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CBFANC Social Media

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Facebook - [CBFANC](#)

Events Around the Bay

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

CBFANC President's Letter

Sung Wook (John) Lee, SW Logistics, CBFANC President



Sung Wook (John) Lee, SW Logistics, CBFANC President

WESCCON is only a month away. Here is the preliminary agenda [Importer Security Filing \(pacificcoastcouncil.org\)](#). **WESCCON 2024 Loews Coronado Bay Hotel, San Diego October 17-20, 2024**. It will be a sold out event and looking forward to seeing everyone in a few weeks.

Please mark your calendar for "The Truth about Drawback" in Oct 02 and the holiday party coming up. **SAVE THE DATE:** CBFANC Holiday Party, December 5, 2024 4-7PM @ Kincaid's

As I write this article, PCC meetings have been increasingly been preoccupied with the labor negotiations between the carriers and long shore labor for all the East Coast & Gulf Ports with the ILA about to go on strike on October 1, 2024. The prospect of a shutdown where roughly half of all container volume can't discharge at port is a daunting prospect. As of June 2024 USEC & GC handled 1156k TEUs and USWC handled 1075k TEUs as per PMSA trade data.

It is uncertain if any of the ports will actually be shut down on October 1st but here in USWC it has been a terminal here, a terminal there till the powers that be got the message. It's no cake walk for the striking workers either as they will have to forgo some income to strike and if you have kids, every dollar counts. Hopefully the labor negotiations will be resolved amicably and we can be focused on the real big issue that we haven't really discussed yet.

What happens if Trump wins the elections and implements the tariff war as promised? If it was the fault of the Biden Administration to double down on the tariff war with China, we all know how Trump likes to double down after that.

Whatever the level of tariffs adjust to, it does not require legislation from Congress and can have immediate impact so

- 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

the probability is high. Let me know what you think about that and send me an email, I may incorporate it to my remarks next month.

This election like the last few will be decided by 5 battle ground states and the Electoral College. Yes the popular vote is just for show, and there is only one way to be president in this country as it has always been. An increase in tariffs will mean less imports, and that is bad for business.

Let me leave you with something positive. The theme party at WESCON is Pirates so I bought for the first time in my life, a costume. Yeah it's happening.

Update on ILA Contract Negotiations and Detention & Demurrage Regulations

Peter Friedmann, OurManInDC, PCC, AGTC



Peter Friedmann, OurManInDC

ILA Contract Negotiations: There's a lot being written, but here's 'the bottom line':

- No news this morning, no developments over the weekend.
- ILA repeats intent to strike tomorrow midnight (12:01 am Eastern, Tuesday, October 1, 2024)
- All ports, Maine to Texas but not cruise ships, military, and liquid bulk terminals
- US Acting Sec of Labor invited ILA and carriers/employers to discuss, ILA declined
- ILA says it will update public and media tomorrow Tuesday, by 11 AM Eastern. So we will have much to discuss on 1 PM Pacific PCC Zoom tomorrow.
- Thank you or all the carrier notices you are sending. Fortunately, the 30 day notice requirement (for new charges and rate increases) will remain in effect, preventing carriers from already imposing them, which is why mid- October is the effective date for most of them.

Detention & Demurrage Regulations - Thank you Roger Clarke!

SUMMARY: Detention and Demurrage Regulations Remain in Effect. FMC rejects carriers' challenge to the fundamental OSRA mandate that carriers only invoice the party who contracted for the ocean transportation (generally, the shipper). The ocean carrier may not invoice other parties such as the trucker, customs broker, or others who did not contract with the ocean carrier.

PCC Role: This clear mandate was a primary objective of the Pacific Coast Council in OSRA and in the FMC Rulemaking. PCC member customs broker Roger Clarke, played a central role in

achieving this outcome, rejecting multiple attempts by ocean carriers to impose detention and demurrage charges on him, for shipments on which he served purely as customs broker and notify party.

Journal of Commerce *Michael Angell*
at michael.angell@spglobal.com Sept. 26, 2024

The US Federal Maritime Commission has thwarted a move by ocean carriers to delay new rules on who they can bill for holding onto containers, saying a delay would cause "greater confusion" among shippers and truckers about who pays per diem fees.

In a decision published Wednesday, the FMC denied a petition by the Ocean Carrier Equipment Management Association (OCEMA) to delay implementation of the agency's detention and demurrage billing rulemaking that went into effect May 28.

The rulemaking's biggest effect was to [limit ocean carriers in sending storage and late-fee bills for containers to the party who originally contracted for the ocean transportation](#), typically the cargo owner or, if agreed to, the cargo receiver. Truckers and other parties to a container transaction hailed the move as relieving them of the risk of receiving unexpected detention and demurrage bills.

However, OCEMA requested that the FMC delay the May 28 effective date due to what it said was confusion over a correction the agency made to the rulemaking's preamble soon before its effective date. OCEMA said the correction – which said that contracts between an ocean carrier and trucker for hauling container would fall outside the rule – "[created uncertainty with respect to invoicing motor carriers](#)."

The FMC ruled, though, that the statutory language of the rulemaking itself is "clear and unambiguous." The preamble only serves to help interpret the rulemaking, but it cannot "contradict the text of the statute or rule at issue," the agency added.

The FMC said the process of correcting the preamble would mean "the rule would be in effect at least six months, then be temporarily suspended, and then go back into effect...This has the potential for massive disruption and confusion."

The agency added that the detention and demurrage rulemaking was already behind schedule soon after passage of the Ocean Shipping Reform Act of 2022 (OSRA-22) due to the number of public comments it received and analyzed as part of the rulemaking. The FMC said that a further delay "would directly impede the explicit instructions of Congress."

Education Committee

Evey Hwang & Sarah Stroth



[The Truth About Drawback](#)

10/02/2024

CBFANC October 2nd Webinar

"The Truth About Drawback"

-
with Nancy Hiromoto of Stroth & Associates, LLC.

and

Tyler Indreboe of Duty Calc Data Systems, Inc.

**Join us for an Honest Discussion on Navigating the
Complexities of Drawback**

Don't Miss Your Chance to Stay Ahead of the Curve

Wednesday, October 2, 2024

10:00 - 11:30 a.m. Webinar

Zoom Meeting



EDUCATION

CBFANC

COMMITTEE



**WESCCON 2024 - Agenda Released and Keynote
Speakers Announced!**

WESCCON 2024

October 17-20, 2024 | Coronado, CA

Loews Coronado Bay Resort

Click [Here](#) for Agenda & Keynote Speakers

*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 or 202-783-3333

Sponsorships and Exhibit Booths Available
Contact: Info@PacificCoastCouncil.org

CBFANC New Members

Peter Gong, Membership Committee Chair



Peter Gong, CBFANC Membership Committee Chair

**Introduction to New Members
 Capital Logistics International, LLC.
 &
 PAX Solutions Inc.**

On September 5th the Board of Directors meeting approved the membership applications from the following companies.

1). New professional member - Capital Logistics International, LLC.

David Heng and Mark Mon Hain used to work for International Express, and Masterpiece International in San Francisco for years. Now they both joined a new venture as a branch for Capital Logistics. The company is a licensed customs broker, FMC licensed NVOCC and freight forwarder. "Established in 2009, our core focus at Capital Logistics has always been centered around delivering unparalleled customer service. This commitment remains unwavering, propelling us forward each day. Our dedication has fostered successful partnerships with clients spanning from Fortune 500 giants to burgeoning start-ups. Over the years, our reach has expanded globally. With a steadfast worldwide network of partners, robust carrier relationships, and expertise across a diverse range of services and commodities, we stand as a truly global forwarder."

2). New associate member - PAX Solutions Inc.

Penny Chen, an MIT PhD of 2022, is young but has strong

science and engineering background. With her short work experiences in Amazon, and Flexport, she could quickly catch the niche market for customs entries. She has developed a successful business plan to create an automation for drawback entries. Just three months ago she found her start-up company Pax Solutions Inc. in June of 2024. Her entrepreneurship and business model has won her fundings from high-tech investors such as Y Combinator. Pax is disrupting the centuries-old import-export industry by bring modern AI technology to automate and optimize the duty drawback process with its goals to generate 15% more refunds, and 99% reduction in processing time by eliminating manual work.



2024 Steamship Night

Felicia Addison, Newsletter Chair

It was a wonderful night at Marine's Memorial Club and Hotel for the 2024 Steamship Night!

Great to see and spend time with old and new friends! Thank you, Kristie Rowell and #TeamShipco for inviting me to this wonderful event!



Left to Right: Deanna Carlson - DSV, Jims Cen - DSV, Casper Alexandersen - Shipco Transport & Jakob Herval - Albatrans



Left to Right: Felicia Addison & D. Colin McCarthy - Green Worldwide Shipping



Mentorship | Internship - Opportunity

Paul Glanting, Director of Career Services and Professional



Innovate Sustainably. Lead Responsibly.

Are you interested in an intern or perhaps in mentoring the next generation of trade compliance specialists?

The Lam Family College of Business at San Francisco State University is one of the largest business schools in the country with approximately 4000 students. Since 1964, we have been accredited by AACSB International—the gold standard for business school accreditation—a rigorous accreditation earned by less than five percent of business schools worldwide. We offer a wide array of programs such as International Business, Management, Marketing, Business Analytics, Accounting, Decision Sciences, Information Systems, Economics, Labor Studies, and Hospitality, Tourism, and Events Management.

Our college has over 200 students majoring in International Business, Decision Science, and Business Analytics. Our students are well-prepared to work in international trade and global supply chain management. To boot, we offer a trade compliance course taught by a trade compliance professional with over 30 years of experience in the field. This is a unique pathway that is not taught in every business program.

We would love to explore partnering with you and your organizations! If you have any internship openings (or need guidance on creating an internship), we would be happy to connect!

We also have a robust mentorship program that pairs students

with industry professionals, and we're always looking for new mentors!

Even if mentorship or internships are not of interest, we'd love to have you get involved in our college! Please feel free to contact Paul Glanting, Director of Career Services & Professional Development, at pbg@sfsu.edu. Thank you!

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

If you know a fellow CBFANC professional member who you think would be a great addition to the Board of Directors, contact the person and endorse with a



**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](#).

CSMS# 62269186 - Foreign Trade Zone Benefit for Customs Trade Partnership Against Terrorism Trade Compliance Partners

U.S. Customs & Border Protection

U.S. Customs and Border Protection (CBP) has implemented a new benefit for Customs Trade Partnership Against Terrorism (CTPAT) Trade Compliance partners.

Subject to the conditions further described below, U.S. Customs and Border Protection (CBP) has determined that importers who are CTPAT Trade Compliance partners, in good standing, may utilize a Foreign Trade Zone (FTZ) for the storage of goods subject to potential forced labor enforcement action.

In order for importers who are CTPAT Trade Compliance partners to utilize these benefits, they must identify to CBP which FTZ Operator they will use to store these goods and receive Port Director approval prior to the movement of the goods. The FTZ Operator must have an active Type 4 bond, FIRMS Code, and be in compliance with all CBP regulations. The selection of an FTZ Operator by a CTPAT Trade Compliance partner for this purpose is subject to Port Director approval.

Importers that are not CTPAT Trade Compliance partners are not authorized to utilize an FTZ for the storage of goods detained for forced labor. Such importers may only store detained forced labor goods in bonded warehouses using a Type 21 entry.

All importers that are CTPAT Trade Compliance partners and have shipments detained for forced labor which are currently stored in an FTZ may continue to store such shipments in the FTZ if the importer files a formal 06 entry to include all data elements for the suspected goods.

As entities are added to the Uyghur Forced Labor Prevention Act (UFLPA) Entity List, any goods that are impacted but are stored in an FTZ at the time of such addition may continue to remain in the FTZ only if the importer files an 06 estimated weekly entry containing all line-item data elements as required for the transaction. Such filings enable CBP to properly evaluate the merchandise being presented for entry. Goods detained by CBP for forced labor and stored in an FTZ by CTPAT Trade Compliance partners are subject to the following conditions:

- **Applicability Reviews for shipments stored in FTZs:**
 - Centers shall not conduct formal admissibility reviews prior to the filing of formal entries and issuance of detention notices on these formal entries.

- **Notifications:**
 - CTPAT Trade Compliance partners must notify the Port Director, the
 - CTPAT Trade Compliance Branch, and the Center of Excellence and Expertise Director when utilizing this option.
 - The partner must receive Port Director approval prior to moving cargo.
- **ACE Instructions**
 - The line(s) in question on the estimated weekly entry will be marked as detained by the port issuing the CBP Form(s) 6051D.
 - All other lines on the estimated weekly entry will remain on the entry unedited.
 - Please note that this estimated weekly entry will not receive a CBP release while any goods on the transaction are detained.
 - The filer will need to submit an additional estimated weekly entry for all remaining lines, as this additional estimated weekly entry serves as authorization to withdraw the goods from the FTZ.
- **Storage of the goods undergoing a determination in the FTZ**
 - The detained goods must be directly identified and not fungible.
 - The detained goods may not be manipulated, sold, broken up, repacked, nor distributed.
 - The detained goods must be physically segregated from other merchandise.
 - The detained goods must be physically identified to indicate to the FTZ Operator's employees and CBP that those goods cannot and will not be entered into the United States for consumption or removed from the FTZ.
 - One of the following processes must be utilized to physically identify the goods:
 - CBP 239 Warning Labels must be adhered to the identified cargo at the zone site by CBP personnel; or,
 - Subject to the CBP Port Director's approval, copies of the issued CBP Form 6051D must be adhered to the identified cargo by the FTZ Operator.

Policy questions concerning this guidance should be directed CSCWarehousing@cbp.dhs.gov. CTPAT importer notifications should be directed to CTPATTradeCompliance@cbp.dhs.gov. Related message: CSMS # 57200992

Link to CSMS# 62269186 - https://content.govdelivery.com/bulletins/gd/USDHSCBP-3b62702?wgt_ref=USDHSCBP_WIDGET_2

Save the Date! Holiday Happy Hour & Annual Meeting

CBFANC Board



FRIENDS • FUN • FOOD • RAFFLE • LAUGHS

WHEN
05 December 2024
4pm - 7pm

WHERE
Kincaid's Fish, Chops & Steaks
60 Bay View Place, Burlingame

Get Ready to Celebrate!

CBFANC's Holiday Celebration and Annual Meeting

This is an event you don't want to miss!

**Mark your calendars to join us and network with your
longtime colleagues and friends!**

Sponsorships and registration information coming soon!

CBFANC Needs YOU!

Join a CBFANC COMMITTEE

CBFANC

**WE NEED
YOU!**



Please join one of our industry Committees!
info@cbfanc.org

CBFANC Needs YOU!!

Please feel free to contact us with your feedback, ideas and topics that should be considered.

Whether you're a legal eagle or proverbial party animal, editor and journalist, nerd or geek - we have a spot for you!

Join one of our committees where you can put your talents and interest to use for the betterment of the organization and our community.

Travel to Washington and lobby for causes important to our industry and the security of our country.

Dreaming of improving standards in our trade - join our Education team:

- Go to WESCCON - The premier international trade event in the country!
- Write that expose you always dreamed - join the Newsroom
- Always wanted to hob-knob with the who's who in the trade - join The Agency or Customs
- Are you a graphic designer at heart - come to the virtual side of things on our web committee

To learn more about our wonderful committees and find an area you would like to volunteer for, please click [here](#). As always, any questions at all, please reach out to us at info@cbfanc.org. Thank you!