



July 2024 - Info Expeditor

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**CBFANC Social Media**

Please connect with us!

**Twitter - [@cbfunc](#)**

**LinkedIn - [CBFANC](#)**

**Facebook - [CBFANC](#)**

**Events Around the Bay**

- [P.A.E.I - Professional Association of Exporters and Importers](#)
- [www.paei.org](http://www.paei.org).
- [OWIT NC - Organization of Women in International Trade Check website for updates](#)

**A Special Opportunity to Serve Your Port and Trade Community**

*CBFANC Chairperson, Evey Hwang*



**Evey Hwang, CBFANC Chairperson**

**CBFANC Board of Directors 2025 Elections**



**We are seeking member participation on the CBFANC Board of Directors.**

**If you are a professional member of CBFANC and are interested in serving on the CBFANC Board of Directors, please request another member to nominate you for the upcoming elections.**

Nominations can be sent to [info@CBFANC.org](mailto:info@CBFANC.org)

**If you know a fellow CBFANC professional member who you think would be a great addition to the Board of**

- [Monterey Bay International Trade Association \(MBITA\)](#) - Monterey Bay International Trade Association  
Check Website for updates
- [Norcal W.T.C.](#) - The Northern California World Trade Center  
Check Website for updates
- [PTA](#) - Pacific Transportation Association  
Check Website for updates

**Directors, contact the person and endorse with a nomination in their favor to [info@CBFANC.org](mailto:info@CBFANC.org)**



**Board terms are for three years.  
The board meets every month for dinner or online meetings.**

**This is your chance to be an industry leader, engage with agency partners and help shape the future of our trade. Nominations will be welcomed through October with elections held by [November 1, 2024](#). The election results will be announced at our annual meeting/holiday gathering to be held on [December 5, 2024](#).**

### **FMC Rule to Protect Shippers and NVO's from Carrier Refusal**

*Peter Friedmann, OurManInDC*



**Peter Friedmann, PCC Counsel**

During the COVID Crisis, carriers frequently sought to avoid certain bookings/loadings, such as US ag export, and low contract-rate cargo. Two common strategies:

1. Refuse export cargo in order to hustle empty containers back to Asia to carry imports at exorbitant freight rates, or
2. Refuse contract-rate import cargo in order to take bookings at much higher spot rates.

This was a major impetus for Congress to enact Ocean Shipping Reform Act (OSRA).

**Last week FMC issued Final Rule to address this behavior.** The Rule covers:

- Prohibitive pricing to discourage export bookings
- Refusal to negotiate contracts
- Refusal to accept contracted shipments
- Discrimination versus certain cargoes
- Blank sailings without sufficient notice
- Proper role of 'sweepers'
- Carriers to be required to file an annual "documented export policy" outlining pricing strategies, routes, equipment
- Explanation of how the Commission will apply this Rule when shippers file complaints or when FMC conducts its own enforcement investigations

**Practical Impact of this Rule Now:**

Import container growth, particularly at POLA and POLB, has been dramatic – while export cargo volumes are stagnant or declining, which can create a challenging imbalance. Also, even some imports can be impacted, as carriers have declined bookings under contracts, in favor of higher spot rates. Neither Federal Maritime Commission nor Congress want exporters to be unable to gain bookings or timely loading, as occurred 3 years ago during COVID Crisis. So far, we are not hearing of consistent carrier refusal to take bookings, although equipment can be in short supply in some locations. Thus even if not immediately required to direct carrier behavior, this Rule serves as a timely warning, 'encouraging' carriers to make best efforts, together with terminals and shippers, to assure continued export fluidity.

**Resources**

The FMC Final Rule [Definition of Unreasonable Refusal to Deal or Negotiate with Respect to Vessel Space Accommodations Provided by an Ocean Common Carrier. The Federal Register](#) will publish the Rule on July 23 and the Rule will take effect 60 days later (September 23, 2024).

[FMC's Press Release](#) July 22, 2024

JOC Article: [Ocean carriers face new FMC rules on dealing with US exports](#) July 2024

gCaptain Article: [Federal Maritime Commission Finalizes Rule on Unreasonable Refusal to Deal](#) July 2024

FreightWaves Article: [FMC rejects claim it is using new container rule to regulate prices](#) July 2024

**California Invests \$27 Million in Innovative, First-in-the-Nation Port Data System Development**

*Chris Kammer – Technology & Social Media Chairperson*



**Chris Kammer – Technology & Social Media Chairperson**

California’s business and economic development office awarded \$27 million to enhance data systems and interoperability at five key container ports—Hueneme, Los Angeles, Long Beach, Oakland, and San Diego. These ports manage 40% of U.S. containerized imports and 30% of exports. The funds will develop advanced systems to enhance supply chain resilience, including a mobile app for data visibility, a Carbon Intensity Gateway, and an AI-integrated trucking appointment system at the Port of Los Angeles. Oakland will implement an integrated data environment and a Unified Terminal Appointment System. This initiative aims to streamline cargo movement, reduce emissions, and strengthen economic competitiveness.

<https://business.ca.gov/california-invests-27-million-in-innovative-first-in-the-nation-port-data-system-development/>

### **Educational Events!**

*Education Committee (Evey Hwang and Sarah Stroth)*

**The 2024 election year took a dramatic turn in July! Whatever results in November and affecting trade policies, global trade continues, logistics happens, and economies stats.**

**Keeping you updated and knowledgable, CBFANC is pleased to present and to invite you to our Education events**

#### **[“Step inside the World of Trade with CBFANC and our guest speaker Heather Litman of GDLSK”](#)**

08/21/2024

08:00 AM - 12:00 PM P

Burlingame Recreation Center

850 Burlingame Ave

Burlingame, CA 94010

#### **[FDA Product Code Training - All Day Event, August 27th 2024](#)**

08/27/2024

08:30 AM - 04:30 PM P

San Mateo Library

55 West 3rd Ave

San Mateo, CA 94402

#### **[FDA Food Safety Program](#)**

08/28/2024

08:00 AM - 11:30 AM P

Burlingame Recreation Center

850 Burlingame Ave

Burlingame, CA 94010

**SAVE THE DATE**



**CRCBFA Annual Summer BBQ**  
**\*Port of Portland - Terminal 6\***



Join us for the CRCBFA Summer BBQ event, hosted at Port of Portland's Terminal 6. The CRCBFA is thrilled that the governor has recognized the economic importance of continued container service in the Columbia River and we will be gathering on-site to show our appreciation for the state's partnership in that initiative. Expect good food, great company, games, a raffle and remarks from a few key container-service stakeholders.

**Date & Time**

Friday September 6, 2024  
 11:30 AM – 1:00 PM

**Location**

Terminal 6  
 7201 N Marine Drive  
 Portland, OR 97203

Don't forget to mark your calendars! A follow-up notice with final details and registration information will be sent out soon.  
 We look forward to seeing you there!

**CSMS # 61451341 - National Commodity Specialist Division (NCS D) Webinars - AUGUST 2024**

U.S. Customs and Border Protection's (CBP) National Commodity Specialist Division (NCS D) is excited to present the next round of approximately 30+ commodity-specific, educational webinars to support internal and external stakeholders. This year, the NCS D intends to focus the webinars on Greening the Tariff, providing guidance on the classification of sustainable products and environmentally friendly practices in addition to our general tariff training.

**CBP is now registering attendees for the webinars scheduled for August**

and will proceed with monthly registrations for the remaining webinars. CBP will use the WebEx platform, which will help provide a seamless participation experience. The NCS D looks forward to your participation for an exciting and successful webinar series! The August schedule is as follows:

Tuesday, August 6	1:30 p.m. ET	Feeling Festive or Not: Chapter 95
Tuesday, August 8	1:30 p.m. ET	Keeping it Sharp, the Knives of Heading 8211
Tuesday, August 13	1:30 p.m. ET	Tufted, Felt and Other Textile Floor Covering of 5703-5705
Tuesday, August 22	1:30 p.m. ET	Reusable Bags and Cases of Heading 4202
Tuesday, August 28	1:30 p.m. ET	Other Articles of Aluminum

The full 2024 schedule for the Greening the Tariff Series is attached to this message.

You can access all past webinar recordings on the Trade

Outreach Webinars page here:

<https://www.cbp.gov/trade/stakeholder-engagement/webinars>

## 2024 Steamship Night - FRIDAY September 20, 2024



**Location:** Marines' Memorial Club  
609 Sutter Street, San Francisco

**Date/Time:** **FRIDAY** – September 20, 2024

6:00PM Cocktails, 11th Floor  
7:00PM Three Course Dinner, 10th Floor  
8:00PM Door Prizes  
8:30PM - 10:00PM Dancing with Music from  
the Spinheads

the Spinheads

**Reservation Deadline: Tuesday, September 12, 2024**

**Members**

**Non-Members**

\$180 Individual Ticket(s)     \$195 Individual Ticket(s)

\$1,440 Table of **8**                     \$1,560 Table of **8**

**Pay by Credit Card**

**Pay by Check:** Make checks payable to Pacific  
Transportation Association and mail to:

Pacific Transportation Association  
PO Box 193234, Rincon Annex  
San Francisco, CA 94116

**Sponsorships**

**Sponsorship Deadline: Thursday, September 5, 2024**

(Please ensure to provide Logo file with sponsorship RSVP via  
email to [duransuz@gmail.com](mailto:duransuz@gmail.com))

Very limited number of hotel rooms available on first come  
first serve basis, email [duransuz@gmail.com](mailto:duransuz@gmail.com) for details on  
how to book.

## WESCCON 2024



**WESCCON 2024**

**October 17-20, 2024 | Coronado, CA**

**\*Loews Coronado Bay Resort\***

Click [Here](#) to Register

*The Largest Gathering of Customs Brokers and Freight Forwarders On the West Coast!*

**Engage with customs brokers, forwarders and NVO's on topics including:**

- China-US Tariffs
- Update from West Coast CBP Port Directors
- Cyber Security and downtime
- Challenges faced by Logistics providers: warehouse, port, drayage, equipment, and more
- The Regulatory Environment and Compliance Challenges in the Air Freight Sector
- Licensed Broker Continuing Education
- Future technology in the supply chain
- CES Procedural challenges
- 2024 Elections: What are the Trade Risks?
- The current Green transition of the trucking Industry by California Transportation Department
- And much more!

**Questions? Contact [Info@PacificCoastCouncil.org](mailto:Info@PacificCoastCouncil.org) or 202-783-3333**

***Sponsorships and Exhibit Booths Available***  
**Contact: [Info@PacificCoastCouncil.org](mailto:Info@PacificCoastCouncil.org)**

**CSMS # 61572319 - Information on Customs User Fee Changes Effective October 1, 2024**

Pursuant to the General Notice ([89 FR 59126](#)) published July 22, 2024, adjustments to certain customs user fees and corresponding limitations, as codified in 19 U.S.C. § 58c, will take effect on October 1, 2024. These adjustments are being made in accordance with the Fixing America's Surface Transportation Act of 2015 (FAST Act), Public Law 114-94.

The General Notice may be accessed at:

<https://www.federalregister.gov/documents/2024/07/22/2024-15990/customs-user-fees-to-be-adjusted-for-inflation-in-fiscal-year-2025>

**Key Points**

1. The Merchandise Processing Fee (MPF) ad valorem rate of 0.3464% will NOT change.
2. The MPF minimum and maximum for formal entries (class code 499) will change.
  - a. The minimum will change from \$31.67 to \$32.71; and
  - b. The maximum will change from \$614.35 to \$634.62.

**Other Changes**

1. The Surcharge for Manual, Formal Entry/Release (class code 500) will change to \$3.93.
2. The fee for Informal Entry/Release, automated and not prepared by CBP personnel (class code 311a), will change to \$2.62.
3. The Express Consignment Carrier/Centralized Hub Facility fee will change to \$1.31 per individual waybill/bill of lading.
  - a. An individual air waybill is the bill at the lowest level, and is

not a master bill or other consolidated document. See [82 FR 50523](#) (Nov. 1, 2017).

4. The Commercial Vessel (class code 485) or Commercial Aircraft (class code 495) Passenger Arrival customs fee will change to \$7.20 per passenger.

5. The Commercial Vessel Passenger Arrival from Exempt Areas (class code 484) customs fee will change to \$2.53 per passenger.

6. The Commercial Truck Arrival fee (class code 492) will change to \$7.20.

a. The Commercial Truck Arrival Fee is the CBP fee only; it does not include the fiscal year 2025 United States Department of Agriculture (USDA) Animal and Plant Health Inspection Service (APHIS) Agricultural and Quarantine Inspection (AQI) User Fee (\$12.40) that is collected by CBP on behalf of USDA to make a total Single Crossing Fee of \$19.60. See 7 CFR 354.3(c) and 19 CFR 24.22(c)(1).

b. Once eighteen Single Crossing Fees have been paid and used for a vehicle identification number (VIN)/vehicle in a Decal and Transponder Online Procurement System (DTOPS) account within a calendar year, the payment required for the nineteenth (and subsequent) single-crossing is only the \$12.40 AQI fee and no longer includes CBP's \$7.20 Commercial Truck Arrival fee (for the remainder of that calendar year).

7. The Dutiable Mail fee (class code 496) will change to \$7.20.

Please see the General Notice for the full list of fees that are changing.

Another CSMS message will be sent when the changes are in the ACE Certification environment for trade testing.

### **Save the Date! Holiday Happy Hour & Annual Meeting**

*CBFANC Board*



It's never too early to plan for a holiday celebration!

Mark your calendar - **December 5th 2024**

CBFANC Annual Meeting and Holiday Happy Hour!

**CBFANC Needs YOU!**

*CBFANC COMMITTEE*





# WE NEED YOU!

CBFANC

Please join one of our Industry  
Committees to make your  
voice heard!