



July 2017 - Info Expeditior

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A Day at the Golden Gate Fields Horse Races!

Save the date:
Saturday August 26, 2017
CBFANC Board of Directors Presents
A Day at the Golden Gate Fields

Oakland Terminal Gate Schedule for July 28th Harry Bridges' Birthday

Ocean Committee



Port of Oakland Terminal Gate Schedule Harry Bridges Birthday July 28, 2017

Terminal/Depot:

Friday July 28, 2017

Everport

CLOSED**

Trapac

OPEN (1st Shift Only)*

Participating carriers limited to Export deliveries/Empties In and Out/Chassis In & Out To Date Participating Carriers include: MOL

Matson

OPEN

**OICT
 CLOSED**

OICT Roundhouse Empty Yard Shippers Transport

**CLOSED
 OPEN**

*Trapac Oakland will be open 1st shift only to Participating Carriers and limited to Export deliveries/Empties In & Out/Chassis In & Out.

To Date Participating Carriers include: MOL.

Non Participating No gate transactions for Cosco / Hapag Lloyd / K-Line / NYK Lines / Yang Ming TBA for United Arab.

See link for any possible changes:

<http://www.trapac.com/news>

Horse Races!

1100 Eastshore Highway,
Berkeley, CA 94710
(510) 559 - 7300

[View Golden Gate
Fields Here!](#)

2017 Educational & Program Events

[Carnets - Global Customs Passport for your Goods](#)

08/23/2017

Presented by
**Amanda Barlow, VP, ATA
Carnet by Roanoke,
Anna-Marie Porter, Senior
Account Executive, Roanoke
Trade
and
Terry Cummings, VP Roanoke
Trade**

- ATA Carnets – History on the present and potential future of ATA Carnets
- Why an ATA Carnet may be the easiest and least expensive way for your goods to travel
- Participating Countries and Specific ATA Carnet Conventions
- Do's and Don'ts of creating the General List
- On-line ATA Carnet Application Process
- Using ATA Carnets for U.S. CBP entries
- Carnet Best Practices and Compliance Overview
- Understanding Carnet Bonds
- Unique advantages of Exhibition Cargo coverage

- **Receive a Carnet
packet to take back to your
office**

Date: Wednesday,
August 23, 2017
Time: 8:30-12:00
Location: Park Pointe Hotel
Fees: \$65/ Member –
\$80/ Non-member

**No gate or yard operations will be conducted. Appointments previously made for import container pick up have been cancelled. Please make the next available appointment. Container customer service if necessary at: (385) 777-5522

Schedules and SSCO participation subject to change.

Visit terminal operator websites or contact terminal customer service for updated information. Note: **Anticipate higher than normal gate volume preceding and following gate closures.**

WESCCON 2017 - SCHOLARSHIP OPPORTUNITIES!

CBFANC President



SCHOLARSHIP AVAILABLE FOR WESCCON 2017

[WESCCON 2017 Scholarship Application](#)

The PCC and Avalon Risk management are again offering scholarships which will cover the cost of attending WESCCON 2017 in Rancho Mirage, CA, on October 12 – 15.

The application can be found by clicking [here](#) and under the WESCCON tab go to Scholarship to download the document.

Please note that candidates must have a minimum of 2 years of experience in the logistics industry. It is especially important to note the deadlines: Applications must be completed and submitted to the CBFANC President, Jack Hubbard, Jackh@shiptlr.com, and to info@CBFANC.org on or before August 4, 2017. Further details can be found in the attached notice and on the PCC website.

Thank you.
Jack Hubbard
President
CBFANC.

CSMS# 17-000388 - Update to Food and Drug Administration Related Low Value Shipments

Golden Gate Fields - Day at the Races!

08/26/2017

Save the Date for a Day at the Races presented by the CBFANC Board of Directors.

CBP CES APPLICATION INFORMATION**CBP CES APPLICATION INFORMATION**

Trade Community,

Please click [here](#) for instructions and application to apply for CBP CES.

- Applications must be received by 4:30pm on Monday, September 11, 2017.
- Public comments must be received by 4:30 p.m. on Saturday, August 12, 2017.

If you have any questions, please contact Felicia Brown, Watch Commander at Felicia.B.Brown@cbp.dhs.gov or Robin Turner, Chief at Robin.L.Turner@cbp.dhs.gov

Why NAFTA's Chapter 19 is worth fighting for

Courtesy: Patrick Leblond, MacLeans

Why NAFTA's Chapter 19 is worth fighting for

Canada has reportedly drawn a 'red line' over Chapter 19 as the U.S. calls for NAFTA renegotiations. That's a good thing.

Patrick Leblond is Senior Fellow at the Centre for International

CSMS# 17-000388 - Update to Food and Drug Administration Related Low Value Shipments

07/03/2017 02:07 PM EDT

Automated Broker Interface

The US Food & Drug Administration (FDA or the Agency) is updating previously issued information to clarify FDA expectations for the submission of shipments qualifying under Section 321 of the Tariff Act of 1930 containing FDA-regulated articles; i.e. those valued at \$800 or less ("Section 321" or "de minimis" shipments).

On December 15, 1994, FDA identified five categories of regulated products which could be released by CBP without notification to FDA for the purposes of determining entry admissibility, if they were valued at or below the then de minimis level of \$200 (see CSMS #94-001260, "FDA LOW VALUE SHIPMENTS").

On March 9, 2016, CBP informed stakeholders of the de minimis value increase from \$200 to \$800 in CSMS #16-000181 (effective March, 10, 2016). This program change was implemented based on Section 321 validations.

Although the de minimis value has changed, FDA has not previously updated CSMS #94-001260. FDA revised the Regulatory Procedures Manual (RPM) Chapter 9, section 1 (<https://www.fda.gov/downloads/ICECI/ComplianceManuals/RegulatoryProceduresManual/UCM074300.pdf>) to reflect the new de minimis value of \$800; however, based on conversations with stakeholders, FDA reporting requirements for de minimis shipments were unclear given FDA's legacy CSMS messages on such low value shipments.

By virtue of this message, FDA is providing notification that CSMS #94-001260 applies to the same five product categories valued at or below the current de minimis level: for those same five product categories, a release may be issued without notification to FDA for the purposes of determining entry admissibility under section 801(a) of the Federal Food, Drug & Cosmetic Act (the Act), if the shipment is valued at or below the current de minimis level (currently \$800). Those five product categories are:

- Cosmetics;
- Dinnerware (including eating and/or cooking utensils);
- Radiation emitting, non-medical devices (e.g. microwaves, televisions, CD players, etc.);
- Biological samples for laboratory testing; and,

Governance Innovation and holds the CN – Paul M. Tellier Chair on Business and Public Policy in the Graduate School of Public and International Affairs at the University of Ottawa.

Even before the negotiations to revise and modernize NAFTA begin on Aug. 16, a red line has been drawn in the sand between Canada and the United States: Chapter 19, on the “Review and Dispute Settlement in Antidumping and Countervailing Duty Matters.”

According to a document released on July 17 that outlines the Trump administration’s objectives for the NAFTA renegotiation, the United States is looking to eliminate Chapter 19, pure and simple. For Canada—and probably Mexico—this is an unacceptable position and could lead to scrapping negotiation talks altogether should the Americans insist on Chapter 19’s removal. Indeed, a senior Canadian official told the Globe and Mail that for the Trudeau government, U.S. insistences that Chapter 19 must be excised might prompt Canada to walk away from the table.

To read article in its entirety please click [here](#).

CBFANC Social Media

Please connect with us!

Twitter - @cbfanc

LinkedIn - CBFANC

Facebook - CBFANC

- Food, excluding ackees, puffer fish, raw clams, raw oysters, raw mussels, and foods packed in air tight containers intended to be stored at room temperature.

Also by virtue of this message, FDA is providing notification that CSMS #95-000090 (issued January 27, 1995) is rescinded. FDA rescinds CSMS #95-000090 because the instructions therein for electronic declarations are no longer applicable due to implementation of ACE.

The 801(m) prior notice requirements must continue to be met on all food and feed shipments regardless of value or quantity. Unless otherwise exempt from the prior notice requirements for one of the indicated reasons under 21 CFR 1.277(b)

(<https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?fr=1.277>), there are no exemptions based on a de minimis value or quantity of food.

FDA will continue to work on an updated low value strategy outlining which FDA-regulated products require notification to the Agency for determination of admissibility, regardless of the value of the shipment upon entry.

FDA is issuing this ABI message as part of our continued outreach efforts to assist the importing community in realizing the benefits of the Automated Commercial Environment (ACE); please make this information available to importers of record, consignees, manufacturers, shippers and other stakeholders that may be affected by the Agency’s import program.

Questions related to the FDA reporting requirements for de minimis shipments may be submitted to FDA’s Division of Import Operations at (301) 796-0356 or FDAImportsInquiry@fda.hhs.gov.

Additional References regarding TFTEA and relevant 19 CFR section:

TFTEA-Increase in the De Minimis Value Exemption: <https://www.cbp.gov/document/fact-sheets/tftea-increase-de-minimis-value-exemption>

19 CFR Section 10.151: http://www.ecfr.gov/cgi-bin/text-idx?SID=5b95595ce7f08b949577e28c599334ed&mc=TRUE&node=se19.1.10_1151&rgn=div8

As the Still-New Administration Settles In, Some Things Change, Some Don’t

Peter Friedmann's View from Washington, DC - June 2017

As the Still-New Administration Settles In, Some Things Change, Some Don't

Two developments, almost simultaneously, suggest that while President Trump is intent on reversing President Obama's policies, some will be eliminated, while others will remain intact. Not everything is changing. Here are just two very current examples, in the trade arena:

Change -- Cuba: President Donald Trump is announced his new Cuba policy, which will reverse the Obama Administration's actions that relaxed trade and travel restrictions. He argues that those previous market and tourism openings are "enriching the Cuban military and the intelligence services that contribute so much to repression on the island."

The new policy will prohibit U.S. companies from direct financial transactions with companies controlled by Cuban military and intelligence services and will limit US citizen travel to humanitarian/educational programs individually licensed by the State Department.

When the travel restrictions were lifted under President Obama, numerous cities and airports competed for direct air service to Cuba. With the restrictions reinstated, it now appears there will be fewer passengers traveling between the US and Cuba, raising questions as to the future of the new air service. Here, from an observer: "But the reality is that routes to Cuba have already been underperforming. Some airlines have decided to pull out of serving the routes to Cuba they won last year. American Airlines has pared down its service schedule, while JetBlue has switched to smaller airplanes."

No Change -- Immigration: While President Trump has reversed President Obama on Cuba, he is continuing his predecessor's policy in another area: he has just announced that, contrary to campaign pledges, he will not eliminate the Deferred Action for Childhood Arrivals (DACA) program, which allows approximately 800,000, undocumented immigrants who came to the United States as small children, to remain here in the US, with the right to attend school, work, etc. (also known as "Dreamers"). His Dept. of Homeland Security announced that these individuals will continue to be eligible to renew every two years.

It is not clear what his long term plan is for this program and others, including one granting similar

residency rights to the parents of “Dreamers”. But this change of position on Dreamers suggests that the President is recognizing the complexity of the legal, practical and economic (and perhaps ethical?) factors surrounding the fate of at least some of the millions of undocumented immigrants who have been residing and working here in the US.

Meanwhile more resources, both physical (roads, etc.) and personnel are being provided to facilitate cross border trade -- what was that about a “wall”?

It’s Not All Changing: To say that everything President Obama has done will be reversed may make for screaming headlines (“Late! Breaking! News!”); however, we are seeing the Administration start to recognize that even if candidate Trump promised to “change everything”, some things just can’t or shouldn’t be changed. We will see more of this pragmatic approach as the Administration continues to tackle the challenges of governance.

Drawback, Recordkeeping, Exclusion Orders Among New Rules on CBP Agenda

Courtesy: Sandler, Travis & Rosenberg Trade Report

Tuesday, July 25, 2017

Sandler, Travis & Rosenberg Trade Report

The departments of [Homeland Security](#) and [the Treasury](#) have issued their semiannual regulatory agendas, which list the following regulations affecting international trade that could be issued within the next year as well as rulemaking proceedings that have been in process for some time and are not as likely to see further progress in the near term. The expected timeframes for issuance of these rules are indicated in parentheses.

Upcoming Regulations

- a U.S. Customs and Border Protection proposed rule implementing **changes to the drawback laws** contained in the Trade Facilitation and Trade Enforcement Act by requiring claims to be filed electronically, extending and standardizing timelines for filing claims, modifying recordkeeping requirements, and establishing a new standard for substituting merchandise based on its tariff classification (September; first time published)
- a CBP proposed rule amending the regulations pertaining to the importation of goods that violate or are suspected of **violating the copyright laws** in accordance with title III of the TFTEA and certain provisions of the Digital Millennium Copyright Act (September; first time published)
- an Alcohol and Tobacco Tax and Trade Bureau proposed rule to update procedures for exports of distilled spirits, wine, beer, and tobacco products and implement the International Trade Data System all-electronic environment (September; previously April)
- a CBP final rule prescribing procedures for the donation of technologies, training, or other support services to assist CBP

- in **intellectual property rights enforcement** (September; [proposed rule](#) published in January 2017)
- a CBP final rule to give effect to certain liberalized changes to the **NAFTA preference rules of origin** that have been agreed to by the U.S., Canada and Mexico (September; [proposed rule](#) issued July 2016)
- a CBP proposed rule to update and modify the **(a)(1)(A) list** in the appendix to 19 CFR Part 163 (October; first time published)
- a CBP final rule clarifying the circumstances under which a notice of arrival must be filed for imported **pesticides and pesticidal devices**, codifying existing required NOA data elements, requiring the submission of additional NOA data elements for unregistered pesticides that are currently optional, and permitting the NOA to be filed electronically in the Automated Commercial Environment (November; [interim final rule](#) published in September 2016)
- a CBP final rule on procedures for investigating **evasion of antidumping and countervailing duty orders** (November, previously March; [interim final rule](#) published in August 2016)
- a CBP final rule reflecting that the **Automated Commercial System** is being phased out as a CBP-authorized electronic data interchange system for the processing of electronic entry and entry summary filings (November, previously March; [interim final rule](#) issued October 2015)
- a CBP final rule raising from \$200 to \$800 the **de minimis value** of articles that may be imported by one person on one day free of duty and tax (November, previously April; [interim final rule](#) published in August 2016)
- a CBP proposed rule seeking to promote the speed, accuracy, and transparency of administrative rulings concerning the importation of articles that may be subject to **exclusion orders** issued by the International Trade Commission under section 337 of the 1930 Tariff Act (December; first time published)
- a CBP final rule to expand the definition of "importer" under the **importer security filing** rule for certain types of shipments to ensure that the party that has the best access to the required information is the party responsible for filing the ISF (December; [proposed rule](#) issued in July 2016)
- a CBP proposed rule to implement the **Air Cargo Advance Screening** pilot as a regulatory program (December; no change)
- a CBP final rule shifting authority to make certain decisions regarding customs transactions from port directors to directors of the **Centers of Excellence and Expertise** (May 2018; previously December)

Regulations in Process

- a final rule setting forth due process procedures for CBP to follow before suspending or revoking assigned entry filer codes, immediate delivery privileges, or remote location filing privileges
- a CBP final rule reflecting the U.S.-Singapore free trade agreement
- a final rule to enhance CBP's ability to regulate and track in-bond merchandise and ensure that it is properly entered or exported

Regulations Completed

- a CBP [final rule](#) to update the customs broker examination procedures
- a TTB [final rule](#) updating procedures for imports of distilled spirits, wine, beer, and tobacco products and implement ITDS
- a CBP [final rule](#) removing the consumptive demand clause from the regulations concerning the prohibition on imports of goods produced by convict, forced, or indentured labor
- a CBP [final rule](#) allowing Toxic Substances Control Act certifications to be filed electronically and eliminating the paper-based blanket certification process

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