conduct border searches of electronic media and non-electronic materials, including briefcases, backpacks and notebooks.

CBP and Immigration and Customs Enforcement will conduct searches of [electronic media](#) to detect evidence relating to terrorism and other national security matters, human and bulk cash smuggling, information about financial and commercial crimes, such as those relating to copyright, trademark, and export control violations, contraband, and child pornography.

DHS has also released a [Privacy Impact Assessment](#) intended to explain the authorities, policies, procedures, and controls employed by the agency during border searches of electronic data. The DHS Office for Civil Rights and Civil Liberties (CRCL) will also conduct a Civil Liberties Impact Assessment within 120 days.

### Aviation Insurance Continues

President Obama on August 21 signed a [memorandum](#) approving insurance or reinsurance for air carriers through August 31, 2010.

## Customs Rules

### Temp. Worker Visa Pilot Program

Agency: U.S. Customs and border Protection, Department of Homeland Security  
 Action: Postponement of pilot date  
 Pilot date: December 8, 2009  
 Federal Register: [August 25, 2009 \(Vol.74 No.163\)](#)  
 For further information contact: Erin Martin [ERIN.Martin@dhs.gov](mailto:ERIN.Martin@dhs.gov)

U.S. Customs and Border Protection (CBP) announces the postponement of the commencement date of the H-2A and H-2B Temporary Worker Visa Exit Program Pilot, originally set for August 1, 2009. The pilot

program will require temporary workers within H-2A and H-2B nonimmigrant classifications that enter the United States at either the port of San Luis, Arizona or the port of Douglas, Arizona, to depart from one of those ports and to submit certain biographical and biometric information at one of the kiosks established for this purpose. A delay of the commencement date is necessary to ensure that the kiosks are fully operational.

## Court Rulings

### Customs Unlawfully Increased Bond Amounts

Prepared by Laura Fraedrich  
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#### *Enhanced Bonding Set Aside*

[National Fisheries Institute, Inc. v. United States Bureau of Customs and Border Protection](#), slip op. 09-89 (Ct. Int'l Trade Aug. 25, 2009)

Shrimp importers challenged the U.S. Bureau of Customs and Border Protection's ("Customs") new and more stringent bonding requirement on imports subject to antidumping duty. The U.S. Court of International Trade ("CIT") agreed that the enhanced bonding requirement was unlawful. The CIT ruled that "Customs acted beyond the limits of its ministerial role in imposing on U.S. importers of shrimp subject to antidumping duty orders, absent any direction from Commerce, an onerous requirement for new bonds with greatly expanded limits of liability." Customs required bonds in amounts equivalent to 100% of the duty owed on the value of each shrimp importer's merchandise. The CIT remanded the matter for Customs to recalculate the bond requirements for the importers at issue.

#### *San Juan Is a U.S. Port*

[Puerto Rico Towing & Barge Co. v. United States](#), slip op. 09-88 (Ct. Int'l Trade Aug. 25, 2009)

Is San Juan, Puerto Rico a port of the United States for purposes of the Vessel Repair Statute? Puerto Rico Towing & Barge argued that San Juan was not a port of the United States to avoid duty on vessel repairs performed in the Dominican

Republic. The CIT determined that Puerto Rico is part of the United States for purposes of the statute and that San Juan is a port. Therefore, the vessel at issue was not away from a U.S. port for more than two years and thus not eligible for exemption from paying duty on the cost of the vessel repairs.

#### *Four Is Not a "Large" Number*

[Zhejiang Native Produce & Animal By-Products Import & Export Corp. v. United States](#), slip op. 09-87 (Ct. Int'l Trade Aug. 19, 2009)

Zhejiang contested the Department of Commerce's decision not to review Zhejiang individually and the calculation of Zhejiang's dumping margin in the fifth administrative review of the antidumping duty order on honey from China. The CIT agreed with Zhejiang and remanded the matter to Commerce to determine a company-specific dumping margin for Zhejiang. Even though there were only four potential Chinese producers for review, Commerce did not allow Zhejiang to participate as a mandatory or voluntary respondent. The CIT rejected Commerce's conclusion that it did not have the resources to examine Zhejiang, noting that the statute does not allow Commerce to rely upon its workload caused by other antidumping proceedings in assessing whether the number of exporters or producers is "large." The CIT stated that Commerce is not permitted to limit the number of mandatory respondents it reviews unless there is a large number of exporters or producers.

## Disputes & Sanctions

### China to Lift Auto Parts Import Fees

U.S. Trade Representative Ron Kirk on August 28 released a statement applauding China's announcement to U.S. officials that it will eliminate the discriminatory charges on imported auto parts per a dispute-settlement panel ruling in favor of the United States in the World Trade Organization (WTO). The charges will be eliminated effective September 1. China is expected to publish the necessary amendments to the applicable laws shortly.

## Trade People

## Richardson Investigation Dropped

A Federal probe into an alleged “pay to play” scheme involving Governor Bill Richardson (D-NM) has been “killed,” according to the Associated Press. Richardson was forced to withdraw his nomination to be President Obama’s Secretary of Commerce (**ALERT** Vol.109 No.1) following widespread revelation about the Federal investigation.

The investigation is being halted without Richardson or high-ranking members of his administration reportedly involved in the scandal being cleared or charged. An unidentified person described by Associated Press as “familiar with the investigation,” said “It’s over. There’s nothing. It was killed in Washington.”

In related news, Governor Richardson and members of his staff traveled to Cuba last week for a trade mission.

## Trade Preferences

### Call for ATPA Petitions

Agency: Office of the U.S. Trade Representative  
Action: Notice  
Petition deadline: September 22, 2009  
Federal Register: [August 26, 2009 \(Vol.74 No.164\)](#)  
For further information contact: Bennett Harman (202) 395-9675

The Office of the U.S. Trade Representative (USTR) announces the 2009 Annual Review of the Andean Trade Preference Act (ATPA). Under this process, petitions may be filed calling for the limitation, withdrawal or suspension of ATPA or ATPDEA benefits by presenting evidence that the eligibility criteria of the program are not being met. USTR will publish in the Federal Register a list of petitions filed in response to this announcement and accepted for review.

## Food & Agriculture

### Permit Requirements for Tobacco

Agency: Alcohol and Tobacco Tax and Trade Bureau, Treasury Department  
Action: Proposed rulemaking  
Comment deadline: October 20, 2009  
Federal Register: [August 25, 2009 \(Vol.74 No.163\)](#)  
For further information contact: National Revenue Center (877) 882-3277

In response to a request filed on behalf of several industry members, the Alcohol and Tobacco Tax and Trade Bureau is reopening the comment period for Notice No. 95, a notice of proposed rulemaking published in **the Federal Register on June 22, 2009**. The proposed rule seeks comments on a concurrently published temporary rule implementing permit requirements for manufacturers and importers of processed tobacco and an expansion of the definition of roll-your-own tobacco adopted in the Children's Health Insurance Program Reauthorization Act of 2009. The text of the regulations contained in the temporary rule serves as the text of the proposed regulations.

### Tobacco Products Advisory Cmte.

Agency: Food and Drug Administration, Department of Health and Human Services  
Action: Final rule  
Effective date: August 26, 2009  
Federal Register: [August 26, 2009 \(Vol.74 No.164\)](#)  
For further information contact: Erik Mettler (301) 796-4711

The Food and Drug Administration (FDA) is announcing the establishment of the Tobacco Products Scientific Advisory Committee. These actions are needed to implement the Federal Food, Drug, and Cosmetic Act, as amended by the Family Smoking Prevention and Tobacco Control Act. Elsewhere in this issue of the Federal Register, FDA is publishing two separate documents requesting nominations for voting and non-voting [membership](#) on this committee. This document also amends the agency's regulations to add the Tobacco Products Scientific Advisory Committee (the committee) to the agency's list of standing advisory committees.

The FDA is requesting that any [industry organizations interested in participating](#) in the selection of a nonvoting industry representative to serve on its Tobacco Products Scientific Advisory Committee notify FDA in writing. A nominee may either be self-nominated or nominated by an organization to serve as a nonvoting industry representative. Nominations will be accepted for current vacancies effective with this notice. Elsewhere in this issue of the Federal Register, FDA is publishing two separate documents announcing the establishment of the committee and the request for nomination of the Tobacco Products Scientific Advisory Committee.

## TAA for Farmers

Agency: Foreign Agricultural Service, Agriculture Department  
 Action: Proposed rule  
 Comment deadline: September 24, 2009  
 Federal Register: [August 25, 2009 \(Vol.74 No.163\)](#)  
 For further information contact: Staff (202) 720-0638

The American Recovery and Reinvestment Act of 2009 reauthorizes and modifies the Trade Adjustment Assistance for Farmers program as established by Subtitle C of Title I of the Trade Act of 2002, which amended the Trade Act of 1974. Under this program, the U.S. Department of Agriculture (USDA) provides technical assistance and cash benefits to eligible producers of raw agricultural commodities and fishermen (jointly referred to as “producers”) when the Foreign Agricultural Service (FAS) Administrator determines that increased imports of raw agricultural commodities, aquaculture products, or wild-caught aquatic species (jointly referred to as “agricultural commodities”) have contributed importantly to a greater than 15 percent decrease in the national average price, or quantity of production, or value of production, or cash receipts for the agricultural commodity specified in the certified petition compared to the average of the three preceding marketing years. The rule establishes the procedure by which a group can submit a petition for certification of eligibility and individual producers of agricultural commodities can apply for technical assistance and cash benefits for the development and implementation of approved business adjustment plans.

## Wood Packaging Regulatory Options

Agency: Animal and Plant Health Inspection Service, Agriculture Department  
 Action: Proposed rule  
 Comment deadline: October 26, 2009  
 Federal Register: [August 27, 2009 \(Vol.74 No.165\)](#)  
 For further information contact: Paul Chaloux (301) 734-0917

The Animal and Plant Health Inspection Service (APHIS) is soliciting public comment on regulatory options that could be applied to wood packaging material (e.g., crates, dunnage, wooden spools, pallets, packing blocks) used in domestic commerce to decrease the risk of the artificial spread of plant pests such as the emerald ash borer and the Asian longhorned beetle. These and other plant pests that could be transported interstate by wood packaging material pose a serious threat to

U.S. agriculture and to natural, cultivated, and urban forests. APHIS is also announcing its intent to prepare an environmental impact statement on various potential pest mitigation measures and opening a public scoping period for this document.

## Meetings

### DHS Data Privacy Advisory Cmte.

Agency: Department of Homeland Security  
 Action: Public meeting  
 Meeting date: September 10, 2009  
 Federal Register: [August 24, 2009 \(Vol.74 No.162\)](#)  
 For further information contact: Martha K. Landesberg (703) 235-0780

The Department of Homeland Security (DHS) Data Privacy and Integrity Advisory Committee will meet on September 10 at the Marriott Detroit at The Renaissance Center, Renaissance Center in Detroit, Michigan. The meeting will be open to the public.

### Transporting Dangerous Goods

Agency: Pipeline and Hazardous Materials Safety Administration, Transportation Department  
 Action: Public hearing  
 Hearing date: September 29, 2009  
 Federal Register: [August 26, 2009 \(Vol.74 No.64\)](#)  
 For further information contact: Duane Pfund (202) 366-0656.

This notice is to advise interested persons that PHMSA will conduct a public meeting in preparation for the twenty-second meeting of the International Civil Aviation Organization's (ICAO) Dangerous Goods Panel (DGP) to be held October 5-16, 2009 in Montreal, Canada.

## Unfair Trade Laws

### Administrative Reviews Initiated

Agency: International Trade Administration, Commerce Department  
 Action: Initiation of reviews  
 Effective date: August 25, 2009  
 Federal Register: [August 25, 2009 \(Vol.74 No.163\)](#)  
 For further information contact: Sheila E. Forbes (202) 482-4697

The International Trade Administration (ITA) is initiating the following antidumping and countervailing duty administrative reviews:  
*Antidumping Duty*

Finland: purified carboxymethylcellulose  
 India: frozen shrimp; PET film  
 Italy: pasta  
 Mexico: purified carboxymethylcellulose;  
 stainless steel sheet and strip in coils  
 Russia: solid urea  
 Taiwan: PET film; stainless steel sheet and strip in  
 coils  
 Netherlands: purified carboxymethylcellulose

China: circular welded carbon quality steel pipe;  
 persulfates; saccharin  
*Countervailing Duty*  
 India: PET film  
 Italy: pasta  
 China: circular welded carbon quality steel pipe

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

Law	Product	Exporter(s)	Action	FR Vol.74
AD	Circular welded non-alloy steel pipe	Korea	Partial rescission of administrative review	<a href="#">#162</a>
AD	Magnesia carbon bricks	China, Mexico	ITA initiates investigations	<a href="#">#163</a>
AD	Wooden bedroom furniture	China	ITA initiates new shipper reviews	<a href="#">#164</a>
AD	Oil country tubular goods	China	ITA postpones preliminary determination	<a href="#">#164</a>
AD	Glycine	China	ITA rescission of administrative review	<a href="#">#164</a>
AD	Pressure sensitive tape	Italy	ITC schedules full five-year review	<a href="#">#164</a>
CVD	Hot-rolled carbon steel	India	ITA extends time limit for preliminary results of administrative review	<a href="#">#163</a>
CVD	Magnesia carbon bricks	China	ITA initiates investigation	<a href="#">#163</a>



## Upcoming Events

### Tuesday, September 8

American Enterprise Institute hosts former House Speaker Newt Gingrich discussing “Sarbanes-Oxley and the Financial Crisis” at AEI headquarters, 1150 Seventeenth St., N.W., Washington D.C. Register at <http://www.aei.org/event/100121>.

### Wednesday, September 9

AAEI holds its quarterly Trade Briefing at 11:00 am (ET). If you have not participated in past briefings and would like to be added to the roster and receive the agenda, please contact Marianne Rowden at [mrowden@aei.org](mailto:mrowden@aei.org).

### Tuesday, September 29

Automotive Industry Action Group (AIAG) holds its “Premier Customs Conference” to examine new and pending trade regulations with high-level representatives from U.S. Customs Border Protection and Canada Border Services Agency and automotive industry leaders. Conference will be held at the GM Heritage Center, 6400 Center Drive, Sterling Heights, Michigan. For more information or to [register](#) go to [www.aiag.org](http://www.aiag.org).

### Wednesday, September 30

AAEI and KPMG offer the monthly “World Trade Wednesday” webinar, “Managing U.S. Export Controls from Abroad” under our Global Trade Facilitation and Compliance (GTFC) series. GTFC webinar fee is \$100 for members and \$150 for non-members. Register at [www.aei.org](http://www.aei.org) and clicking on the GTFC global link.

### Wednesday-Friday, September 30-October 2

Commerce Department’s Bureau of Industry and Security hosts its annual BIS Update in Washington, D.C.

### Monday-Tuesday, October 5-October 6

AAEI and World Customs Organization host the WCO World Customs Forum 2009 in Seattle, WA. [Register here](#)

### Thursday, October 15

AAEI General Counsel seminar in Chicago, IL.

### Wednesday, October 28

AAEI and KPMG offer the monthly “World Trade Wednesday” webinar, “Importing into Mexico — Taking Advantage of Free Trade Agreements” under our Global Trade Facilitation and Compliance (GTFC) series. GTFC webinar fee is \$100 for members and \$150 for non-members. Register at [www.aei.org](http://www.aei.org) and clicking on the GTFC global link.

### Wednesday-Friday, September 30-October 2

Commerce Department Bureau of Industry and Security holds the annual Update Conference on Export Controls and Policy in Washington, D.C. Applicants are required to follow a two-step process. First, applicants should have [submitted](#) the online “[Interest Form](#)” no later than July 17.

### Monday-Tuesday, October 5-6

AAEI co-chairs World Customs Organization’s World Customs Forum 2009, a two-day conference focusing on the future of facilitation for low-risk operators and the use of multilateral standards within the international supply chain, in Seattle, Washington. [Register here](#).

### Wednesday, October 28

AAEI and KPMG offer the monthly “World Trade Wednesday” webinar, “Importing into Mexico — Taking Advantage of Free Trade Agreements” under our Global Trade Facilitation and Compliance (GTFC) series. GTFC webinar fee is \$100 for members and \$150 for non-members. Register at [www.aei.org](http://www.aei.org) and clicking on the GTFC global link.

**Wednesday, November 25**

AAEI and KPMG offer the monthly “World Trade Wednesday” webinar, “The Modernized Customs Code — Navigating a New Regulatory Framework in the EU” under our Global Trade Facilitation and Compliance (GTFC) series. GTFC webinar fee is \$150 for members and \$250 for non-members. Register at [www.aei.org](http://www.aei.org) and clicking on the GTFC global link.

**Tuesday-Thursday, December 8-10**

Department of Homeland Security U.S. Customs and Border Protection holds its annual Trade Symposium at the Convention Center in Washington, D.C. Further information will be provided by CBP at a later date. Contact: [www.cbp.gov](http://www.cbp.gov).

**Wednesday, December 16**

AAEI and KPMG offer the monthly “World Trade Wednesday” webinar, “Assessing and Managing Landed Cost in Latin America” under our Global Trade Facilitation and Compliance (GTFC) series. GTFC webinar fee is \$150 for members and \$250 for non-members. Register at [www.aei.org](http://www.aei.org) and clicking on the GTFC global link.