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World Trade Organization (WTO)

International Trade Centre-WTO Rules of Origin Facilitator

On 28 June 2018, the International Trade Centre (ITC), a joint agency of the World Trade Organization and the United Nations, [announced](#) a new initiative that will enable micro, small and medium-sized enterprises (MSMEs) to benefit from international trade opportunities. Developed to enable MSMEs to benefit from lower duties under free trade agreements, the ITC-WCO [Rules of Origin Facilitator](#) will also ensure that businesses in developing countries can take greater advantage of preferential trade arrangements.

The ITC-WCO Rules of Origin Facilitator contains information on trade agreements and applicable tariff rates at the detailed product level. The database includes the product-specific rules of origin as well as provisions on origin certification. Necessary documentation, such as certificates of origin, is also provided.

Currently, the initiative covers the destination markets of 85 countries including most of the developed economies. The online tool is comprehensive in its coverage providing information on all tradable goods, ranging from raw agricultural commodities to sophisticated machinery and electronics.

Trade Policy Reviews: Colombia, Norway, Uruguay

The fifth review of the trade policies and practices of Colombia took place on 12 and 14 June 2018. The basis for the review was a [report by the WTO Secretariat](#) and a [report by the Government of Colombia](#).

The seventh review of the trade policies and practices of Norway took place on 18 and 20 June 2018. The basis for the review is a [report by the WTO Secretariat](#) and a [report by the Government of Norway](#).

The fifth review of the trade policies and practices of Uruguay took place on 27 and 29 June 2018. The basis for the review is a [report by the WTO Secretariat](#) and a [report by the Government of Uruguay](#).

Recent disputes

The following disputes have been recently brought to the WTO. Click on the case ("DS") number below to go to the WTO website page for details on that dispute.

| DS. No. | Case Name | Date |
|-----------------------|--|----------|
| DS548 | US –Certain Measures on Steel and Aluminium Products (Complainant: EU) EU requests consultations | 06-06-18 |
| DS549 | China - Certain Measures on the Transfer of Technology (Complainant: EU) EU requests consultations | |
| DS550 | US –Certain Measures on Steel and Aluminum Products (Complainant: Canada) Canada requests consultations | 07-06-18 |
| DS551 | US –Certain Measures on Steel and Aluminum Products (Complainant: Mexico) Mexico requests consultations | |
| DS552 | US –Certain Measures on Steel and Aluminium Products (Complainant: Norway) Norway requests consultations | 19-06-18 |

DSB activities

During the period covered by this update, the Dispute Settlement Body (DSB) or parties to a dispute took the following actions or reported the following activities.

Requests for a panel are not listed (click on “DS” number to go to summaries of the case, click on “Activity” to go to the latest news or documents):

| DS No. | Case Name | Activity | Date |
|--|--|---|----------|
| DS316 | European Communities and certain Member States - Measures Affecting Trade in Large Civil Aircraft - Recourse to Article 21.5 of the DSU by the European Union and certain Member States | EU has requested dispute consultations with the US to address claim that the EU and its member states have complied with the WTO ruling (28-05-18) on subsidies | 06-06-18 |
| DS531 | Canada — Measures Governing the Sale of Wine in Grocery Stores (second complaint) (Complainant: US) | Canada blocks first request for a panel | 22-06-18 |
| DS536 | United States — Anti-Dumping Measures on Fish Fillets from Viet Nam (Complainant: Vietnam) | US blocks first request for a panel | |
| DS435 DS441 DS458 DS467 | Australia — Certain Measures Concerning Trademarks, Geographical Indications and Other Plain Packaging Requirements Applicable to Tobacco Products and Packaging (Complainants: Honduras, Dominican Rep., Cuba, Indonesia) | Panel report issued | 28-06-18 |

TBT Notifications

Member countries of the WTO are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. [See separate section on WTO TBT Notifications](#) for a table which summarizes notifications posted by the WTO during the past month.

World Customs Organization (WCO)

Announcements and news releases [dd-mm-yy]

| Date | Title |
|----------|--|
| 01-06-18 | WCO organized a Regional Workshop on Post Clearance Audit in the Americas and Caribbean Region |
| | The WCO offers its support to the Republic of Burundi in its initiative to accede to the Revised Kyoto Convention |
| | East African Customs administrations work together for more trade facilitation and enhanced border control |
| | Risk-based Passenger Controls in Seychelles |
| 05-06-18 | WCO and UPU Support Caribbean Region to Strengthen Customs-Postal Cooperation and the Exchange of Advance Electronic Information |
| | On World Environment Day, WCO strives for a “World without plastic” |
| 06-06-18 | Scoping mission in Liberia to strengthen collaboration of cross-border agencies in times of humanitarian crisis |
| | The WCO West African region commits to enhance cooperation in times of humanitarian crisis |
| | WCO Supports Bahamas on Advance Ruling System for Classification |
| | Singapore and Australia sign an AEO-Mutual Recognition Arrangement to facilitate trade for certified companies |
| | Qatar Chamber of Commerce and Industry approved to join ICC WCF international ATA Guarantee Chain |

| Date | Title |
|----------|---|
| | Gambia Revenue Authority Successfully Develops its Project Management Methodology |
| | Gambia Designs a Strategic Dashboard as a Key Tool for Performance Measurement |
| | WCO Pilots a New Training Package on How to Advance Gender Equality in Customs Administrations |
| 07-06-18 | National Time Release Study Workshop in Belize |
| | Building a reliable digital landscape: WCO IT Conference kicks off in Lima, Peru |
| 08-06-18 | WCO assists the Americas and Caribbean Region to speed-up the adoption of the WCO Data Model |
| | WCO support Cuba on implementation of an advance ruling system and improvement of tariff classification |
| 11-06-18 | WCO supports Armenia in enhancing its Risk Management and Post-Clearance Audit capacities |
| | WCO Pre-Accreditation Workshop on the Single Window Environment |
| | Bahamas Create Mercator Programme Plan to Prepare Implementation of the Trade Facilitation Agreement |
| 12-06-18 | 17th WCO IT Conference & Exhibition closes with discussions on the use of Blockchain by Customs |
| | WCO and UNCTAD work hand in hand to support the implementation of ASYPM in Jamaica |
| | Customs in the Pacific strengthen cooperation at the OCO Conference |
| | Kiribati accedes to the Revised Kyoto Convention and becomes the 114th Contracting Party |
| 13-06-18 | Workshop to develop expert trainers in Customs Valuation in Europe Region |
| 14-06-18 | Armenia Customs and Post moved forward with the exchange of Advance Electronic Data |
| 15-06-18 | Montenegro Customs benefits from a WCO Risk Management Workshop |
| | Swaziland and South Africa successfully establish connectivity and data exchange |
| 19-06-18 | Strengthening Azerbaijan Customs Service SAFE AEO Programme |
| | NII Workshop for Azerbaijan Customs Service |
| | WCO Project Management Mission to Seychelles |
| 20-06-18 | Wildlife crime: global seizures and arrests in transcontinental operation |
| | WCO launches dedicated TFA e-learning modules in Arabic on the CLiKC! Platform |
| 21-06-18 | Customs administrations in the Asia/Pacific region gather to discuss compliance and enforcement priorities and explore some WCO tools |
| | Mobile-learning course on the HS 2017 Edition |
| | WCO and IPPC join forces to facilitate trade whilst protecting societies from undesirable effects |
| 22-06-18 | WCO News digital edition goes live |
| 26-06-18 | The WCO-Inama Project builds capacity in targeted French-speaking African countries to combat Illegal Wildlife Trade |
| | MSMEs to benefit from ITC-WCO Rules of Origin Facilitator |
| 28-06-18 | WCO Private Sector Consultative Group (PSCG) discusses emerging/enabling technologies |
| | Outcomes of the 2018 Council Session |
| 30-06-18 | Kunio Mikuriya re-elected Secretary General of the World Customs Organization |

Other International Matters

CITES Notification to Parties

The *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES) has issued the following [notifications to the parties](#):

| Date | Title |
|----------|---|
| 01-06-18 | 2018/057 - CHINA – Stricter domestic measures on ivory trade in Hong Kong Special Administrative Region, China |
| 04-06-18 | 2018/058 - Illegal trade in cheetahs <ul style="list-style-type: none"> Annex: Questionnaire for cheetah range States and Parties affected by illegal trade in cheetah specimens |
| | 2018/059 - Seventieth meeting of the Standing Committee <ul style="list-style-type: none"> Annex: List of observers admitted at the 66th and 69th meetings of the Standing Committee |
| 08-06-18 | 2018/060 - Selection of nominees for chairmanship of committees of the Conference of the Parties |
| 13-06-18 | 2018/061 - JAPAN – Tightened regulations on ivory transactions |
| 18-06-18 | 2018/062 - Registration of operations that breed Appendix-I animal species in captivity for commercial purposes |
| 19-06-18 | 2018/063 Cooperation with other biodiversity-related Conventions |
| 21-06-18 | 2018/064 Registration of operations that breed Appendix-I animal species in captivity for commercial purposes |
| 25-06-18 | 2018/065 Changes in staff of the Secretariat |

The Americas - Central America

PANAMA

Official Gazette

The following documents of interest to international traders (other than food safety standards) were published in the *Gaceta Oficial – Digital* (Official Gazette – Digital) during the period of coverage:

| Publication Date | Title |
|------------------|---|
| 30-05-18 | COMMERCE AND INDUSTRY: Exec. Decree № 38 (25-05-18) creating the Office of Coordination of Trade Negotiations with the People's Republic of China, added to the Office of the Chief of International Trade Negotiations of the Ministry of Commerce and Industries and other provisions are dictated. |
| 06-06-18 | COMMERCE AND INDUSTRY: Res. № 1 (04-06-18) through which the start of an investigation is ordered for the possible activation of the special agricultural safeguard mechanism under the Treaty of Commercial Promotion between Panama and the USA on certain products. |
| 07-06-18 | ECONOMY AND FINANCE: Executive Decree № 63 (05-06-18) Modifies Executive Decree No. 425 of December 28, 2016, Which Incorporates the Customs Court and Creates the Tariff Policy Unit in the Organizational Structure of the Ministry of Economy and Finance. |
| 22-06-18 | NATIONAL CUSTOMS AUTHORITY: Resolution № 275 (18-06-18) the nationalized merchandise movement form is modified, and other provisions are dictated. |

The Americas - North America

CANADA

CBSA issues guidance on surtax of certain goods from the US

On June 29, 2018, the Canada Border Services Agency (CBSA) issued [Memo-randum D16-1-1 Information pertaining to the application, collection, and adjustment of a surtax](#) and [Customs Notice 18-08, Surtaxes Imposed on Certain Products Originating in the United States](#) which provide information on the application, collection, and adjustment of the surtax on certain goods of US origin. The pertinent paragraphs of CN 18-08 are shown below:

4. Effective July 1, 2018, [certain goods imported from the U.S.](#) are subject to surtaxes on the value for duty in accordance with the United States Surtax Order (Steel and Aluminum) and the United States Surtax Order (Other Goods).
5. The surtaxes will only apply to goods that originate in the U.S., which shall be considered as those goods eligible to be marked as goods of the U.S. in accordance with the [Determination of Country of Origin for the Purposes of Marking Goods \(NAFTA Countries\) Regulations](#).
6. Surtaxes will apply to both commercial and personal importations of goods.
7. The surtaxes will apply on goods released from a Customs Bonded Warehouse or Sufferance Warehouse on or after July 1, 2018 regardless of the date of importation.
8. Please note that goods listed in Schedules 1 and 2 of the United States Surtax Order (Steel and Aluminum) and in the Schedule to the United States Surtax Order (Other Goods) which are also eligible under a provision in [Chapter 99](#) of the Schedule to Canada's [Customs Tariff](#) are subject to the surtaxes even though they are entitled to a preferential tariff rate of customs duty under this Chapter.
9. Similarly, goods listed in Schedules 1 and 2 of the United States Surtax Order (Steel and Aluminum) and in the Schedule to the United States Surtax Order (Other Goods) which are also eligible under a provision of [Chapter 98](#) of the Schedule to the [Customs Tariff](#) will also be subject to the surtaxes, with few exceptions (see section [Exceptions to Surtax](#) below).
10. Canada's [Duties Relief](#) and [Duty Drawback](#) Programs continue to be available to importers for duties, including surtaxes, paid or owed by Canadian businesses that meet the requirements of the programs.

Proof of Origin

11. The burden of proof that the goods are **not** considered originating in the U.S. as defined in the United States Surtax Order (Steel and Aluminum) and the United States Surtax Order (Other Goods) lies with the importer.
12. Pursuant to subsection 35.1(1) of the [Customs Act](#) and the [Proof of Origin of Imported Goods Regulations](#), proof of origin must be furnished for all imported goods.
13. For commercial goods, proof of origin may be in the form of a commercial invoice, a Canada Customs Invoice, a Form A - Certificate of Origin, an Exporter's Statement of Origin, or any other documentation that indicates the country of origin of the goods.
14. Personal importations of goods, also known as casual goods (meaning goods that are imported into Canada other than commercial goods) are deemed to originate in the U.S. when the goods are both acquired in the U.S. and marked as made in, produced in or originating in the U.S., or the goods have no country of origin marking, but there is no evidence that the goods are the product of a country other than the U.S.
15. Casual goods imported from a country other than the U.S. that are marked as made in, produced in or originating in the U.S. are deemed to originate in the U.S.

Calculation of Surtax when Accounting for Commercial Importations

16. The amount of surtax payable is calculated as a percentage based on the value for duty of the imported good.

Example 1:

The value for duty (VFD) of an imported good subject to a surtax is \$150. The imported good has a Most Favoured Nation (MFN) duty rate of zero per cent. The applicable surtax is 10 per cent, as per the Schedule to the United States Surtax Order (Other Goods).

The amount of surtax is calculated as follows: \$150 (VFD) x 0.10 (per cent surtax) = \$15 (surtax payable).

For the B3-3 [B3-3 Canada Customs Coding Form](#) completion, the VFD of \$150 (field 37). The customs duties is \$ 0 (field 38). The surtax is \$15 (field 39). The value for tax is \$165 (field 41).

| | | | | |
|--------------------------------------|-----------------------------------|--|---|--|
| 1 LINE / LIGNE | 2 DESCRIPTION / DÉSIGNATION | 3 FREIGHT FROM / POIDS / AJUST | 4 PREVIOUS TRANSACTION / TRANSACTION ANTERIEURE | 5 SPECIAL AUTHORITY / AUTORISATION SPECIALE |
| 1 | Refrigerator / Réfrigérateur | 10 | | |
| 6 CLASSIFICATION / N° DE CLASSEMENT | 7 QUANTITY / QUANTITE | 8 UNIT / M | 9 VFD CODE / CODE VFD | 10 RATE OF CUSTOMS DUTY / TAUX DE DROIT DE DOUANE |
| 8418.10.10 | 1.000 | 1 | 13 | 51 |
| 11 VALUE FOR DUTY / VALEUR EN DOUANE | 12 CUSTOMS DUTY / DROIT DE DOUANE | 13 SIMA ASSESSMENT / COTISATION DE LA SIMA | 14 EXCISE TAX / TAUX D'ACCISE | 15 VALUE FOR TAX / VALEUR POUR TAXE |
| 150.00 | 0.00 | 15.00 | 0.00 | 165.00 |
| | | | | 16 RATE OF GST / TAUX DE TPS |
| | | | | 5.00 |
| | | | | 17 VALUE FOR CURRENCY CONVERSION / CONVERSION VALEUR POUR CHANGE |
| | | | | 150.00 |
| | | | | 18 GST / TPS |
| | | | | 8.25 |

Example 2:

The same imported good is subject to an MFN duty rate of 8 per cent.

The amount of customs duties is calculated as follows: \$150 (VFD) x 0.08 (rate of Customs duty) = \$12 (Customs duties payable)

The amount of surtax is calculated as follows:

\$150 (VFD) x 0.10 (per cent surtax) = \$15 (surtax payable)

For the [B3-3 Canada Customs Coding Form](#) completion, the VFD is \$150 (field 37). The customs duties is \$12 (field 38). The surtax is \$15 (field 39). The value for tax is \$177 (field 41).

| | | | | |
|--|------------------------------------|--|-------------------------------|---|
| 120'00 | 13'00 | 12'00 | 0'00 | 111'00 |
| ANTÉRIEUR EN DOUANE / ANTERE LIGNE DOUA | DROITS DE DOUANE / DROIT EN DOUANE | COULEUR/NOUVEAU DE FRET / NOUVEAU PAYS | TYPE D'ACCISE / NO EXCISE TAX | ANTÉRIEUR NOUVEAU TYPE / ANTERE LIGNE NOUVEAU |
| 8418.10.10 | 1.000 | 1 | 13 | 51 |
| TAUX DE DROIT DE DOUANE / TAUX DE DOUANE | TAUX DE TPS / TAX RATE | TAUX DE DROIT DE DOUANE / TAUX DE DOUANE | TAUX DE TPS / TAX RATE | VALEUR EN DOUANE / VALUE FOR TAX |
| 0.080000 | 0.050000 | 0.080000 | 0.050000 | 177.00 |
| TAUX DE DOUANE / TAX RATE | TAUX DE TPS / TAX RATE | TAUX DE DOUANE / TAX RATE | TAUX DE TPS / TAX RATE | VALEUR EN DOUANE / VALUE FOR TAX |
| 0.08 | 0.05 | 0.08 | 0.05 | 177.00 |

Exceptions to Surtax

17. Chapter 98 of the Schedule to the Customs Tariff contains headings under which the surtax would not apply. Imported goods eligible to be classified under those headings are listed in the following table:

| Chapter 98 - Customs Tariff Heading | Unofficial Description |
|---|---|
| 98.01 | Conveyances or containers of Chapters 86, 87, 88 or 89, engaged in the international commercial transportation of goods or passengers |
| 98.02 | Conveyances temporarily imported by a resident of Canada for international non-commercial transportation |
| 98.03 | Conveyances and baggage temporarily imported by non-residents |
| 98.04 (other than tariff item No. 9804.30.00) | Travellers' exemptions |
| 98.05 | Goods imported by a former resident of Canada returning to Canada to resume residence |

18. In addition, these surtax orders do not apply to U.S. goods that are in transit to Canada prior to July 1, 2018.

19. Importers must have proof that such goods were in transit to Canada prior to July 1, 2018. Such proof may include, but is not limited to, the following documentation: sales orders, purchase orders, shipping documents (for example, a through bill of lading (TBL)), report of entry documents, and cargo control documents. Such proof may be requested at any time by a CBSA officer.

Proper Documentation

20. Importers must report the surtax order code in field 32 "SIMA Code" of [Form B3-3](#) by inserting code "51" for the surtax.

21. The amount of surtax owing is entered in field 39 "SIMA Assessment" of [Form B3-3](#).

22. Accounting for surtaxes under the United States Surtax Order (Steel and Aluminium) and the United States Surtax Order (Other Goods), will follow the instructions

outlined in [Memorandum D16-1-1, Information pertaining to the application, collection, and adjustment of a surtax](#).

23. When an amount of surtax is being declared at importation, refer to [Memorandum D17-1-10, Coding of Customs Accounting Documents](#) for additional information on completing [Form B3-3](#).

Corrections, Re-Determinations, and Refunds

24. Corrections to original declarations and requests for re-determinations are to be made in the prescribed form and manner under the relevant provisions of the Customs Act, in accordance with the procedures outlined in [Memorandum D11-6-6, "Reason to Believe" and Self-Adjustments to Declarations of Origin, Tariff Classification, and Value for Duty](#), [Memorandum D6-2-3, Refund of Duties](#) and [Memorandum D6-2-6, Refund of Duties and Taxes on Non-commercial Importations](#)

25. Where an overpayment of surtax has been identified, [Form B2, Canada Customs – Adjustment Request](#) may be filed in a regional CBSA office requesting a refund of the overpaid amount. If accounting information is being self-adjusted for a surtax refund or surtax payable to the CBSA, refer to [Memorandum D17-2-1, The Coding, Submission and Processing of Form B2 Canada Customs Adjustment Request](#), for additional information on completing [Form B2](#).

26. The CBSA may re-determine or further re-determine the origin, tariff classification, and/or value for duty on its own initiative or in response to a self-adjustment. In so doing, as with customs duties and taxes, the CBSA may assess any undeclared amount of surtax.

Examinations and Verifications

27. Importations may be subject to examination at the time of importation and to post-release verification for compliance with the Tariff Classification, Valuation, Origin and Marking programs, and any other applicable provisions administered by the CBSA. If non-compliance is encountered by the CBSA, in addition to assessments of surtax, customs duties and taxes, penalties and interest will be assessed, where applicable.

Advance Rulings for Commercial Importations

28. For predictability and certainty on how goods are to be accounted for, a binding ruling on the Free Trade Agreement (FTA) Origin, Tariff Classification, or marking of goods imported from a North American Free Trade Agreement (NAFTA) country in advance of the importation of goods can be requested from the CBSA. Refer to [Memorandum D11-4-16, Advance Rulings for Origin Under Free Trade Agreements](#) (Appendix D – NAFTA Marking – Advance Rulings), for additional information on requesting an advance ruling for marking of goods imported from a NAFTA country. Refer to [Memorandum D11-11-3, Advance Rulings for Tariff Classification](#), for additional information on requesting an advance ruling on the tariff classification of goods.

Additional Information

29. Refer to [Memorandum D16-1-1, Information pertaining to the application, collection, and adjustment of a surtax](#), for additional information concerning the administration and enforcement of surtax orders under sections 53(2), 55(1), 60, 63(1), 68(1), 77.1(2), 77.6(2) or 78(1) of the [Customs Tariff](#).

30. For more information on the administration of the surtax orders, within Canada call the Border Information Service at 1-800-461-9999. From outside Canada call 204-983-3500 or 506-636-5064. Long distance charges will apply. Agents are available Monday to Friday (08:00 – 16:00 local time / except holidays). TTY is also available within Canada: 1-866-335-3237.

Revised marking rules for steel and aluminum

On June 13, 2018, the *Canada Gazette* published the [*Regulations Amending the Determination of Country of Origin for the Purpose of Marking Goods \(Non-NAFTA Countries\) Regulations and the Determination of Country of Origin for the Purposes of Marking Goods \(NAFTA Countries\) Regulations*](#) (SOR 2018-116, May 31, 2018). The objective of the Regulations is to amend Canada's country of origin marking rules to align with U.S. requirements for certain steel and aluminum products, in order to address the transshipment and diversion of unfairly cheap foreign steel and aluminum into the North American market.

According to the Regulatory Impact Analysis:

The transshipment and diversion of unfairly cheap foreign steel and aluminum products is a threat to Canadian jobs and the North American market. Among other measures taken by the Government to address this threat, Canada is amending its country of origin marking regime to align with United States (U.S.) requirements on certain steel and aluminum products.

The proposed regulations amend the *Determination of Country of Origin for the Purpose of Marking Goods (NAFTA Countries) Regulations* and the *Determination of Country of Origin for the Purposes of Marking Goods (Non-NAFTA Countries) Regulations* to expand the scope of goods that need to be marked for both NAFTA and non-NAFTA countries and the criteria used to determine the country of origin marking purposes for imports from NAFTA countries.

On product scope, Canada requires that goods specifically identified in the regulations be marked with the country of origin while the U.S. regime requires that all goods of foreign origin be marked. The amendments expand the scope of goods that must be marked to align with the treatment of certain steel and aluminum products under the U.S. regime.

On criteria, Canada and the U.S. already use substantially equivalent criteria to determine the country of origin for non-NAFTA goods. However, the rules of origin set out in the Canadian and U.S. NAFTA country of origin marking regulations vary. The regulations introduce amendments to the *Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations* consistent with the current U.S. requirements.

Canada announces retaliatory tariffs in response to US steel and aluminum tariffs

On May 31, 2018, the Government of Canada published a [notice of intent to impose countermeasures](#) against the United States in response to the United States imposing tariffs on Canadian steel and aluminum products. According to the notice, Canada intends to impose "surtaxes or similar trade-restrictive countermeasures" against up to \$16.6 billion CAD in US originating goods, which represents a dollar-for-dollar retaliation against Canadian exports affected by the US measures. The goods identified in the notice will be subject to either a 10% or 25% surtax or other trade-restrictive measures, and include steel and aluminum products, a significant number of food products, articles of plastic, and paper products, among others.

Canada was exempt from the application of steel and aluminum tariffs imposed by the United States since the imposition of the tariffs on March 23, 2018 pursuant to section 232 of the Trade Expansion Act of 1962. The Canadian exemption was not renewed and expired as of June 1, 2018.

Prime Minister Trudeau, in response to the US action, stated that it is “inconceivable” that Canada could be a national security threat to the United States. Minister Freeland said of the retaliatory measures: “[t]his is the strongest trade action Canada has taken in the post-war era. This is a very strong response, it is a proportionate response, it is perfectly reciprocal.”

The proposed Canadian countermeasures will take effect on July 1, 2018 and will remain in place until the United States eliminates its trade-restrictive measures against Canada. In advance of the implementation date, the Government of Canada is seeking written comments on the proposed countermeasures, which must be submitted by June 15, 2018.

Companies are advised to carefully review the [list of products](#) that will be subject to the proposed countermeasures and determine whether any of their products will be impacted. The opportunity to submit written comments may offer a route to seek the removal of certain products from the list. Baker McKenzie trade lawyers are experienced in making submissions in respect of these matters and are available to provide assistance in doing so.

Further information and a full list of the products subject to the proposed countermeasures can be at the [Department of Finance website here](#).

If you have any questions, please contact the authors, [Paul Burns](#), [Brian Cacic](#) or [Erica Lindberg](#).

Miscellaneous regulations and proposals

The following documents of interest to international traders were published in the [Canada Gazette](#). (The sponsoring ministry, department or agency is also shown. N=notice, PR=proposed regulation, R=regulation, O=Order)

| Publication Date | Title |
|------------------|--|
| 06-02-18 | ENVIRONMENT/ HEALTH: Publication of results of investigations and recommendations for a substance — phenol, 2-(1-methylpropyl)-4,6-dinitro- (dinoseb), CAS RN11 88-85-7 — specified on the Domestic Substances List (paragraphs 68(b) and (c) of the Canadian Environmental Protection Act, 1999) |
| | HEALTH: Proposed Regulations Amending the Agriculture and Agri-Food Administrative Monetary Penalties Regulations Respecting the Pest Control Products Act and Regulations (Penalties and Schedules) (PR) |
| | HEALTH: Proposed Regulations Amending the Pest Control Products Regulations (Products not Intended for the Canadian Market) (PR) |
| 06-09-18 | FINANCE: Proposed Regulations Amending Certain Regulations Made Under the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, 2018 (PR) |
| 06-13-18 | AGRICULTURE AND AGRI-FOOD/HEALTH: Safe Food for Canadians Regulations (SOR/2018-108, May 30, 2018) pursuant to the Canadian Dairy Commission Act, Consumer Packaging and Labelling Act, Criminal Code, Feeds Act, Food and Drugs Act, Seeds Act, Health of Animals Act, Controlled Drugs and Substances Act, Customs Tariff, and Safe Food For Canadians Act (R) |
| | AGRICULTURE AND AGRI-FOOD/HEALTH: Order Fixing January 15, 2019 as the Day on which Certain Provisions of the Act Come into Force (SI/2018-39, June 13, 2018) [Fixes January 15, 2019 as the day on which that Act comes into force, other than sections 73, 94, 109 and 110, which came into force on assent] (O) |
| | ENVIRONMENT: Order Amending Schedule 1 to the Species at Risk Act (SOR/2018-112, May 30, 2018) pursuant to the Species at Risk Act (R) |
| | FINANCE: Regulations Amending the Determination of Country of Origin for the |

| Publication Date | Title |
|------------------|---|
| | Purpose of Marking Goods (Non-NAFTA Countries) Regulations and the Determination of Country of Origin for the Purposes of Marking Goods (NAFTA Countries) Regulations (SOR 2018-116, May 29, 2018) pursuant to the Customs Tariff (R) |
| 06-16-18 | HEALTH: Notice to interested parties — Proposal to add tramadol to Schedule I to the Controlled Drugs and Substances Act and the Schedule to the Narcotic Control Regulations |
| | CANADIAN FOOD INSPECTION AGENCY (CFIA): Proposed Regulations Amending the Food and Drug Regulations (Beer) pursuant to the Food and Drugs Act (PR) |
| | ENVIRONMENT: Proposed Order Amending Schedule 1 to the Species at Risk Act (PR) |
| 06-23-18 | ENVIRONMENT: Order 2018-87-03-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | ENVIRONMENT: Order 2018-87-04-02 Amending the Non-domestic Substances List pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | HEALTH: Proposed Regulations Amending the Narcotic Control Regulations (Licences and Permits) pursuant to the Controlled Drugs and Substances Act (PR) |
| | HEALTH: Proposed Regulations Amending the Benzodiazepines and Other Targeted Substances Regulations (Licences and Permits) pursuant to the Controlled Drugs and Substances Act (PR) |
| | HEALTH: Proposed Regulations Amending the Food and Drug Regulations (Parts G and J — Licences and Permits) pursuant to the Controlled Drugs and Substances Act (PR) |
| | HEALTH: Proposed Order Amending Schedule 1 to the Tobacco and Vaping Products Act (Colouring Agents) pursuant to the Tobacco and Vaping Products Act (PR) |
| | HEALTH: Tobacco Products Regulations (Plain and Standardized Appearance) pursuant to the Tobacco and Vaping Products Act (PR) |
| 06-27-18 | PUBLIC SAFETY: Regulations Amending the Accounting for Imported Goods and Payment of Duties Regulations (SOR/2018-121, June 12, 2018) pursuant to the Customs Act (R) |
| | ENVIRONMENT: Order 2018-87-03-01 Amending the Domestic Substances List (SOR/2018-123, June 15, 2018) pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| | ENVIRONMENT: Order 2018-87-04-01 Amending the Domestic Substances List (SOR/2018-124, June 15, 2018) pursuant to the Canadian Environmental Protection Act, 1999 (O) |
| 06-30-18 | TRANSPORT: Proposed Regulations Amending Certain Regulations Made under the Motor Vehicle Safety Act (Notice of Defect and Notice of Non-compliance) pursuant to the Motor Vehicle Safety Act (PR) |
| | TRANSPORT: Proposed Regulations Amending the Transportation of Dangerous Goods Regulations (Emergency Response Assistance Plan) pursuant to the Transportation of Dangerous Goods Act, 1992 (PR) |
| | ENVIRONMENT: Waiver of information requirements for living organisms (subsection 106(9) of the Canadian Environmental Protection Act, 1999) (N) |
| | ENVIRONMENT: Waiver of information requirements for substances (subsection 81(9) of the Canadian Environmental Protection Act, 1999) (N) |

Restrictive measures

The following documents imposing restrictive measures on imports or exports were published in the [Canada Gazette](#) or posted on a Government website.

| Publication Date | Title |
|------------------|---|
| 06-13-18 | Regulations Amending the Special Economic Measures (Venezuela) Regulations (SOR/2018-114, May 30, 2018) pursuant to the Special Economic Measures Act (R) |

CBSA advance rulings

The Canada Border Services Agency (CBSA) has enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the [CBSA Web site](#).

[See separate section below](#) for the advance rulings posted by the CBSA.

D-Memoranda and CNs revised or cancelled

The following is a list of Canada Border Services Agency D-Memoranda, Customs Notices (CNs) and other publications issued, revised or cancelled during the past month. (Dates are given in yyyy/mm/dd format.)

| Date | Reference | Title |
|----------|--------------------------|---|
| 06-18-18 | CN 17-17 | (Revised) Environment and Climate Change Canada (ECCC)'s Import Restrictions on Salamanders |
| 06-20-18 | CN 18-06 | Fee Increase ~ Registrar of Imported Vehicles (RIV) Program |
| 06-26-18 | CN 18-07 | Amendments to the Departmental Consolidation of the Customs Tariff |
| 06-27-18 | D18-2-1 | Imported Tobacco Products and the Return of Canadian Manufactured Tobacco Products |
| 06-29-18 | CN 18-08 | Surtaxes Imposed on Certain Products Originating in the United States |
| | D16-1-1 | Information pertaining to the application, collection, and adjustment of a surtax |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

MEXICO

Mexico implements retaliatory measures against duties imposed by the United States

On June 5, 2018, the Ministry of Economy published in the *Diario Oficial* (Federal Official Gazette) a [Decree that amends the Tariff Schedule of the General Import and Export Duties Law, the Decree that sets forth the rate of duty applicable during 2003, of the General Import Duty, for goods originating in North America and the Decree that establishes certain Sectoral Promotion Programs](#) (the "Decree").

By means of the Decree, the Mexican government suspended the preferential duty treatment granted to imports of certain goods when they are originating in the United States of America (USA) which include, among others, certain pork products, certain types of cheese, apples, ham, potatoes, cranberries, food preparations, bourbon, certain steel products, steel furniture and lamps.

Moreover, it sets forth an increase to the duties applicable to definitive imports (not applicable to other customs regimes) of such goods, when they originate in the USA.

By means of this publication, the general import duty applicable to different types of steel products was also increased, regardless of their country of origin (including temporary imports under IMMEX programs that are subject to payment of such duty in accordance with the corresponding free trade agreements).

Additionally, the Sectoral Promotion Programs (PROSEC) were amended, in order to exempt from the payment of duties certain steel products that are included in the Electric and Electronic Sectors and of the Automotive and Auto-parts industries.

The suspension of duty preferences became effective on June 5, 2018, while the increase in duties applicable to tariff items 0203.12.01, 0203.19.99, 0203.22.01, 0203.29.99, 0406.10.01, 0406.20.01, 0406.90.04 and 0406.90.99 will become effective on July 5, 2018. In the meantime, the duty applicable to tariff items 0203.12.01, 0203.19.99, 0203.22.01, 0203.29.99, 0406.20.01 and 0406.90.04 will be of 10% and for tariff items 0406.10.01 and 0406.90.99 will be of 15%

The full text of the Decree can be [found here](#).

How we can help

Our International Commercial and Trade group has the required knowledge and experience to support your company in connection with the imposed duties.

In connection with temporary imports, it is important to bear in mind that the measures adopted by Mexico open the door to changes or adjustments in the supply chain structures to mitigate the increase in duties, provided that particular requirements in the documentation of the temporary imports are duly met.

In Baker McKenzie we are at your service to support in any matter related to this publication, and with any other matter related to the application of duties and retaliatory measures that may affect your company.

If you have any questions, please contact the authors [Mariana Rojas Islas](#), [Adriana Ibarra Fernández](#) or [José Hoyos Robles](#) or any member of the Mexican International Commercial and Trade group.

Mexico announces retaliation measures to US steel and aluminum tariffs

Mexican and Canadian steel and aluminum imports into the United States became subject to the payment of duties as of 00:01 hours on June 1, 2018.

On May 31, 2018, the US Secretary of Commerce, Wilbur Ross, announced at a press conference that the exemption granted to Mexico, Canada and the European Union would end on May 31, 2018 at midnight, as initially scheduled. Therefore, steel imports will be subject to tariffs of 25% and aluminum to tariffs of 10%. It is important to bear in mind that affected exporters are entitled to follow a specific procedure to be excluded from this measure.

Details of this measure are reflected at the US Customs and Border Protection's (CBP) [website](#).

In response to this measure, Mexico [announced through a statement](#) issued by the Ministry of Economy that it will impose retaliatory measures on goods such as flat steel, lamps, certain pork products, cold meats and food preparations, apples, grapes, cranberries, cheeses, among others, in an amount equivalent to the impact of the US measure.

Should you have any questions or comments regarding these measures or would like us to analyze your particular case, we are at your service.

For additional information on Mexican countermeasures, please contact the authors, [Edith Salcedo Hinojosa](#), [José Hoyos Robles](#) or any member of the Mexican International Commercial and Trade practice with whom you normally work.

Diario Oficial

The following documents of interest to international traders were published in the [Diario Oficial de la Federacion](#): *Note: With regard to standards, only those which appear to apply to international trade are listed.* (An unofficial English translation is shown.)

| Publication Date | Title |
|------------------|--|
| 06-01-18 | Decree whereby various provisions of the Fiscal Code of the Federation, the Customs Law, the Federal Penal Code and the Federal Law to Prevent and Punish the Offenses Committed in the Matter of Hydrocarbons are reformed, added and repealed |
| 06-05-18 | Decree modifying the Tariff of the General Import and Export Duties Law, the Decree establishing the Applicable Rate during 2003, of the General Import Duty, for merchandise originating in North America and the Decree establishing various Sectoral Promotion Programs Acuerdo by means of which the quota is announced to import, with the established quota-tariff, fresh, refrigerated and frozen pork meat |
| 06-11-18 | FINANCE: Public call to integrate the Technical Council of the Special Economic Zone of Progress FINANCE: Public call to integrate the Technical Council of the Special Economic Zone of Salina Cruz FINANCE: Addendum of public Call to integrate the Technical Council of the Special Economic Zone of Lázaro Cárdenas-La Unión. FINANCE: Addendum of public Call to integrate the Technical Council of the Special Economic Zone of Puerto Chiapas FINANCE: Addendum of public Call to integrate the Technical Council of the Special Economic Zone of Coatzacoalcos. |
| 06-14-18 | ECONOMY: Acuerdo that modifies the Acuerdo by which measures are established to restrict the export or import of various goods to the countries, entities and persons indicated. [N. Korea, Iran] |
| 06-18-18 | FOREIGN RELATIONS: Decree approving the Council of Europe Convention on Crimes related to Cultural Property, made in Nicosia, Cyprus, on the nineteenth day of May, two thousand and seventeen. FOREIGN RELATIONS: Decree whereby the Second Modifying Protocol to the Agreement on Agriculture between the United Mexican States and the Republic of Iceland, signed in Mexico City on November 27, 2000, made in Geneva, Switzerland, on June 17, 2014, is approved. FOREIGN RELATIONS: Decree approving the Agreement between the United Mexican States and the European Union amending Annex III of Decision 2/2000 of the EC-Mexico Joint Council of March 23, 2000, celebrated by exchange of dated letters in the cities of Brussels and Mexico, on September 18, |

| Publication Date | Title |
|------------------|--|
| | 2017. FOREIGN RELATIONS: Decree approving the Agreement between the Government of the United Mexican States and the Swiss Federal Council on Importation and Return of Cultural Property, signed in Mexico City on August twenty-two, two thousand and seventeen. |
| 06-21-18 | ECONOMY: Acuerdo that modifies the Acuerdo by which the Ministry of Economy issues rules and criteria of a general nature in matters of Foreign Trade. |
| 06-22-18 | FOREIGN RELATIONS: Decree approving the Agreement between the United Mexican States and the Dominican Republic on Cooperation and Mutual Administrative Assistance in Customs Matters, signed in Havana, Republic of Cuba, on May 15, 2017. |
| | FOREIGN RELATIONS: Decree approving the Agreement between the United Mexican States and the Oriental Republic of Uruguay on Cooperation and Mutual Administrative Assistance in Customs Matters, signed in Mexico City, on November 14, 2017 |
| 06-25-18 | HACIENDA: Decree by which various provisions of the Customs Law are amended, added and repealed. |
| 06-28-18 | HACIENDA: Resolution that modifies the Call for certification in matters of prevention of operations with resources of illegal origin and financing of terrorism |
| | ENERGY: Official Mexican Standard: NOM-015-ENER-2018, Energy efficiency of appliances refrigerators and freezers . Boundaries, testing and labeling methods. |
| 06-29-18 | HACIENDA: Guidelines for the granting of Permits, Assignments and Authorizations in the area of Special Economic Zones |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

UNITED STATES

[NOTE ON FEDERAL REGISTER TABLES IN THE UNITED STATES SECTION BELOW: N=NOTICE, FR=FINAL RULE, PR=NOTICE OF PROPOSED RULEMAKING, AN=ADVANCE NOTICE OF PR, IR=INTERIM RULE, TR=TEMPORARY RULE OR ORDER, RFI/FRC= REQUEST FOR INFORMATION/COMMENTS; H=HEARING OR MEETING; E=EXTENSION OF TIME; C=CORRECTION; RO=REOPENING OF COMMENT PERIOD; W=WITHDRAWAL. PLEASE NOTE: MEETINGS WHICH HAVE ALREADY TAKEN PLACE ARE GENERALLY NOT LISTED.]

Business groups ask the Senate to curtail the President's authority to impose tariffs under section 232

On June 26, 2018, on behalf of more than 200 industry trade associations, local chambers of commerce and other business organizations, the U.S. Chamber of Commerce sent [a letter](#) to members of the U.S. Senate, asking them to support legislation (S. 3013), a bi-partisan bill sponsored by Sen. Corker and others that would require the President to submit to Congress any proposal to raise tariffs in the interest of national security under Section 232 of the *Trade Expansion Act of 1962*.

The letter states that the U.S. business and agriculture communities are deeply concerned that the President's unrestricted use of section 232 to impose tariffs may not be in the national interest and will result in retaliatory tariffs from our largest trading partners and closest allies, and that retaliation will have serious negative economic impacts on the United States.

The letter also states that the new threat to levy a 25% tariff on all imported automobiles and auto parts would inflict enormous harm on the U.S. economy, af-

fecting approximately \$350 billion of imports. Retaliation on the same order would be expected. The nation's largest manufacturing sector — the U.S. auto industry — and many downstream industries would be “profoundly harmed” by this action, as would sectors such as agriculture and chemical manufacturing that would be targeted in retaliation. The letter claims the economic impact of this action would be approximately 10 times larger than that of the tariffs on imported metals.

Presidential documents

During the past month, President Trump signed the following documents that relate to international trade or travel, regulatory reform, national security, law enforcement or related activities:

| Date | Subject |
|----------|---|
| 06-05-18 | Proclamation 9758 of May 31, 2018 - Adjusting Imports of Aluminum Into the United States |
| | Proclamation 9759 of May 31, 2018 - Adjusting Imports of Steel Into the United States |
| 06-06-18 | Presidential Determination No. 2018–08 of May 14, 2018 Presidential Determination Pursuant to Section 1245(d)(4)(B) and (C) of the National Defense Authorization Act for Fiscal Year 2012 |
| 06-12-18 | Notice of June 8, 2018 - Continuation of the National Emergency With Respect to the Actions and Policies of Certain Members of the Government of Belarus and Other Persons to Undermine Democratic Processes or Institutions of Belarus |
| 06-20-18 | Memorandum of May 16, 2018 - Delegation of Authorities under Section 1244(c) of the National Defense Authorization Act for Fiscal Year 2018 |
| 06-22-18 | Executive Order 13840 of June 19, 2018 |
| | Ocean Policy To Advance the Economic, Security, and Environmental Interests of the United States |
| 06-25-18 | Notice of June 22, 2018 - Continuation of the National Emergency With Respect to North Korea |
| | Notice of June 22, 2018 - Continuation of the National Emergency With Respect to the Western Balkans |

President endorses OMB plan to reorganize the Federal Government

On June 21, 2018, the White House [announced](#) that President Trump was going to reform the Federal Government using an [OMB report](#) as the “cornerstone for a productive, bipartisan dialogue around making the Federal Government work for the 21st century.”

The OMB report, entitled [Delivering Government Solutions in the 21st Century Reform Plan and Reorganization Recommendations](#) recommends a number of reorganizations, consolidations, and agency reforms, including the following, which may affect international trade:

- Reorganize primary federal food safety functions (currently in the U.S. Department of Agriculture’s (USDA) Food Safety and Inspection Service (FSIS) and the food safety functions of the U.S. Department of Health and Human Services’ U.S. Food and Drug Administration (FDA) into a single agency within USDA into a single agency, the Federal Food Safety Agency;
- Merge the Department of Commerce’s National Marine Fisheries Service (NMFS) with the Department of the Interior’s U.S. Fish and Wildlife Service (FWS). This would put enforcement of the *Endangered Species Act* and the *Marine Mammal Protection Act* in a single agency;

- Consolidate mission alignment of Army Corps of Engineers Civil Works with those of other federal agencies by moving the Corps of Engineers Civil Works out of the Department of Defense (DOD) and into the Department of Transportation (DOT) and Department of the Interior (DOI);
- Consolidate alcohol and tobacco enforcement at Treasury by transferring all alcohol and tobacco responsibilities from the Department of Justice's Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to Treasury's Alcohol and Tobacco Tax and Trade Bureau (TTB). This transfer would leverage TTB's resources and expertise relating to the alcohol and tobacco industries and allow ATF to continue to focus on its firearms and explosives mandates, enabling both agencies to more efficiently and effectively carry out their core missions of protecting the public; and
- Identify efficiencies and budgetary savings in Homeland Security to be achieved by eliminating unnecessary duplication between U.S. Customs and Border Protection and U.S. Coast Guard air and maritime programs. This could include facility consolidation, standardized data, enhanced domain awareness and coordination, and common future capability requirements.

Several other recommendations involve merging cabinet departments. Legislative action would be required for some of the recommendations.

President asks USTR to identify additional Chinese goods for tariffs

On June 18, 2018, President Trump issued a [statement](#) regarding trade with China. It follows:

On Friday, I announced plans for tariffs on \$50 billion worth of imports from China. These tariffs are being imposed to encourage China to change the unfair practices identified in the Section 301 action with respect to technology and innovation. They also serve as an initial step toward bringing balance to our trade relationship with China.

However and unfortunately, China has determined that it will raise tariffs on \$50 billion worth of United States exports. China apparently has no intention of changing its unfair practices related to the acquisition of American intellectual property and technology. Rather than altering those practices, it is now threatening United States companies, workers, and farmers who have done nothing wrong.

This latest action by China clearly indicates its determination to keep the United States at a permanent and unfair disadvantage, which is reflected in our massive \$376 billion trade imbalance in goods. This is unacceptable. Further action must be taken to encourage China to change its unfair practices, open its market to United States goods, and accept a more balanced trade relationship with the United States.

Therefore, today, I directed the United States Trade Representative to identify \$200 billion worth of Chinese goods for additional tariffs at a rate of 10 percent. After the legal process is complete, these tariffs will go into effect if China refuses to change its practices, and also if it insists on going forward with the new tariffs that it has recently announced. If China increases its tariffs yet again, we will meet that action by pursuing additional tariffs on another \$200 billion of goods. The trade relationship between the United States and China must be much more equitable.

I have an excellent relationship with President Xi, and we will continue working together on many issues. But the United States will no longer be taken advantage of on trade by China and other countries in the world.

We will continue using all available tools to create a better and fairer trading system for all Americans.

US to impose tariffs on certain Chinese goods

On June 15, 2018, the White House issued a [statement by the President](#) confirming that the United States will impose an additional 25% customs duty on \$50

billion worth of imports from China. The additional duty will be assessed on goods that “contain industrially significant technologies[,]” including those “related to China’s *Made in China 2025* strategic plan to dominate the emerging high-technology industries[,]” according to the statement. The statement goes on to say that the additional duty is “essential to preventing further unfair transfers of American technology and intellectual property to China, which will protect American jobs. In addition, they will serve as an initial step toward bringing balance to the trade relationship between the United States and China.” Finally, the statement indicates that the United States will consider further additional duties if China retaliates (which it is expected to do).

Following the issuance of the White House statement, the US Trade Representative [published a notice on its website](#) containing the list of products/tariff classifications that will be subject to the additional 25% duty. The list is broken down into two pieces and focuses on “industrial” (not consumer) products.

The [first piece](#) contains 818 of the original 1,333 tariff classifications proposed in the list [published](#) on April 6, 2018. These 818 tariff classifications represent approximately \$34 billion worth of imports from China and the additional 25% duty will be assessed by US Customs and Border Protection beginning on July 6, 2018.

The [second piece](#) contains 284 new tariff classifications identified by the inter-agency Section 301 Committee as benefitting from China’s industrial policies, including *Made in China 2025*. These 284 tariff classifications represent approximately \$16 billion worth of imports from China. This list of tariff classifications is subject to a new/separate public *Federal Register* notice and comment process (including a hearing). The details were published in the *Federal Register* on June 20, 2018 [[See USTR article below](#)]. A decision will be made whether to impose additional duties on products on this second list thereafter.

The USTR notice also states that it will “soon provide an opportunity for the public to request exclusion of particular products from the additional duties subject to this action.” This process will be detailed in a subsequent *Federal Register* notice.

We recommend that all clients review both lists published by the USTR. We also recommend that clients keep their eye on the news. It is widely expected that China will retaliate by imposing duties on U.S. exports to China. In such a case, it is likely that the administration will seek to expand the second list of products subject to additional duties (the President had previously threatened to impose duties on an additional \$100 billion worth of Chinese imports). Finally, it is also important to stay tuned for the *Federal Register* notice that will be published with additional details, including on the product exclusions process.

For additional information, please contact the author, [Ted Murphy](#), or any member of the US Customs Group or International Commercial and Trade Practice group with whom you normally work.

- [Fact sheet on the Section 301 product list](#)
- [Fact sheet on the Section 301 investigation](#)

President continues national emergencies with respect to Belarus, N. Korea and Western Balkans

On the dates indicated below, the *Federal Register* published one year extensions of the national emergencies with respect to the countries listed because the situations in and in relation to the countries indicated continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States:

- (June 12, 2018) Presidential [Notice of June 8, 2018 - Continuation of the National Emergency With Respect to the Actions and Policies of Certain Members of the Government of Belarus and Other Persons to Undermine Democratic Processes or Institutions of Belarus](#) continues the national emergency originally declared on June 16, 2006, by Executive Order (EO) 13405, to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions and policies of certain members of the Government of Belarus and other persons to undermine Belarus's democratic processes or institutions, manifested in the fundamentally undemocratic March 2006 elections; to commit human rights abuses related to political repression, including detentions and disappearances; and to engage in public corruption, including by diverting or misusing Belarusian public assets or by misusing public authority.

The national emergency is being continued because actions and policies of certain members of the Government of Belarus and other persons continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

- (June 25, 2018) Presidential [Notice of June 22, 2018 - Continuation of the National Emergency With Respect to North Korea](#) continues the national emergency originally declared on June 26, 2008, by EO 13466 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the existence and risk of proliferation of weapons-usable fissile material on the Korean Peninsula. The President also found that it was necessary to maintain certain restrictions with respect to North Korea that would otherwise have been lifted pursuant to Proclamation 8271 of June 26, 2008, which terminated the exercise of authorities under the *Trading With the Enemy Act* (50 U.S.C. App. 1–44) with respect to North Korea. Additional steps were taken by EO 13551 (August 30, 2010), EO 13570 (April 18, 2011), EO 13687 (January 2, 2015), EO 13722 (March 15, 2016), EO 13810 (September 20, 2017).

The national emergency is being continued because the existence and risk of proliferation of weapons-usable fissile material on the Korean Peninsula and the actions and policies of the Government of North Korea continue to pose an unusual and extraordinary threat to the national security, foreign policy, and economy of the United States.

- (June 25, 2018) Presidential [Notice of June 22, 2018 - Continuation of the National Emergency With Respect to the Western Balkans](#) continues the national emergency originally declared on June 26, 2001, by EO 13219 to deal with the unusual and extraordinary threat to the national security and foreign policy of the United States constituted by the actions of persons engaged in, or assisting, sponsoring, or supporting (i) extremist violence in the Republic of Macedonia and elsewhere in the Western Balkans region, or (ii) acts obstructing implementation of the Dayton Accords in Bosnia or United Nations Security Council Resolution 1244 of June 10, 1999, in Kosovo. The President subsequently amended that order in Executive Order 13304 of May 28, 2003, to take additional steps with respect to acts obstructing implementation of the Ohrid Framework Agreement of 2001 relating to Macedonia.

The national emergency is being continued because the actions of persons threatening the peace and international stabilization efforts in the Western Balkans, including acts of extremist violence and obstructionist activity, continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States.

Trump on Trade: June 1 update on section 232 duties on steel & aluminum

On May 31, 2018, President Trump issued two significant Proclamations related to the Section 232 duties on steel and aluminum he had put into effect last March. Specifically, the Proclamations impact the temporary exemptions from those duties the President had established in respect of imports from Argentina, Australia, Brazil, Canada, Mexico, South Korea and the member states of the EU. In essence, the Proclamations effect the following changes as from June 1 in respect of imports from those countries:

Steel:

- The 25% duty becomes effective in respect of imports from Canada, Mexico and the EU member states.
- The duty does not apply to imports from Argentina or Brazil (for which quotas are established), or from Australia (in addition to imports from S. Korea which had previously been excluded).

Aluminum:

- The 10% duty becomes effective in respect of imports from Canada, Mexico, Brazil and the EU member states. (It had previously taken effect in respect of imports from S. Korea.)
- The duty does not apply to imports from Argentina (for which a quota is established) or Australia.

Canada's Response and Request for Comments by June 15

Canada has proposed countermeasures that will take effect on July 1, 2018 and is seeking written comments on these measures by June 15, 2018. Canada's proposed countermeasures will impact imports of certain US origin goods, including, among others, steel and aluminum products, food products, articles of plastic and paper products. [Click here to read our full client alert on this topic.](#)

Other Affected Countries

Other affected countries also announced plans to establish retaliatory tariffs on US products. Mexico, for example, specified flat steel, lamps, pork, processed meat, apples, grapes, cranberries and cheeses. The EU had previously indicated its target list includes products such as bourbon, motorboats, cranberries and jeans.

Retaliatory tariffs had previously been notified by other countries – including India, Japan, Russia and Turkey - whose products had not been exempted from the Section 232 duties. China's retaliatory duties - on products such as aluminum waste, scrap, pork, fruit and nuts – have been in place since last April.

Additional Considerations

These Section 232 developments regarding metals come on the heels of the US Department of Commerce's May 23 announcement of its launch of another Section 232 investigation – this one into whether imports of cars, SUVs, vans, light trucks, and automotive parts impair the national security interests of the United States.

Most members of the WTO take the position that these Section 232 actions are not based on “national security” issues but rather constitute “safeguards” to control imports, meaning they are subject to the WTO Agreement on Safeguards. Several countries have already filed WTO disputes on the subject.

The activation of the Section 232 tariffs in respect of Canadian and Mexican steel and aluminum products will most likely impact the ongoing NAFTA negotiations.

Meanwhile, on May 29 the White House re-confirmed that it is proceeding with its Section 301 actions targeted at China. Among other measures, the US “will impose a 25% tariff on \$50 billion of goods imported from China containing industrially significant technology,” the list of covered imports to be announced by June 15. See our previous Section 301 alerts [here](#) and [here](#).

How We Can Help

This is an opportune moment for businesses with integrated international supply chains to review and possibly adjust their sourcing and trade compliance strategies. We have a dedicated team of international trade and commercial experts who are able to help companies navigate these changes. If you would like to discuss the implications of the Trump administration's trade policies for your company please contact one of the attorneys listed here: [Ted Murphy](#), [Rod Hunter](#), [Miguel Noyola](#), [Adriana Ibarra Fernandez](#) or [Paul Burns](#).

Trump Administration and Congress to tighten investment restrictions & export controls to address technology transfer concerns

The Trump Administration and Congress are tightening investment restrictions and export controls to address technology transfer concerns. These measures initially focus on China, but will have broader effects on investments in the United States and transfers of emerging technologies.

The White House issued a [statement](#) on May 29, 2018 indicating that the Trump Administration intends to proceed with new investment restrictions and “enhanced export controls” targeting China. In response to an investigation conducted by US Trade Representative Robert Lighthizer of Chinese technology transfer practices, the President in March directed Amb. Lighthizer to prepare tariffs on \$50 billion in Chinese imports into the United States, and directed Treasury Secretary Steve Mnuchin to report to the President in May on the preparation of restrictions on Chinese investment in the United States. The White House statement of last week indicates that the investment and export control measures are to be announced by June 30, 2018, and “implemented shortly thereafter.” The Administration is apparently considering restricting a broader range of technology transfers than that related to defense or “dual-use” items, the traditional focus of US export controls. The White House statement speaks of “enhanced” controls for transfers of “industrially significant” technology. Such technologies could include areas in the “Made in China 2025” plan, such as information technology, robotics, aerospace, high-tech vessel and rail manufacturing, electric vehicles, agricultural machinery, biopharmaceuticals and medical devices.

The Administration will likely use the *International Emergency Economic Powers Act of 1977*, which is the statutory basis for most US sanctions programs. Rather than relying on transaction-specific approvals as with the existing system administered by the Committee on Foreign Investment in the United States (“CFIUS”), the Administration appears to be contemplating using the model of sanctions. In

that case, persons subject to US jurisdiction would likely be prohibited from involvement in targeted China-related investments into the United States. Without an opportunity for CFIUS clearance, such an approach would shift much of the compliance risk to private parties.

Meanwhile, motivated by the same China technology concerns and supported by the Administration, Congress is finalizing legislation, the *Foreign Investment Risk Review Modernization Act* (“FIRRMA”), that would (1) expand the scope of national security reviews of foreign investments in the United States and make mandatory for the first time declarations for some foreign investments, and (2) require the Administration to assess and regulate “emerging” and “foundational” technologies under existing export controls. Although details are still being ironed out among legislators, Congress will likely pass legislation this summer requiring the Administration, led by the Commerce Department and assisted by the Defense Department, to assess emerging/foundational technologies to determine whether they should be subject to US export-control restrictions. The Commerce Department would also report to CFIUS every six months about its actions to control emerging/foundational technologies. At the moment, the Commerce Department imposes export controls on new technologies on an ad-hoc basis. As with current US export controls, FIRRMA-mandated technology controls are likely to vary depending on the countries involved, with those subject to US arms embargoes or economic sanctions being subject to more stringent restrictions than others. Once this process is implemented, some transfers of US technology to certain countries such as China that currently do not require an authorization from the Commerce Department may require an authorization (e.g., license exception; export license).

In light of the broader application of and the heightened scrutiny under the new legislation and other announced measures, companies should consider the following steps. First, companies should internally assess their intellectual property to determine and identify the assets potentially affected by the new laws. This assessment should identify registered technology such as patents and copyrights, but companies should also identify intellectual property represented by trade secrets, know how, licensing arrangements, employee agreements, joint ventures and other cooperative relationships. Second, as part of that identification, companies should take adequate steps to ensure the protection of these assets and that technology transfers are authorized under the strengthened regulatory regimes. In parallel, companies should stay current on developments in Congress and from executive departments such as Treasury and Commerce. FIRRMA may undergo further amendments before passage, and Treasury and Commerce will have to issue proposed rules for comment before finalization. There will be ongoing opportunities for companies to potentially impact these developments on a company specific or broader basis.

In short, while many eyes are currently on the tariff issues, companies with off-shore business partners should be alert to the vigorous efforts being made in Congress and the Administration to restrict certain technology transfers. These US efforts are currently focused on China, but their scope will be broader once the new legislation from Congress is enacted and implemented.

For additional information, please contact the authors, [Kevin O'Brien](#), [Rod Hunter](#), [Sylwia Lis](#), [Christine Streatfeild](#), [Alexandre Lamy](#).

USTR publishes notice on section 301 tariffs of 25% on certain Chinese goods

On June 20, 2018, the US Trade Representative (USTR) published in the *Federal Register* a [notice of action, request for public comment and notice of a public hearing](#) [Docket Number USTR-2018-0018] concerning the proposed determination of action pursuant to section 301: *China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation*.

The notice confirms that an *additional duty* of 25% will be imposed on articles classified in the tariff subheadings included in **Annex A** of the notice that are entered for consumption, or withdrawn from warehouse for consumption, on or after July 6, 2018. The notice creates a new Chapter 99 subheading, 9903.88.01, for entry purposes (entries of articles classified in the tariff subheadings identified in **Annex A** have to use the new Chapter 99 classification as a secondary classification, so the additional 25% duty can be assessed), a new US note 20 to subchapter III of chapter 99, and addresses foreign trade zone admissions. **Annex B** to the notice contains the same list of tariff subheadings, with unofficial descriptions of the types of products covered in each subheading.

Any product listed in **Annex A**, except any product that is eligible for admission under 'domestic status' as defined in 19 C.F.R. 146.43, which is subject to the additional duty imposed by this determination, and that is admitted into a U.S. foreign trade zone on or after 12:01 a.m. eastern daylight time on July 6, 2018, only may be admitted as 'privileged foreign status' as defined in 19 C.F.R. 146.41. Such products will be subject upon entry for consumption to any ad valorem rates of duty or quantitative limitations related to the classification under the applicable HTSUS subheading.

The notice also sets the schedule for providing comments on the second list of articles proposed to be assessed an additional 25% duty. This is the list of 284 tariff classifications the interagency Section 301 Committee identified as benefiting from China's industrial policies, including Made in China 2025 (**Annex C** to the notice). These 284 tariff classifications represent approximately \$16 billion worth of imports from China.

The rates of duty imposed by heading 9903.88.01 will not apply to products for which entry is properly claimed under a heading or subheading in chapter 98. Products of China that are provided for in heading 9903.88.01 and classified in one of the subheadings enumerated in US note 20(b) to subchapter III shall continue to be subject to antidumping, countervailing, or other duties, fees, exactions and charges that apply to such products, as well as to the additional 25% ad valorem rate of duty imposed by heading 9903.88.01.

The public comment schedule is as follows:

- June 29, 2018 – deadline to file a notice requesting to provide testimony at the public hearing
- July 23, 2018 – written comments due
- July 24, 2018 – public hearing at the U.S. International Trade Commission
- July 31, 2018 – rebuttal, post-hearing comments due

This notice does not provide the specifics for the product petition exclusion process referenced in the President's June 15, 2018, [statement](#). Instead, this notice

says that the details of the product petition exclusion process will be included in a future *Federal Register* notice.

We are assisting numerous clients detail with these issues (e.g., re-aligning supply chains, filing comments, seeking Congressional support for exclusion requests, etc.) and would be happy to discuss this with you further, if helpful. If you have any questions, please contact the author, [Ted Murphy](#), or any member of the US Customs Group or International Commercial and Trade Practice group with whom you normally work.

USTR seeks comments on WTO disputes

The Office of the US Trade Representative (USTR) published the following documents related to WTO disputes in the *Federal Register*. Although USTR will accept any comments received during the course of the dispute settlement proceedings, you should submit your comment on or before the “Comments Due” date to be assured of timely consideration by USTR.

| F.R. Date | Matter | Comments Due |
|-----------|--|--------------|
| 06-01-18 | United States—Countervailing Measures on Softwood Lumber From Canada [Docket No. USTR–2018–0016; Dispute No. WT/DS533] | 06-25-18 |
| | United States—Anti-Dumping Measures Applying Differential Pricing Methodology to Softwood Lumber From Canada [Docket No. USTR–2018–0015; Dispute No. WT/DS534] | |
| 06-11-18 | United States-Safeguard Measure on Imports of Large Residential Washers [Docket No. USTR–2018–0014; Dispute No. WT/DS546] | 06-22-18 |
| | United States-Safeguard Measure on Imports of Crystalline Silicon Photovoltaic Products [Docket No. USTR–2018–0013, Dispute No. WT/DS545] | |
| 06-18-18 | India – Export Related Measures [Docket No. USTR-2018-0004; Dispute No. WT/DS541] | 07-02-18 |
| 06-19-18 | Korea – Anti-dumping and Countervailing Duties on Certain Products and the Use of Facts Available [Docket No. USTR-2018-0010; Dispute No. WT/DS539] | 07-16-18 |
| 06-25-18 | Canada - Measures Governing Sale of Wine in Grocery Stores (Second Complaint) [Docket No. USTR-2018-0019; Dispute No. WT/DS531] | 07-20-18 |

Commerce extends comment period for the section 232 (national security) investigation of imported automotive goods

On June 21, 2018, the US Department of Commerce (Commerce) published in the *Federal Register* a [notice](#) [DOC–2018–0002] extending the time to comment on the [Section 232 National Security Investigation of Imports of Automobiles, Including Cars, SUVs, Vans and Light Trucks, and Automotive Parts](#) notice requesting public comments and providing notice of a public hearing that was published in the *Federal Register* on May 30, 2018. In the May notice, Commerce requested written comments, data, analyses, or other information pertinent to the investigation under section 232 of the *Trade Expansion Act of 1962*, as amended (19 U.S.C. 1862) to determine the effects on the national security of imports of automobiles, including cars, SUVs, vans and light trucks, and automotive parts . Through this notice, Commerce extends the comment period to June 29, 2018 and the rebuttal period to July 13, 2018. Requests to appear at the hearings are also now due June 29, 2018. The public hearings will be held on July 19 and 20,

2018. The hearings will begin at 8:30 a.m. local time and conclude at 5:00 p.m. local time, each day.

State receives request from Algeria for cultural property protection

On June 13, 2018, the Department of State (State) published in the *Federal Register* a [notice](#) [Public Notice: 10444] indicating that the Government of Algeria has made a request to the Government of the United States under Article 9 of the 1970 *UNESCO Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property*. State received this request on February 27, 2018. Algeria's request seeks US import restrictions on archaeological and ethnological material representing Algeria's cultural patrimony. A public summary of Algeria's request and information about U.S. implementation of the 1970 UNESCO Convention will be available at State's [Cultural Heritage Center web site](#).

State proposes to extend cultural property agreements with Bulgaria and Honduras

On June 13, 2018, State published in the *Federal Register* a [notice](#) [Public Notice: 10446] proposing to extend the [Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Bulgaria Concerning the Imposition of Import Restrictions on Categories of Archaeological and Ecclesiastical Ethnological Material of the Republic of Bulgaria](#).

On the same date, State published in the *Federal Register* a [notice](#) [Public Notice: 10445] proposing to extend the [Memorandum of Understanding between the Government of United States of America and the Government of the Republic of Honduras Concerning the Imposition of Import Restrictions on Archaeological Material from the Pre-Columbian Cultures of Honduras and Ecclesiastical Ethnological Material from the Colonial Period of Honduras](#).

Both Memoranda and lists of categories restricted from import into the United States, and related information can be found at State's [Cultural Heritage Center web site](#).

ITC investigations

The ITC initiated (I), terminated (T), requested information or comments (RFC), issued a report (R), or scheduled a hearing (H) regarding the following investigations (other than 337 and antidumping, countervailing duty or safeguards) this month: (*Click on the investigation title to obtain details from the Federal Register notice or ITC Press Release*)

| Investigation. No. and title | Requested by: |
|--|--------------------------|
| Inv. No. 332-566 Trade Authorities Extension: Economic Impact of Trade Agreements Implemented under the Bipartisan Trade Act of 2015 (USITC publication 4792, June 2018) (R) | Statutorily mandated |
| Inv. No. 332-345 Recent Trends in U.S. Services Trade, 2018 Annual Report (USITC publication 4789) (R) | USTR |
| Inv. No. 332-567 Generalized System of Preferences: Possible Modifications, 2017 Review (I/C) | USTR (C) |
| Inv. No. 332-501 Textile and Apparel Imports from China: Statistical Reports, Annual Compilation 2017 . (USITC pub. 4798) | House of Representatives |

CBP issues interim rule on Air Cargo Advance Screening

On June 12, 2018, US Customs and Border Protection (CBP) published in the *Federal Register* an [interim final rule](#) [Docket No. USCBP-2018-0019; CBP Dec. 18-05] amending the CBP regulations pertaining to the submission of advance air cargo data to implement a mandatory Air Cargo Advance Screening (ACAS) program for any inbound aircraft required to make entry under the CBP regulations that will have commercial cargo aboard. The ACAS program requires the inbound carrier or other eligible party to electronically transmit specified advance cargo data (ACAS data) to CBP for air cargo transported onboard U.S.-bound aircraft as early as practicable, but no later than prior to loading of the cargo onto the aircraft. The ACAS program enhances the security of the aircraft and passengers on U.S.-bound flights by enabling CBP to perform targeted risk assessments on the air cargo prior to the aircraft's departure for the United States. These risk assessments will identify and prevent high-risk air cargo from being loaded on the aircraft that could pose a risk to the aircraft during flight.

The interim rule adds a new section, 19 C.F.R. 122.48b, to the CBP regulations to implement a mandatory ACAS program. CBP's objective for the ACAS program is to obtain the most accurate data at the earliest time possible with as little impact to the flow of commerce as possible. The new ACAS requirements apply to any inbound aircraft required to make entry under 19 C.F.R. 122.41 that will have commercial cargo aboard. These are the same aircraft that are subject to the current 19 C.F.R. 122.48a requirements. Under the amendments, an inbound air carrier and/or other eligible ACAS filer must transmit specified air cargo data (hereafter referred to as "ACAS data") to CBP earlier in the supply chain so that CBP can perform the necessary risk assessments prior to the aircraft's departure for the United States. The ACAS data must be transmitted as early as practicable, but no later than prior to loading of the cargo onto the aircraft.

Under the new time frame, CBP will have sufficient time before the aircraft departs to analyze the data, identify if the cargo has a nexus to terrorism, and, with V, take the necessary action to thwart a potential terrorist attack or other threat. Just like the ACAS pilot, the ACAS program will allow CBP to issue referrals and/or Do-Not-Load (DNL) instructions. Specifically, under the ACAS program, CBP will issue ACAS referrals when clarifying information and/or enhanced screening of high-risk cargo is needed to mitigate any risk. Referrals for screening will be issued pursuant to CBP authorities and resolved using TSA-approved or accepted security programs. Under the new regulations, CBP will be able to take appropriate enforcement action against ACAS filers who do not comply with the ACAS requirements. Upon issuance of changes to security program requirements under 49 C.F.R. parts 1544 and 1546, the TSA will enforce implementation of enhanced screening methods in response to an ACAS referral.

The new 19 C.F.R. 122.48b specifies the general ACAS requirements, the eligible filers, the ACAS data, the time frame for providing the data to CBP, and the responsibilities of the filers, and explains the process regarding ACAS referrals and DNL instructions. The ACAS data is a subset of the data currently collected under 19 C.F.R. 122.48a and is generally the same data that is currently collected in the ACAS pilot. However, the new regulation adds a new conditional data element, the master air waybill number, which is not required in the ACAS pilot. This data element will provide the location of the high-risk cargo and will allow CBP to associate the cargo with an ACAS submission. CBP is also amending 19 C.F.R. 122.48a to reference the ACAS requirements and to incorporate a few additional changes. Specifically, CBP is amending 19 C.F.R. 122.48a to re-

vises the definition of one of the data elements (consignee name and address) to provide a more accurate and complete definition, and to add a new data element requirement, the flight departure message (FDM), to enable CBP to determine the timeliness of ACAS submissions. CBP is also amending the applicable bond provisions in 19 C.F.R. part 113 to incorporate the ACAS requirements.

The rule is effective immediately but comments on all aspects of the interim final rule as well as the economic, environmental, or federalism effects that might result from the interim final rule may be filed until August 13, 2018. Additional information may be found at the below links:

- [Air Cargo Advance Screening Frequently Asked Questions](#)
- [Fact Sheet: Air Cargo Advance Screening \(ACAS\)](#)
- [Air Cargo Advance Screening \(ACAS\) Implementation Guide](#)

Miscellaneous CBP Federal Register documents

The following documents not discussed above were published by CBP in the *Federal Register*. [Note that multiple listings of approved gaugers and laboratories reflects different locations and/or products.]

| F.R. Date | Subject |
|-----------|--|
| 06-01-18 | Accreditation and Approval of NMK Resources, INC., (Thorofare, NJ), as a Commercial Laboratory and Gauger (N) Notice of Availability of the Bog Creek Road Project Draft Environmental Impact Statement (N) [Joint CBP and US Forest Service] |
| 06-05-18 | Agency Information Collection Activities: Ship's Store Declaration [OMB Control No. 1651-0018] (N) [CBP Form 1303] |
| 06-12-18 | Agency Information Collection Activities: Guam-CNMI Visa Waiver Information [OMB Control No. 1651-0109] (N) [CBP Form I-736] |

Requests for administrative review of initial EAPA Determinations

On June 18, 2018, CBP [posted on its website](#) the procedures to be followed when requesting administrative review of an initial *Enforce and Protect Act* (EAPA) determination as to evasion. The posting is summarized below:

Requests for administrative review of an initial EAPA determination as to evasion pursuant to 19 C.F.R. Part 165.27 must be submitted electronically to the Office of Trade, Regulations and Rulings, Penalties Branch (OT/RR/Penalties Branch) using the following email box: eapafad@cbp.dhs.gov, no later than 30 business days after the issuance of the initial determination. Any party to the investigation, its attorney, or duly authorized agent, may file a request and must comply with the requirements set forth in 19 C.F.R. Part 165.3 and with the specific content requirements set forth in 19 C.F.R. Part 165.41(f).

OT/RR/Penalties Branch will notify a party via email that a request for review has been accepted and provide a Headquarters case number. Failure to file in accordance with the regulatory requirements by the deadline will result in a rejection of the request for administrative review.

Requests for administrative review must also comply with the requirements for release of information as specified in 19 C.F.R. Part 165.4. 19 C.F.R. Part 165.4, requires each party who files a request for administrative review to provide the other parties to the investigation with a public version. A party who cites to a document that was previously filed on the administrative record will attach a copy of both the public document and the version containing business confidential information as an appendix to the request for administrative review within two days of filing its request. A pub-

lic version of the request for administrative review, including the appendices, will be provided to the other parties on the same date that the request is filed with CBP.

Any party to the investigation, regardless of whether it submitted a request for administrative review, may submit a written response to the filed request(s) for review. The response must be submitted electronically to CBP at eapafad@cbp.dhs.gov no later than 10 business days from the commencement of the administrative review. The 60 business-day review period will commence on the date when CBP accepts the last properly filed request for administrative review and transmits electronically the assigned administrative review case number to all parties to the investigation.

After review of a complete and timely request for administrative review of an initial determination, the OT/RR/Penalties Branch will issue a final administrative determination. The administrative review will be completed within 60 business days of the date of commencement of the review.

A copy of the public version of the final administrative determination will be posted on the [EAPA Final Determination webpage](#) and emailed to the parties. The final administrative determination made by the OT/RR/Penalties Branch is subject to judicial review pursuant to section 421 of the EAPA.

EAPA Notices of Action and Final Determinations

The following Notices of Action and Final Determinations under the *Enforce and Protect Act* (Section 421 of the *Trade Facilitation and Trade Enforcement Act of 2015*) relating to alleged evasion of antidumping or countervailing duties were posted by CBP:

| Date | Subject |
|----------|---|
| 05-17-18 | EAPA Case Number: 7232 Columbia Aluminum Products, LLC (Notice of Initiation of Investigation and Interim Measures) |

CBP posts instructions on section 301 duties on certain Chinese goods

On June 28, 2018, CBP posted [CSMS #18-000409](#), *Section 301 Trade Remedies to be Assessed on Certain Products from China Effective July 6*. The CSMS is set forth below:

Background:

On August 18, 2017, the Office of the United States Trade Representative (USTR) initiated an investigation under Section 301 of the Trade Act of 1974 into the government of China's acts, policies, and practices related to technology transfer, intellectual property, and innovation. On March 22, 2018, the USTR issued a notice of determination and request for comments that stated that the government of China's acts, policies, and practices covered by the investigation were found to be actionable under Section 301(b) of the Trade Act. The notice proposed the imposition of additional import duties on a preliminary list of 1,300 Chinese products, and indicated that a final list would be forthcoming after the period for public comment expired. See Federal Register, 83 FR 14906. On June 15, 2018, the USTR issued a notice of action providing for the imposition of additional import duties on a final list of Chinese products.

Guidance:

The additional import duties for Chinese goods covered by the Section 301 action will be effective with respect to goods entered, or withdrawn from warehouse for consumption, on or after 12:01 AM Eastern Standard Time on July 6, 2018.

Products Covered by Section 301 Action

The USTR has issued a final list of products covered by the Section 301 action, represented by their eight digit Harmonized Tariff Schedule of the United States

(HTSUS) subheadings. The list comprises over 800 eight-digit HTSUS numbers, and is published in Annex A to the USTR's Notice of Action. Any article classified in a subheading covered by this list that is a product of China would be subject to a 25% ad valorem duty rate, in addition to the general (Column 1) rate of duty for that particular subheading.

In addition to reporting the Chapters 1-97 HTSUS classification of the imported merchandise, importers shall also report the 9903.88.01 special tariff number for goods subject to the additional duty assessment of 25% ad valorem as a result of the Section 301 trade remedy.

9903.88.01: 25% ad valorem additional duty for articles the product of China

The Section 301 duties currently only apply to products of China, and are based on the country of origin, not country of export.

Additional Information

Chapter 98

The rates of duty imposed by subheading 9903.88.01 shall not apply to products for which entry is properly claimed under a heading or subheading in Chapter 98.

Trade Preference Programs

Products from China subject to the Section 301 trade remedy that are eligible for special tariff treatment under General Note 3(c)(i) to the HTSUS shall be subject to the additional 25 percent ad valorem rate of duty imposed by heading 9903.88.01.

Foreign Trade Zones

Per the Federal Register Notice published by the USTR, any product listed in Annex A, except any product that is eligible for admission under 'domestic status' as defined in 19 CFR 146.43, which is subject to the additional duty imposed by this determination, and that is admitted into a U.S. foreign trade zone on or after 12:01 am eastern daylight time on July 6, 2018, only may be admitted as 'privileged foreign status' as defined in 19 CFR 146.41. Such products will be subject upon entry for consumption to any ad valorem rates of duty or quantitative limitations related to the classification under the applicable HTSUS subheading.

Product Exclusions

The Federal Register Notice indicates that the USTR will establish a process by which U.S. stakeholders may request that particular products classified within an HTSUS subheading listed in Annex A be excluded from the additional Section 301 duties. USTR will publish a separate notice concerning the product exclusion process, and CBP will provide additional guidance on the matter as it becomes available.

For Further Information:

For further information, please refer to the USTR's Notice of Action and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation, issued on June 15, 2018.

Questions related to Section 301 entry filing requirements should be emailed to traderemedy@cbp.dhs.gov. Questions from the importing community concerning ACE rejections should be referred to their Client Representative.

Implementing the Craft Beverage Modernization and Tax Reform Act of 2017

[CSMS #18-000403](#) dated June 27, 2018 sets forth how CBP and the Treasury Department will be implementing the *Craft Beverage Modernization and Tax Reform Act of 2017*. The CSMS is set forth below:

Background

Effective January 1, 2018, the Craft Beverage Modernization and Tax Reform Act of 2017 (CBMA) (as contained in Pub. L. No. 115-97) amended the Internal Revenue

Code with respect to the tax treatment of certain alcoholic beverages. Since passage of the CBMA, U.S. Customs and Border Protection (CBP) and the Department of the Treasury have worked together to coordinate implementation of the CBMA for imports. The provisions of the CBMA are effective during calendar years 2018 and 2019.

The CBMA requires that procedures be established governing how an importer can receive a reduced tax rate on qualifying distilled spirits or beer, or receive a tax credit on qualifying wine. On January 31, 2018, CBP issued [Cargo Systems Messaging Service \(CSMS\) #18-000103](#), which stated that, until such procedures are established and guidance issued, importers of beer, wine, and distilled spirits seeking to qualify for excise tax relief, based on qualifying assignments made by a foreign producer, should continue to pay the full excise tax rates.

Under the CBMA, reduced tax rates and/or tax credits are applicable to importations of certain limited quantities of distilled spirits, beer, or wine imported from each qualifying foreign producer. Further, the foreign producer must have affirmatively assigned those rates or tax credits to an importer or importers and the quantity assigned to all importers by that producer may not exceed the quantities allowed by law. As a result, for an importer to be eligible to receive a reduced tax rate or a tax credit, the importer must be able to substantiate that the foreign producer has assigned an allotment of its reduced tax rate or tax credits to the distilled spirits, beer, or wine imported by that importer.

Guidance

Importers will continue to pay the full excise tax rate at time of entry summary filing. CBP and Treasury are considering amending current regulations (19 CFR 24.36) to allow CBP to issue refunds owed pursuant to the CBMA on entries when appropriate. These amendments to 19 CFR 24.36 would apply to entries that have not been finally liquidated and would be retroactive.

In anticipation of the new regulations, CBP suggests importers file protests on liquidated entries for which a CBMA reduced tax rate or credit may be due. Such protests should, at a minimum, include an Excel spreadsheet with information including entry number(s), line number(s) and the following information by line number: producer, alcohol type (beer, wine, cider or distilled spirits), tax rate or credit assigned and requested, and quantity claimed for tax rate or credit.

Refund requests will be processed no earlier than January 15, 2019.

Post Summary Corrections (PSCs) must not be utilized for requesting refunds until 19 CFR 24.36 has been updated and necessary programming completed. The CBP Centers of Excellence and Expertise (Centers) will reject any PSCs pursuant to CBMA claims pending a regulatory change to 19 CFR 24.36.

Once the regulations are amended and CBP commences accepting CBMA refund requests, importers will need to identify entry summary lines that they believe qualify for excise tax relief under the CBMA. This identification will serve as the importer's request for relief. CBP plans to develop a flag at the entry summary line level in the Automated Commercial Environment (ACE) that importers may utilize to request a refund. Further instructions will be published via CSMS once CBP is capable of accepting refund requests.

For the importer to substantiate its eligibility to receive the reduced tax rates or the tax credits and meet its reasonable care obligations, its internal records should, at a minimum, include:

- Foreign producer's name;
- Foreign producer's manufacturing facility address and FSMA registration number;
- Number of barrels of beer, number of gallons of wine, and number of proof gallons of distilled spirits eligible for each reduced rate/tax credit assigned to the importer for the calendar year by the representative of the foreign producer authorized to assign its allotment, and documentation showing that quantity as assigned to that specific importer;

- Contact information for such authorized representative; and
- Statement from the authorized representative of the qualifying foreign producer that the number of barrels or wine/proof gallons assigned by the foreign producer (including any members of a controlled group) to all importers for the calendar year does not exceed the quantities allowed by law and does not exceed the foreign producers capacity.

Importers who are assigned reduced tax rates and/or tax credits from multiple foreign producers should maintain in their records the above information applicable to each foreign producer.

CBP posts Quota Bulletins on steel mill articles

On June 5, 2018, CBP posted [\(Amended\) QB 18-122](#), which provides information on annual absolute quota quantities for Argentina and Brazil steel imports as of June 1, 2018. Additional information may be issued at the end of each quarter for convenience of importers of steel products under absolute quota. On June 4, 2018, CBP posted [QB 18-123 Announcement for Steel Mill Articles: South Korea](#), provides information on annual absolute quota quantities for South Korea steel imports as of June 1, 2018. Additional information will be issued prior to July 1, 2018 on the quarterly quota quantities beginning July 1, 2018 and at the end of each subsequent quarter for convenience of importers of steel products under absolute quota. According to both Quota Bulletins, the quotas in several subheadings have already been filled. Traders should check the [Quota website](#) for commodity status report information on remaining absolute quota amounts. The trade may track the status of absolute quotas provided in the [weekly Commodity Status Report](#).

CBP publications and fact sheets

During the period of coverage of this *Update*, CBP issued the following new or revised publications and fact sheets:

- [Section 232 Tariffs on Aluminum Frequently Asked Questions](#)
- [QB 18-124 Absolute Quota for Aluminum Products: Argentina](#)
- [Air Cargo Advance Screening Frequently Asked Questions](#)
- [Fact Sheet: Air Cargo Advance Screening \(ACAS\)](#)
- [Air Cargo Advance Screening \(ACAS\) Implementation Guide](#)
- [ACE Tips for Filing EPA Pesticides \(June 6, 2018\)](#)
- [ACE Tips for Filing EPA Vehicles and Engines \(March 5, 2018\)](#)
- [Updated ACE DIS Implementation Guide](#)

Revocations or modifications of CBP rulings

[See separate section below.](#)

CSMS messages

The following CBP Cargo Systems Messaging Service (CSMS) notices were issued during the period covered by this Update. ACE outages or delays which have already occurred and problems which have been resolved are not included below.

| Date | CSMS# | Title |
|----------|---------------------------|--|
| 06-01-18 | 18-000373 | Harmonized System Update (HSU) 1808 created on May 31, 2018 [Includes May 31 steel and aluminum proclamations] |

| Date | CSMS# | Title |
|----------|---------------------------|---|
| | 18-000375 | Attention: Upcoming MQ Trade Gateway Migration. Please Test in CERT. |
| 06-04-18 | 18-000376 | How to Resolve FDA Rejections |
| 06-05-18 | 18-000377 | Section 232 Steel and Aluminum Absolute Quotas - Effective June 1, 2018 |
| | 18-000378 | UPDATE: Submitting Imports of Products Excluded from Duties on Imports of Steel or Aluminum |
| | 18-000379 | Clarification—Correct Use of the AD/CVD Special Value Fields, Multiple Entry Line and Set |
| 06-07-18 | 18-000380 | UPDATE: Upcoming MQ Trade Gateway Migration. ACE Truck Mfst users should Test in CERT. |
| 06-08-18 | 18-000381 | Harmonized System Update (HSU) 1809 created on June 7, 2018 |
| | 18-000382 | Updated Drawback CATAIR and Error Dictionary |
| 06-12-18 | 18-000386 | Account Profile Universe and Reports Temporarily Disabled |
| 06-13-18 | 18-000388 | ACE CERTIFICATION ACE Queries deployment, Thur June 14, 2018 @0600ET |
| 06-14-18 | 18-000389 | AD/CVD Investigations: Steel Propane Cylinders from China, Taiwan, and Thailand |
| 06-15-18 | 18-000390 | Updated EPA Documents |
| | 18-000392 | NMFS SIMP Audits Webinars |
| 06-19-18 | 18-000393 | Reconciliation Processing in ACE |
| 06-20-18 | 18-000394 | PRODUCTION ACE Entry Summary Deployment, Thur 6/21/2018 @0500ET |
| | 18-000395 | ACE Drawback Certification Mailbox Deactivation |
| 06-21-18 | 18-000396 | Final Daily Statements for 6/20/18 - Delayed |
| 06-25-18 | 18-000399 | ACE PRODUCTION Drawback Deployment, Tues Jun 26, 2018 @0500ET |
| 06-26-18 | 18-000400 | Updated Drawback CATAIR and Error Dictionary |
| 06-27-18 | 18-000403 | Implementing the Craft Beverage Modernization and Tax Reform Act of 2017 |
| | 18-000404 | Decommissioning of Old ADCVD Public Message Site URL on 7/13/18. |
| | 18-000405 | ACE PRODUCTION Cargo Release Deployment, Thur 6/28/2018 @0500ET |
| | 18-000406 | Updated ACE DIS Implementation Guide |
| 06-28-18 | 18-000407 | Quota Updates deployed to CERT to Accommodate Hourly Absolute Quota Allocation |
| | 18-000408 | Updated Drawback Trade Issue Tracker Document |
| | 18-000409 | Section 301 Trade Remedies to be Assessed on Certain Products from China Effective July 6 |
| 06-29-18 | 18-000410 | Harmonized System Update (HSU) 1810 created on June 29, 2018 |
| | 18-000412 | Section 232 Steel and Aluminum Absolute Quota, Effective July 1, 2018 |

Foreign Trade Zones

The following documents were published in the *Federal Register* by the Foreign-Trade Zones Board:

| F.R. Date | Document |
|-----------|---|
| 06-01-18 | Approval of Subzone Status, AGCO Corporation, Jackson and Round Lake, Minnesota [S-53-2018] |
| | Foreign-Trade Zone 126—Reno, Nevada: Notification of Proposed Production Activity; Tesla, Inc. (Lithium-Ion Batteries, Electric Motors, and Stationary Energy Storage Systems); Sparks and McCarran, Nevada [B-35-2018] |
| 06-06-18 | Foreign-Trade Zone 134-Chattanooga, Tennessee; Authorization of Production |

| F.R. Date | Document |
|-----------|---|
| | Activity: Volkswagen Group of America-Chattanooga Operations, LLC (Passenger Motor Vehicles); Chattanooga, Tennessee [B-08-2018] |
| | Foreign-Trade Zone 49-Newark, New Jersey; Authorization of Production Activity; Movado Group, Inc. (Timepieces and Jewelry); Moonachie, New Jersey [B-07-2018] |
| | Foreign-Trade Zone 25-Broward County, Florida; Application for Reorganization and Expansion Under Alternative Site Framework [B-36-2018] |
| | Foreign-Trade Zone 38—Spartanburg County, South Carolina; Application for Subzone; Black & Decker, Inc.; Fort Mill, South Carolina [S-83-2018] |
| 06-11-18 | Foreign-Trade Zone 23—Buffalo, New York; Authorization of Proposed Production Activity; Panasonic Eco Solutions Solar New York America; Subzone 23E (Solar Panels/Modules); Buffalo, New York [B-11-2018] |
| | Foreign-Trade Zone 230-Greensboro, North Carolina; Notification of Proposed Production Activity; Patheon Softgels (Pharmaceutical Products); High Point, North Carolina [B-34-2018] |
| | Foreign-Trade Zone 12-McAllen, Texas; Notification of Proposed Production Activity; Black & Decker (U.S.), Inc. (Indoor and Outdoor Power Tools and Related Components); Mission, Texas [B-33-2018] |
| | Foreign-Trade Zone 113-Ellis County, Texas; Application for Reorganization (Expansion of Service Area); Under Alternative Site Framework [B-37-2018] |
| 06-19-18 | Foreign-Trade Zone 163 – Ponce, Puerto Rico Application for Expansion [B-38-2018] |
| 06-25-18 | Foreign-Trade Zone 9 – Honolulu, Hawaii Application for Reorganization under Alternative Site Framework [B-40-2018] |
| | Foreign-Trade Zone 106 – Oklahoma City, Oklahoma Notification of Proposed Production Activity Eastman Kodak Company (Printing Flexographic Plates) Weatherford, Oklahoma [B-39-2018] |
| 06-28-18 | Foreign-Trade Zone 138— Franklin County, Ohio; Authorization of Production Activity; International Converter (Insulation Facer); Caldwell, Ohio [B-13-2018] |
| | Foreign-Trade Zone 158— Vicksburg/Jackson, Mississippi; Authorization of Production Activity; International Converter (Insulation Facer); Iuka, Mississippi [B-14-2018] |
| 06-29-18 | Approval of Subzone Expansion Brake Parts Inc Hazleton, Pennsylvania [S-64-2018] |
| | Approval of Subzone Status Amcor Flexibles LLC Shelbyville, Kentucky [S-66-2018] |

DOE publishes policy statement on long-term authorizations to export natural gas to non-FTA countries

On June 21, 2018, the Department of Energy (DOE), Office of Fossil Energy (FE) published in the *Federal Register* a [policy statement](#) regarding long-term authorizations to export natural gas to non-free trade agreement (FTA) countries pursuant to the *Natural Gas Act* (NGA).

Potential importers of US LNG and financiers of LNG export projects (collectively, interested stakeholders) have expressed concern about DOE/FE rescinding one or more non-FTA export authorizations in the future. In raising this concern, they point to the language in the existing non-FTA authorizations in which DOE/FE has observed its authority under NGA section 16 to “make, amend, and rescind such [export] orders ... as it may find necessary or appropriate” Citing DOE/FE’s language, they have asked what potential “developments” in the U.S. LNG market could rise to the level of “such significant consequence as to put the public interest at risk”—such that DOE would unilaterally rescind one or more non-FTA export authorizations or take other action to protect the public interest under NGA section 3(a).

DOE stands behind the long-term authorizations it has issued under the NGA, approving the export of natural gas (including liquefied natural gas) to non-FTA countries. DOE is firmly committed to the durability and stability of the non-FTA export authorizations it has granted to date, and to any export authorizations issued by DOE in the future.

As a matter of law, DOE preserves its authority to take action as necessary or appropriate to carry out its duties under the NGA. However, DOE does not foresee a scenario where it would rescind one or more non-FTA authorizations. The United States government takes very seriously the investment-backed expectations of private parties subject to its regulatory jurisdiction. In particular, DOE understands the far-ranging economic investments and natural gas supply commitments associated with these authorizations over their full term—affecting both U.S. and global interests. DOE emphasizes that it remains committed to the durability and stability of the export authorizations it has granted under the NGA, as well as to supporting the approved export of U.S. natural gas around the world.

OFAC removes Sudanese Sanctions Regulations and amends the Terrorism List Government Sanctions Regulations

On June 29, 2018, the Office of Foreign Assets Control (OFAC) published in the *Federal Register* a [final rule](#) removing from the Code of Federal Regulations the *Sudanese Sanctions Regulations* (31 C.F.R. part 538) as a result of the revocation of certain provisions of Executive Order (EO) 13067 and the entirety EO 13412 on which the regulations were based. OFAC is also amending the *Terrorism List Government Sanctions Regulations* to incorporate a general license authorizing certain transactions related to exports of agricultural commodities, medicines, and medical devices, which has, until now, appeared only on OFAC's website.

U.S. persons and non-U.S. persons will still need to obtain any licenses required by Commerce's Bureau of Industry and Security (BIS) to export or reexport to Sudan certain items (commodities, software, and technology) that are on the Commerce Control List (CCL), Supp. No. 1 to part 774 of the *Export Administration Regulations*, 15 C.F.R. parts 730 through 774 (EAR). In limited circumstances, U.S. persons and non-U.S. persons may also need to obtain licenses from BIS to export or reexport to Sudan items that are subject to the EAR but not specifically listed on the CCL ("EAR99" items) if such transactions implicate certain end-use or end-user concerns (see 15 C.F.R. part 744).

OFAC adds Global Magnitsky Sanctions Regulations

On June 29, 2018, OFAC published in the *Federal Register* a [final rule](#) adding regulations, the *Global Magnitsky Sanctions Regulations*, 31 C.F.R. part 583, to implement the *Global Magnitsky Human Rights Accountability Act* (Pub. L. 114-328, Title XII, Subtitle F) (the "Act") and Executive Order 13818 of December 20, 2017, "Blocking the Property of Persons Involved in Serious Human Rights Abuse or Corruption". The Act authorized the President to impose targeted sanctions on any foreign person the President determines is, among other things, responsible for extrajudicial killings, torture, or other gross violations of internationally recognized human rights, or a government official, or a senior associate of such an official, responsible for, or complicit in, ordering, controlling, or otherwise directing, acts of significant corruption. OFAC intends to supplement these regulations with a more comprehensive set of regulations, which may include additional interpretive and definitional guidance, general licenses, and statements of licensing policy.

OFAC revokes general licenses for parties subject to US jurisdiction to engage in Iran-related business and formally establishes wind-down periods

On June 27, 2018, OFAC [announced](#) that it was [amending](#) the *Iranian Transactions and Sanctions Regulations* (ITSR) to revoke or narrow certain general licenses issued as part of the US sanctions relief implementing the *Joint Comprehensive Plan of Action* (JCPOA), replacing them with more limited wind-down authorizations. Importantly, OFAC stated that these actions were in furtherance of President Trump's May 8, 2018 decision to withdraw the United States from the JCPOA. As discussed in our earlier [blog post](#), OFAC had previously announced its intent to replace these general licenses with more limited wind-down authorizations in [public guidance](#) issued on May 8, 2018, which OFAC updated in connection with these changes. OFAC's amendments to the ITSR were published in the [Federal Register](#) on June 28, 2018.

- **General License H (*owned/controlled non-US entities*):** General License H has been revoked with immediate effect. General License H ("GL H") previously authorized non-US entities owned or controlled by US Persons (i.e., entities organized under US law and their non-US branches; parties physically located in the United States; US citizens and permanent resident aliens wherever located or employed) to engage in Iran-related activities, subject to certain terms and conditions. Under the new general license at ITSR Section 560.537, such owned/controlled non-US entities are now authorized only to engage in transactions and activities through 11:59 pm EST on November 4, 2018 that are ordinarily incident and necessary to the wind-down of transactions and activities previously authorized by GL H, subject to the terms and conditions set out in the new general license.
- **General License I (*commercial passenger aircraft/parts/services*):** General License I has been revoked with immediate effect. General License I ("GL I") previously authorized certain transactions by US Persons related to the negotiation of, and entry into, contingent contracts for activities eligible for authorization under the Statement of Licensing Policy for Activities Related to the Export or Re-export to Iran of Commercial Passenger Aircraft and Related Parts and Service ("JCPOA SLP"). The JCPOA SLP was rescinded on May 8, 2018. Under the new general license at ITSR Section 560.536, US Persons are now authorized only to engage in transactions and activities through 11:59 pm on August 6, 2018 that are ordinarily incident and necessary to the wind down of transactions previously authorized under GL I.
- **ITSR Sections 560.534 and 560.535 (*Iranian-origin carpets/foodstuffs*):** These general licenses at Sections 560.534 and 560.535 of the ITSR previously authorized transactions involving the importation into the United States of, and US Persons dealing in, certain Iranian-origin foodstuffs and carpets and transactions related to letters of credit and brokering services relating to those items. Under the amended versions of these ITSR general licenses, US Persons are now authorized only to engage in transactions and activities that are ordinarily incident and necessary to the wind down of such previously authorized transactions through 11:59 pm on August 6, 2018.

As noted above, the wind-down authorizations related to the now-revoked General License I and ITSR Sections 560.534 and 560.535 apply through August 6, 2018, while the wind-down authorization related to the now-revoked General License H applies through November 4, 2018.

For additional information, please contact the authors, [Nicholas F. Coward](#), [Kerry B. Contini](#) or [Alexandre \(Alex\) Lamy](#), or any member of the US Outbound Trade group with whom you normally work. The authors thank Daniel Andreeff for his contribution to this article.

OFAC amends Rough Diamond Regulations

On June 19, 2018, OFAC published in the *Federal Register* a [final rule](#) amending the *Rough Diamonds Control Regulations* (31 C.F.R. part 592) to clarify several reporting requirements and remove another, clarify which entity may issue Kimberley Process Certificates for the export of rough diamonds from the United States, clarify the steps necessary to validate a Kimberley Process Certificate, add two definitions that define rough diamond packaging requirements and Kimberley Process voided certificates, and make certain technical and conforming changes to the penalties section of the regulations.

In coordination with a regulatory amendment by the Census Bureau, OFAC is amending § 592.301 to incorporate existing Census Bureau requirements for submission of Kimberley Process Certificates in connection with the importation and exportation of rough diamonds. The Census Bureau is amending the *Foreign Trade Regulations* (FTR), 15 C.F.R. part 30, to clarify that the data it collects from Kimberley Process Certificates is collected in compliance with the *Clean Diamond Trade Act* (Pub. L. 108-19) (CDTA) and not Title 13, United States Code (U.S.C.), and to clarify submission requirements for and permissible uses of the Kimberley Process Certificates.

OFAC is incorporating the existing requirements pursuant to the FTR that importers or customs brokers provide a copy of the Kimberley Process Certificate accompanying a shipment of rough diamonds to the Census Bureau immediately after entry of the rough diamonds in the United States and that, with respect to rough diamond exports, the U.S. Principal Party in Interest or U.S. authorized agent must provide a copy of the Kimberley Process Certificate to the Census Bureau immediately after export from the United States.

At the same time, in consultation with the Department of State, the Census Bureau, and CBP, OFAC is removing the requirement that all rough diamond importers and exporters file annual reports with the Department of State detailing their import, export, and stockpile information as previously set forth in § 592.502. OFAC has removed this requirement as unnecessary in light of alternate sources from which to obtain relevant information. At this time, as reflected in a Memorandum of Understanding (MOU) among the Department of State, the Census Bureau, and U.S. Kimberley Process Authority (USKPA), a non-profit association, Kimberley Process Certificates for the exportation of rough diamonds from the United States may only be issued by the USKPA or by entities licensed to do so by the USKPA. The rule went into effect upon publication.

NRC seeks comments on draft clarification of export reporting requirements for nuclear facilities, equipment, and non-nuclear materials

On June 8, 2018, the Nuclear Regulatory Commission (NRC) published in the *Federal Register* a [draft regulatory issue summary and request for comment](#) [NRC-2018-0113]. The NRC is seeking public comment on a draft regulatory issue summary (RIS) to clarify the reporting requirements for certain exports of nuclear facilities, equipment, and non-nuclear materials.

The RIS is intended for all persons that are required to report exports of nuclear materials, equipment, and non-nuclear materials under part 110 of title 10 of the Code of Federal Regulations (10 C.F.R.), "Export and Import of Nuclear Equipment and Material." Specifically, the RIS is intended to clarify the reporting requirements under 10 C.F.R. 110.54(a)(1). The regulation in 10 C.F.R.

110.54(a)(1) states, in part, that licensees exporting nuclear facilities, equipment, and certain non-nuclear materials under a general or specific license during the previous quarter must submit reports by January 15, April 15, July 15, and October 15 of each year on specified forms. The draft RIS includes information relating to this reporting requirement and clarifies that the quarterly reporting requirement is in addition to, and not obviated by, the separate NRC annual reporting requirement in 10 C.F.R. 110.54(c). The Draft NRC RIS 2018-XX, "Clarification of Export Reporting Requirements for Nuclear Facilities, Equipment, and Non-Nuclear Materials," is available in the NRC's reading room, [ADAMS](#), under Accession No. ML17338A944.

Comments should be submitted by August 7, 2018. Comments received after this date will be considered if it is practical to do so, but the NRC is able to ensure consideration only for comments received before this date.

Commerce reaches new settlement with China's ZTE to suspend Denial Order

On June 7, 2018, the US Department of Commerce [announced](#) that Zhongxing Telecommunications Equipment Corporation ("ZTE Corporation") and ZTE Kangxun Telecommunications Ltd. ("ZTE Kangxun" and, collectively with ZTE Corporation, "ZTE") had agreed to additional penalties and compliance measures to secure their removal from the Bureau of Industry and Security ("BIS") Denied Persons List and regain access to US products and components. The new agreement imposes significant additional fines on ZTE, requires the company to carry out management changes, and institutes strict compliance requirements. Importantly, ZTE has not yet been removed from the Denied Persons List and remains subject to the existing restrictions until certain steps are taken. Nevertheless, the agreement sets out a path forward for ZTE to soon resume operations that had otherwise stalled due to the lack of access to US items.

According to the Department of Commerce's press release, under the new agreement ZTE will be removed from the Denied Persons List after paying an additional fine of USD 1 billion and placing USD 400 million in escrow as suspended penalty money. ZTE must also retain and pay for a special compliance team that is selected by and answerable to BIS for ten years as it continues to monitor ZTE's compliance with US export controls. Further, ZTE is required to replace the entire board of directors and senior executive leadership of both ZTE Corporation and ZTE Kangzun within thirty days. Finally, BIS will impose another denial order that is suspended for ten years but could be activated in the future if ZTE commits additional export control violations. BIS described these measures as the most severe penalties BIS has ever imposed on a company.

As described in more detail [here](#), the US Government's enforcement action targeting ZTE first garnered attention in March 2016 when ZTE was added to BIS's Entity List and subjected to strict export licensing requirements. ZTE eventually entered into a settlement agreement in March 2017, and this agreement provided for a combined civil and criminal penalty and forfeiture of USD 1.19 billion. The agreement also provided for a seven-year suspended denial order that could be activated by BIS if the agreement's terms were not met and/or if ZTE committed additional violations of the EAR. BIS activated this denial order and placed ZTE on the Denied Persons List in April 2018 after determining that ZTE had made false statements before, during, and after the settlement agreement negotiations relating to senior employee disciplinary actions. More details about the activation of this denial order are available [here](#).

As a result of this denial order, ZTE was essentially cut off from sourcing the US parts and components necessary to manufacture its products and reportedly was forced to cease operations. On May 13, 2018, after discussing the matter with the Chinese Government, President Trump [tweeted](#) that he had instructed the Commerce Department to seek a deal with ZTE to allow the company to resume business. The agreement announced on June 7 is the result of that instruction.

The authors, [Bart M. McMillan](#) and [Joseph A. Schooli](#) thank Ryan Poitras for his contribution to this article.

ITA revises and clarifies user fees for export and investment promotion services/events

On June 1, 2018, the International Trade Administration (ITA), Department of Commerce, published in the *Federal Register* a [notice of revised user fees](#). The ITA recently implemented new user fees for its export and investment promotion services/events in light of an independent cost study, which concluded that ITA was not fully covering its costs for providing services under the prior fee structure. Federal agencies are directed by Office of Management and Budget (OMB) Circular A–25 to ensure they recoup their costs when providing certain services. ITA is announcing revisions to its export and investment promotion User Fee Schedule, published on July 10, 2017. In addition, clarifications have been made to the fees previously listed in the Global Markets (GM) User Fee Schedule:

This user fee schedule will be effective on July 1, 2018.

BIS corrects Unverified List UVL

On June 4, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 180214174–8174–02] amending the *Export Administration Regulations* (EAR) by correcting one (1) address for one (1) person listed on the Unverified List (UVL) and removing an extraneous name from one (1) other entry listed on the UVL. These omissions were inadvertent and failure to correct them would cause confusion and possibly compromise national security.

BIS corrects final rule implementing Australia Group decisions and understandings

On June 4, 2018, the Bureau of Industry and Security (BIS) published in the *Federal Register* a [final rule](#) [Docket No. 170306234–8444–02] to make certain conforming changes based on the revisions to Export Control Classification Number (ECCN) 1C350 on the Commerce Control List (CCL) contained in a final rule published on April 2, 2018. That final rule amended the *Export Administration Regulations* (EAR) to implement the recommendations presented at the February 2017 Australia Group (AG) Intersessional Implementation Meeting, and later adopted pursuant to the AG silent approval procedure, and the recommendations made at the June 2017 AG Plenary Implementation Meeting and adopted by the AG Plenary. Among other changes, the April 2, 2018, final rule amended ECCN 1C350 by renumbering paragraphs .b through .d in alphabetical order. Following the publication of that rule, however, certain references to ECCN 1C350.c and 1C350.d in the description of items eligible under the validated end-user authorization (VEU) provisions of the EAR no longer identified the correct subparagraphs in ECCN 1C350 because the rule inadvertently failed to update the references to ECCN 1C350.c and 1C350.d in the description of eligible items for three of the validated endusers identified in Supplement No. 7 to part 748

(Authorization Validated EndUser (VEU)) of the EAR. This final rule amends the VEU provisions to provide the correct references to eligible items in ECCN 1C350 for three validated end-users.

Restrictive measures and additions to OFAC, State BIS blocking orders, designations, sanctions and entity lists

During the past month, the following notices adding, removing or continuing persons (including entities) to/from restrictive measures lists were published in the *Federal Register* by the Office of Foreign Assets Control (OFAC) or by the State Department (State) or the Bureau of Industry and Security (BIS):

| F.R. Date | Applicable orders |
|-----------|---|
| 06-01-18 | STATE: In the Matter of the Amendment of the Designation of Al-Nusrah Front (and Other Aliases) as a Specially Designated Global Terrorist [Public Notice: 10433] (N) |
| | STATE: In the Matter of the Amendment of the Designation of Al-Nusrah Front (and Other Aliases) as a Foreign Terrorist Organization Pursuant to Section 219 of the Immigration and Nationality Act, as Amended [Public Notice: 10432] (N) |
| 06-07-18 | OFAC: Notice of OFAC Sanctions Actions (N) [6 individuals, 6 entities] |
| 06-11-18 | OFAC: Notice of OFAC Sanctions Actions (N) [9 individuals, 8 entities] |
| 06-14-18 | OFAC: Notice of OFAC Sanctions Actions (N) [3 individuals, 6 entities, 31 aircraft] |
| | OFAC: Notice of OFAC Sanctions Actions (N) [3 individuals, 5 entities] |
| 06-25-18 | OFAC: Notice of OFAC Sanctions Actions (N) [2 individuals, 5 entities] |
| | OFAC: Notice of OFAC Sanctions Actions (N) [15 entities] |
| | OFAC: Notice of OFAC Sanctions Actions (N) [6 individuals] |

Orders denying export privileges

During the past month, the following orders were published:

| F.R. Date | Subject |
|-----------|---|
| 06-21-18 | BIS: Mahan Airways, et al.- Renewal of the temporary denial order |
| 06-25-18 | BIS: Fuyi Sun a/k/a Frank Sun [10 years] |

Treasury, Commerce, Homeland Security and State meetings and notices related to trade

AGENCIES: BIS = BUREAU OF INDUSTRY AND SECURITY; FINCEN = FINANCIAL CRIMES ENFORCEMENT NETWORK; ITA: INTERNATIONAL TRADE ADMINISTRATION; NIST- NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY; OFAC= OFFICE OF FOREIGN ASSETS CONTROL; DHS= HOMELAND SECURITY; STATE=DEPARTMENT OF STATE.

[Note: Only meetings which occur after scheduled distribution of this Update are listed.]

| F.R. Date | Subject |
|-----------|---|
| 06-05-18 | BIS: Proposed Information Collection; Comment Request; Licensing Responsibilities and Enforcement (N) |
| 06-12-18 | STATE: 30-Day Notice of Proposed Information Collection: Six DDTC Information Collections [Public Notice 10441] (N): <ul style="list-style-type: none"> Application/License for Permanent Export of Unclassified Defense Articles and Related Unclassified Technical Data. [OMB Control No.: 1405-0003] [Form DSP-5] Application/License for Temporary Import of Unclassified Defense Articles [OMB Control No: 1405-0013] [Form DSP-61] Application/License for Permanent/ Temporary Export or Temporary Import of Classified Defense Articles and Related Classified Technical Data [OMB |

| F.R. Date | Subject |
|-----------|---|
| | Control No.: 1405-0022] [DSP-85] <ul style="list-style-type: none"> Application/License for Temporary Export of Unclassified Defense Articles [OMB Control No.: 1405-0023] [Form DSP-73] Application for Amendment to License for Export or Import of Classified or Unclassified Defense Articles and Related Classified Technical Data. [OMB Control No.: 1405-0092] [Forms DSP-6, DSP-62, DSP-74] Nontransfer and Use Certificate [OMB Control No.: 1405-0021] [DSP-83] |
| 06-13-18 | STATE: Cultural Property Advisory Committee; Notice of Meeting [Public Notice: 10443] (N) [July 31-August 2, 2018] |
| 06-19-18 | STATE: Notice of Issuance of a Presidential Permit to Borrego Crossing Pipeline, LLC [Public Notice: 10442] (N) |
| 06-20-18 | BIS: Sensors and Instrumentation Technical Advisory Committee; Notice of Partially Closed Meeting (N/H) [July 24, 2018] |
| 06-22-18 | BIS: Information Systems Technical Advisory Committee; Notice of Partially Closed Meeting (N/H) [July 25, 26, 2018] |
| 06-25-18 | BIS: Proposal for collection of information: Form BIS-711 [OMB Control No. 0694-0021] (N) |
| 06-26-18 | ITA: Notice of Charter Renewal of the U.S. Investment Advisory Council and Soliciting Nominations (N) [July 27, 2018] |

FTC and CPSC Federal Register documents

The following Federal Trade Commission (FTC) and Consumer Product Safety Commission (CPSC) documents which may be of interest to importers were published *Federal Register* during the past month:

| F.R. Date | Subject |
|-----------|---|
| 06-05-18 | CPSC: Draft Guidelines for Determining Age Appropriateness of Toys; Notice of Extension of Comment Period [Docket No. CPSC-2018-0006] (N/E) |
| 06-06-18 | CPSC: Resubmission of Petition To Mandate a Uniform Labeling Method for Traction of Floor Coverings, Floor Coverings With Coatings, and Treated Floor Coverings; Request for Comments [Docket No. CPSC-2018-0014] (N) |
| | CPSC: Safety Standard for Non-Full-Size Baby Cribs [Docket No. CPSC-2010-0075] (FR) |
| 06-19-18 | CPSC: Safety Standard for High Chairs [Docket No. CPSC-2015-0031] (FR) |
| | CPSC: Safety Standard for Stationary Activity Centers [Docket No. CPSC-2018-0015] (PR) |
| 06-22-18 | CPSC: Children's Products, Children's Toys, and Child Care Articles: Determinations Regarding Lead, ASTM F963 Elements, and Phthalates for Engineered Wood Products [Docket No. CPSC-2017-0038] (FR) |
| | CPSC: Recall Effectiveness: Announcement of Request for Information Regarding the Use of Direct Notice and Targeted Notices During Recalls [Docket No. CPSC-2017-0027] (N/RFC) |
| 06-26-18 | CPSC: Safety Standard for Baby Changing Products [Docket No. CPSC-2016-0023] (FR) |

FDA Federal Register documents

The FDA has posted the following *Federal Register* guides, notices or documents which may be of interest to international traders:

| F.R. Date | Subject |
|-----------|--|
| 06-07-18 | Listing of Color Additives Subject to Certification; D and C Black No. 4 [Docket No. FDA-2017-C-0935] (FR) |
| | Food and Drug Administration Modernization Act of 1997: Modifications to the List of Recognized Standards, Recognition List Number: 049 [Docket No. FDA-2004-N-0451] (N) |

| F.R. Date | Subject |
|-----------|---|
| 06-08-18 | Regulation of Flavors in Tobacco Products; Extension of Comment Period [Docket No. FDA-2017-N-6565] (ANPR/E) |
| | Regulation of Premium Cigars; Extension of Comment Period [Docket No. FDA-2017-N-6107] (ANPR/E) |
| | Tobacco Product Standard for Nicotine Level of Combusted Cigarettes; Extension of Comment Period [Docket No. FDA-2017-N-6189] (ANPR/E) |
| | Draft Concept Paper: Illicit Trade in Tobacco Products After Implementation of a Food and Drug Administration Product Standard; Extension of Comment Period [Docket No. FDA-2018-N-0529] (N) |
| 06-12-18 | General Principles for Evaluating the Human Food Safety of New Animal Drugs Used in Food-Producing Animals; Guidance for Industry; Availability [Docket No. FDA-2005-D-0155] (N) |
| 06-13-18 | Medical Product Communications That Are Consistent With the Food and Drug Administration Required Labeling--Questions and Answers; Guidance for Industry; Availability [Docket No. FDA-2016-D-2285] (N) |
| 06-15-18 | The Declaration of Certain Isolated or Synthetic Non-Digestible Carbohydrates as Dietary Fiber on Nutrition and Supplement Facts Labels; Guidance for Industry; Availability [Docket No. FDA-2018-D-1323] (N) |
| | Hazard Analysis and Risk-Based Preventive Controls for Food for Animals; Supply-Chain Program; Draft Guidance for Industry; Availability [Docket No. FDA-2018-D-1861] (N) |
| 06-18-18 | Technical Specifications for Electronic Submissions; Establishment of a Public Docket [Docket No. FDA-2018-D-1216] (N) |
| 06-20-18 | Mitigation Strategies to Protect Food against Intentional Adulteration; Draft Guidance for Industry; Availability [Docket No. FDA-2018-D-1398] (N) |

USDA determines 2019 WTO TRQs for sugars and molasses

On June 29, 2018, the Office of the Secretary, US Department of Agriculture published in the *Federal Register* a [notice](#) announcing the establishment of the Fiscal Year (FY) 2019 (October 1, 2018 – September 30, 2019) in-quota aggregate quantity of raw cane sugar at 1,117,195 metric tons raw value (MTRV), and the establishment of the FY 2019 in-quota aggregate quantity of certain sugars, syrups, and molasses (also referred to as refined sugar) at 192,000 MTRV.

The provisions of paragraph (a)(i) of the Additional U.S. Note 5, Chapter 17 in the *Harmonized Tariff Schedule of the United States* (HTS) authorize the Agriculture Secretary to establish the in-quota tariff-rate quota (TRQ) amounts (expressed in terms of raw value) for imports of raw cane sugar and certain sugars, syrups, and molasses that may be entered under the subheadings of the HTS subject to the lower tier of duties during each fiscal year. The Office of the U.S. Trade Representative (USTR) is responsible for the allocation of these quantities among supplying countries and areas.

APHIS and other USDA notices issued

During the past month, the Animal and Plant Health Inspection Service (APHIS) and other US Department of Agriculture (USDA) agencies issued the following *Federal Register* notices during the past month which may be of interest to international traders. [USDA=Office of the Secretary, FAS=Foreign Agricultural Service, AMS=Agricultural Marketing Service, FSIS=Food Safety Inspection Service]:

| F.R. Date | Subject |
|-----------|---|
| 06-04-18 | APHIS: Importation of Tree Tomatoes From Ecuador Into the Continental United States [Docket No. APHIS-2015-0072] (FR) |

| F.R. Date | Subject |
|-----------|---|
| | APHIS: Thresholds for De Minimis Activity and Exemptions From Licensing Under the Animal Welfare Act [Docket No. APHIS-2014-0059] (FR) |
| 06-07-18 | APHIS: Notice of a Determination Regarding the Classical Swine Fever and Swine Vesicular Disease Status of Japan [Docket No. APHIS-2017-0098] (N) |
| 06-12-18 | AMS: Inspection Application Requirements [Doc. No. AMS-SC-16-0063 FIR] (FR) |
| 06-14-18 | AMS: Peanut Promotion, Research, and Information Order; Change in Assessment Rate Computation [Document No. AMS-SC-16-0115] (FR) |
| 06-15-18 | APHIS: Importation of Fresh Avocado Fruit From Continental Ecuador Into the Continental United States [Docket No. APHIS-2016-0099] (PR) |
| 06-20-18 | AMS: National Bioengineered Food Disclosure Standard; Correction [Doc. No. AMS-TM-17-0050] (PR/C) |
| | USDA: Identifying Regulatory Reform Initiatives (N/E) |
| 06-29-18 | AMS: United States Standards for Canola [Doc. No. AMS-FGIS-18-0053] (N/RFI) |
| | AMS: United States Standards for Corn [Doc. No. AMS-FGIS-18-0052] (N/RFI) |
| | AMS: United States Standards for Soybeans [Doc. No. AMS-FGIS-18-0054] (N/RFI) |

FAS GAIN reports

Below is a partial list of Global Agriculture Information Network (GAIN) reports that were recently issued by the US Foreign Agriculture Service (FAS) in the *Food and Agricultural Import Regulations and Standards* (FAIRS) series as well as other reports related to import or export requirements. These provide valuable information on regulatory standards, export guides, and MRL (maximum residue limits). Information about, and access to, other GAIN reports may be found at the FAS [GAIN reports website](#).

- Argentina - [Export Requirements for Pork Products and Casings to Argentina](#)
- Bulgaria - [Import Requirements for Food Supplements in Bulgaria](#)
- Burma/Myanmar - [Update to Law Regarding Retailing and Wholesaling](#)
- Canada - [Canada Announces Final List of Ag Products in Response to U.S. Tariff](#)
- Canada - [Canada Opens Comment Period on Proposed Imidacloprid Measures](#)
- Canada - [Canada Publishes Final Food Safety Regulations](#)
- Canada - [Canada Opens Consultations on Proposed Amendments to Beer Standards](#)
- China - [China Cuts MFN and Applied Tariffs on Agriculture and Seafood Products](#)
- China - [China Releases Standard for Maximum Levels of Mycotoxins in Foods](#)
- China - [China Releases the Standard for Levels of Contaminants in Foods](#)
- China - [China Responds to U.S. 301 Announcement with Revised Product List](#)
- China - [Update on Expanded List of Eligible Exports of U.S. Beef to China](#)
- Denmark - [Gelatin Capsules to Denmark No Longer Require a TSE Attestation](#)
- EU - [EU Imposes Additional Tariffs on U.S. Products](#)
- EU - [New EU Organic Regulation formally approved](#)
- France - [France plans to ban Titanium Dioxide in food products](#)
- India - [Amendments in the Food Product Standards and Additives Regulation](#)
- India - [Final Regulation on Fortification Implemented Prior to Publication](#)
- India - [GOI Notifies Changes in Tariff Structure on Agricultural Imports](#)
- India - [India Extends Ban on Milk and Dairy Product Imports from China](#)

- India - [Rectifiable Labeling List for Food Imports Gets Expanded](#)
- India - [Revised Standards for Coconut Milk and Select Herbs](#)
- India - [WTO Comments Invited on New Standards for Meat Products](#)
- Indonesia - [MOA Revises Requirements on Horticultural Import](#)
- Mexico - [Mexico Announces Retaliatory Tariffs](#)
- Morocco - [Food Labeling - Arabic Exemptions](#)
- Morocco - [Food Labeling - Ingredient List Terminology](#)
- Morocco - [Food Labeling Requirements](#)
- Morocco - [Technical Regulation on 'Red Fruit' \(Berries\)](#)
- Morocco - [Veterinary Drug MRLs Established](#)
- Tunisia - [DDGS Import Requirements](#)
- Turkey - [FAIRS Report](#)
- Turkey - [FAIRS Report](#)
- Turkey - [Turkey Introduces New Additional Levy on U.S. Products](#)

Semiannual Regulatory Agendas

| Date | Department or Agency and Title |
|---|---|
| 06-11-18 | REGULATORY INFORMATION SERVICE CENTER: Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions |
| | AGRICULTURE: Semiannual Regulatory Agenda, Spring 2018 |
| | COMMERCE: Spring 2018 Semiannual Agenda of Regulations |
| | CONSUMER PRODUCT SAFETY COMMISSION: Semiannual Regulatory Agenda |
| | DEFENSE/GSA/NASA: Semiannual Regulatory Agenda |
| | DEFENSE: Semiannual Regulatory Agenda - Improving Government Regulations; Unified Agenda of Federal Regulatory and Deregulatory Actions |
| | ENERGY: Semi-annual Regulatory Agenda - Improving Government Regulations; Unified Agenda of Federal Regulatory and Deregulatory Actions |
| | ENVIRONMENTAL PROTECTION AGENCY: Spring 2018 Unified Agenda of Regulatory and Deregulatory Actions |
| | HEALTH AND HUMAN SERVICES: Regulatory Agenda |
| | INTERIOR: Semiannual Regulatory Agenda |
| | JUSTICE: Regulatory Agenda |
| | LABOR: Semiannual Agenda of Regulations |
| | NUCLEAR REGULATORY COMMISSION: Unified Agenda of Federal Regulatory and Deregulatory Actions - Semiannual regulatory agenda. |
| | SECURITIES AND EXCHANGE COMMISSION: Regulatory Flexibility Agenda |
| TRANSPORTATION: Department Regulatory and Deregulatory Agenda; Semiannual Summary | |
| TREASURY: Semiannual Agenda | |

Government procurement

On June 15, 2018, the Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) published in the *Federal Register* an [interim rule](#) [FAC 2005-99; FAR Case 2017-018; Item II; Docket No. 2017- 0018, Sequence No. 1] amending the Federal Acquisition Regulation (FAR) to implement a section of the *National Defense Authorization Act for Fiscal Year 2017* (Pub. L. 114- 328, codified at 22 U.S.C. 2593e) that addresses measures against persons involved in activities that violate arms control treaties or agreements with the United States. Written comments are due on or before August 14, 2018.

Also, on June 15, 2018, the Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) published in the *Federal Register* an [interim rule](#) [FAC 2005-99; FAR Case 2018-010; Item I; Docket 2018-0010, Sequence 1] amending the Federal Acquisition Regulation (FAR) to implement a section of the *National Defense Authorization Act (NDAA) for Fiscal Year 2018* (Pub. L. 115-91). Section 1634 of this law prohibits the Federal Government's use on or after October 1, 2018, of hardware, software, and services developed or provided, in whole or in part, by Kaspersky Lab or related entities. Written comments are due on or before August 14, 2018.

To implement section 1634, the clause at 52.204-23 prohibits contractors from providing any hardware, software, or services developed or provided by Kaspersky Lab or its related entities, or using any such hardware, software, or services in the development of data or deliverables first produced in the performance of the contract. The contractor must also report any such hardware, software, or services discovered during contract performance; this requirement flows down to subcontractors.

This rule applies to all acquisitions, including acquisitions at or below the simplified acquisition threshold and to acquisitions of commercial items, including commercially available off-the-shelf items. It may have a significant economic impact on a substantial number of small entities.

See also Federal Acquisition Regulation: [Federal Acquisition Circular 2005-99; Introduction](#) [Docket No. FAR 2018-0001, Sequence No. 3] and companion Federal Acquisition Regulation: [Federal Acquisition Circular 2005-99; Small Entity Compliance Guide](#) [Docket No. FAR 2018-0001, Sequence No. 3].

Additional Federal Register documents

The following [Federal Register](#) documents which may be of interest to international traders were published during the past month by various Federal agencies:

| F.R. Date | Subject |
|-----------|--|
| 06-01-18 | ENVIRONMENTAL PROTECTION AGENCY (EPA): Product Cancellation Order for Certain Pesticide Registrations and Amendments To Terminate Uses [EPA-HQ-OPP-2017-0467; FRL-9976-98] (N) |
| 06-04-18 | EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2017-0008; FRL-9976-89] (N) |
| 06-05-18 | EPA: Certain New Chemical Substances; Receipt and Status Information for February 2018 [EPA-HQ-OPPT-2017-0716; FRL-9978-06] (N) |
| | EPA: Alpha-cypermethrin; Pesticide Tolerances [EPA-HQ-OPP-2010-0234; FRL-9976-73] (FR) |
| | EPA: Ethoxylated Fatty Acid Methyl Esters; Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0666; FRL-9976-39] (FR) |
| 06-07-18 | EPA: Acequinocyl; Pesticide Tolerances [EPA-HQ-OPP-2017-0376; FRL-9978-20] (FR) |
| 06-11-18 | EPA: Asbestos; Significant New Use Rule [EPA-HQ-OPPT-2018-0159; FRL-9978-76] (PR) |
| 06-12-18 | ENERGY: Study on Macroeconomic Outcomes of LNG Exports (N) |
| 06-13-18 | DRUG ENFORCEMENT ADMINISTRATION (DEA): Schedules of Controlled Substances: Temporary Placement of N-Ethylpentylone in Schedule I [Docket No. DEA-482] (PR) |
| 06-14-18 | EPA: Extract of Swinglea glutinosa; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0565; FRL-9977-75] (FR) |
| | EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide |

| F.R. Date | Subject |
|-----------|---|
| | <p>Chemicals in or on Various Commodities [EPA-HQ-OPP-2017-0006; FRL-9978-41] (N)</p> <p>EPA: Receipt of Several Pesticide Petitions Filed for Residues of Pesticide Chemicals in or on Various Commodities [EPA-HQ-OPP-2018-0006; FRL-9978-29] (N)</p> <p>EPA: Ortho-Phthalaldehyde; Receipt of Application for Emergency Exemption, Solicitation of Public Comment [EPA-HQ-OPP-2018-0278; FRL-9978-55] (N/RFC)</p> <p>EPA: Pesticide Product Registration; Receipt of Applications for New Active Ingredients [EPA-HQ-OPP-2018-0007; FRL-9978-34] (N)</p> <p>EPA: Difenacoum; Notice of Receipt of Requests to Voluntarily Cancel Certain Pesticide Registrations [EPA-HQ-OPP-2015-0769; FRL-9978-37] (N)</p> |
| 06-15-18 | <p>GENERAL SERVICES ADMINISTRATION (GSA): Request for Information from Platform Providers of Commercial e-Commerce Portals [Notice-QP-2018-03; Docket No. 2018-0002; Sequence No. 12] (N/RFI)</p> <p>GSA: Request for Information from Suppliers Selling on Commercial E-Commerce Portals [Notice-Qp-2018-02; Docket No. 2018-0002; Sequence No. 11] (N/RFI)</p> |
| 06-21-18 | <p>U.S.-China Economic and Security Review Commission: Notice of open public meetings (N)</p> |
| 06-22-18 | <p>ENERGY: Energy Conservation Program: Test Procedure for Water-Source Heat Pumps [EERE-2017-BT-TP-0029] (RFI)</p> <p>EPA: Oxirane, 2-methyl-, polymer with oxirane, mono[2-(2-(2-methoxymethylethoxy)methylethoxy)methylether] ether; Tolerance Exemption [EPA-HQ-OPP-2018-0071; FRL-9978-08]</p> <p>EPA: Tolfenpyrad; Pesticide Tolerances [EPA-HQ-OPP-2017-0156; FRL-9976-21] (FR)</p> <p>EPA: Acetochlor; Pesticide Tolerances [EPA-HQ-OPP-2017-0235; FRL-9976-41] (FR)</p> <p>EPA: Thiencarbazone-methyl; Pesticide Tolerance [EPA-HQ-OPP-2017-0448; FRL-9978-50] (FR)</p> <p>EPA: Benzovindiflupyr; Pesticide Tolerances [EPA-HQ-OPP-2017-0167; FRL-9977-94] (FR)</p> |
| 06-26-18 | <p>EPA: Fluroxypyr; Pesticide Tolerances [EPA-HQ-OPP-2017-0225; FRL-9978-70] (FR)</p> |
| 06-27-18 | <p>EPA: Mercury; Reporting Requirements for the TSCA Mercury Inventory [EPA-HQ-OPPT-2017-0421; FRL-9979-74] (FR)</p> <p>EPA: TSCA Chemical Substances; Unique Identifier Assignment and Application Policy; Notice of Availability [EPA-HQ-OPPT-2017-0144; FRL-9979-59] (N)</p> <p>EPA: Guidance for Creating Generic Names for Confidential Chemical Substance Identity Reporting under the Toxic Substances Control Act; Notice of Availability [EPA-HQ-OPPT-2018-0292; FRL-9979-02] (N)</p> |
| 06-28-18 | <p>ENERGY: Energy Conservation Program: Test Procedures for Cooking Products, Notice of Petition for Rulemaking [EERE-2018-BT-TP-0004] (N/RO)</p> <p>EPA: Lambda-Cyhalothrin; Receipt of Application for Emergency Exemption, Solicitation of Public Comment [EPA-HQ-OPP-2018-0400; FRL-9979-46] (N)</p> <p>EPA: Certain New Chemical Substances; Receipt and Status Information for March 2018 [EPA-HQ-OPPT-2017-0717; FRL-9979-14] (N)</p> <p>EPA: Pesticide Product Registration; Receipt of Applications for New Uses [EPA-HQ-OPP-2018-0008; FRL-9978-35] (N)</p> |
| 06-29-18 | <p>DEFENSE (DOD): Defense Federal Acquisition Regulation Supplement: Use of Commercial or Non-Government Standards (DFARS CASE 2017-D014) [Docket DARS-2018-0021] (PR)</p> <p>DoD: Defense Federal Acquisition Regulation Supplement: Inapplicability of Certain Laws and Regulations to Commercial Items (DFARS Case 2017-D010) [Docket DARS-2018-0035] (PR)</p> |

Commerce publishes notice of scope rulings

On June 6, 2018, the International Trade Administration, Department of Commerce published in the *Federal Register* a [list of scope rulings and anticircumvention determinations](#) made between January 1, 2017, and March 31, 2017, inclusive. Commerce intends to publish future lists after the close of the next calendar quarter. The list follows:

| Countries | ITA Case № and Merchandise |
|-------------|---|
| Vietnam | A-552-818 and C-552-819: Certain Steel Nails |
| PR of China | A-570-901: Lined Paper Products |
| | A-570-881: Malleable Cast Iron Pipe Fitting |
| | A-570-020 and C-570-021: Melamine |
| | A-570-970 and C-570-971: Multilayered Wood Flooring (5 rulings) |
| | A-570-875: Non-Malleable Cast Iron Pipe Fittings |
| | A-570-922 and C-570-923: Raw Flexible Magnets |
| | A-570-860: Steel Concrete Reinforcing Bars |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

The Americas - South America

ARGENTINA

Boletín Oficial publications

The following Decrees, Administrative Decisions and Resolutions (Res.) which may be of interest to international traders were published in the *Boletín Oficial de la República Argentina* (Official Gazette) or the *Customs Bulletin* during the period covered by this Update [Unofficial translation].

| BO Date | Subject |
|----------|---|
| 01-06-18 | Directorate General of Customs - Common Mercosur Nomenclature See Annexes General Resolution 4253/2018 Tariff classification of merchandise, according to the procedure established in General Resolution No. 1618 |
| | Directorate General of Customs - Common Mercosur Nomenclature See Annexes General Resolution 4254/2018 Tariff classification of merchandise according to the procedure provided in General Resolution No. 1618 |
| | FEDERAL ADMINISTRATION OF PUBLIC REVENUES (AFIP): General Resolution 4259/2018 Import and Export Regime by PSP / Courier Postal Service Providers. Resolution No. 2,436 / 96 (ANA), its amendments and complementary. General Resolution No. 1,811. Its repeal. |
| 04-06-18 | PRODUCTION/COMMERCE: Res. № 332/2018 (31-05-18) verification of origin under MERCOSUR Origin Regime, for fiber optic cables from Brazil |
| 06-06-18 | Production/Industry: Resolution 47/2018 (05-06-18) re: Originating goods from the Special Customs Area for Tierra del Fuego and Islas del Atlantico Sur |
| 13-06-18 | PRODUCTION/COMMERCE: Res. № 347/2018 (11-06-18) regarding drawback regime |
| 14-06-18 | PRODUCTION/COMMERCE: Res. № 354/2018 (12-06-18) Verification of Taiwan origin |
| | PRODUCTION/COMMERCE: Res. № 351/2018 (12-06-18) beginning of a process of non-preferential origin verification for pipe fittings for butt welding, declared as originating in the Kingdom of Cambodia [because of possible circumvention of the anti-dumping measure against China] |
| 25-06-18 | AFIP: Prov. 161/2018 (22-06-18) – organizational changes within Metropolitan |

| BO Date | Subject |
|---------|------------------------------------|
| | Customs Operations |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

BRAZIL

Ministers of Foreign Affairs and Industry, Foreign Trade and Services issue press release on US steel tariffs and quotas

The Ministers of Foreign Affairs and Industry, Foreign Trade and Services issued the [following press release](#) [unofficial translation]:

On May 31, the United States government published information regarding the entry into force, as of June 1, of new restrictions on its steel and aluminum imports with effect on Brazil.

Brazilian steel exports to the United States will be subject to quotas, based on the average of the last three years (2015-2017). The quota for semi-finished steel will be 100% of that average. For finished products (long steel, flat steel, stainless steel and pipes), the quota shall be 70% of that average.

Brazilian aluminum exports will be subject to a surcharge of 10%, in addition to the import tariffs currently in force.

Restrictive measures are the sole responsibility of the United States Government and shall be administered by the United States Government. The Brazilian Government, in contact with the productive sector, will closely monitor its effects on Brazilian exports.

As indicated in the previous notes on the subject, the Brazilian Government considers that the application of restrictions on Brazilian exports is not justified and remains open to construct solutions that better meet the expectations and needs of both the steel and aluminum sectors in Brazil and in The United States, reserving its rights in the bilateral and multilateral spheres.

Diário Oficial da União publications

The following notices, Ordinances (Portarias), Circulars and Resolutions of interest to international traders were published in the *Diário Oficial da União* (Official Gazette) during the period covered by this Update.

| DOU Date | Subject |
|----------|---|
| 05-06-18 | CAMEX Res. № 36 (04-06-18) Alters the Brazilian List of Exceptions to the Mercosur Common External Tariff Rectification (20-06-18) |
| 06-06-18 | CAMEX Res. № 37 (05-06-18) changes to 0% (zero percent) the Import Tax rates on the IT and Telecommunication Goods it mentions, as Ex-Tariffs |
| | CAMEX Res. № 38 (05-06-18) changes to zero the Import Tax rates on the Capital Goods it mentions, in the condition of Ex-Tariffs |
| 18-06-18 | SECEX Circular №. 26, (15- 06-18) Publication of proposals for modification of the MERCOSUR Common Nomenclature - NCM and of the Common External Tariff under analysis by the Department of International Negotiations (DEINT). |
| 22-06-18 | CAMEX Res. № 42 (21-06-18) Alters the substitute representative of the Ministry of Finance in the Committee on Financing and Guarantee of Exports - COFIG. |
| 29-06-18 | CAMEX Res. № 43 (28-06-18) Grants temporary reduction in the rate of import duty under Resolution № 08/08 Group of the MERCOSUR Common Market. |
| | CAMEX Res. № 44 (28-06-18) Changes to zero percent the Import Tax rates on |

| DOU Date | Subject |
|----------|--|
| | the Capital Goods it mentions, in the condition of Ex-Tariffs. |
| | CAMEX Res. № 45 (28-06-18) Changes to zero percent the rates of Import Tax on the IT and Telecommunication Goods it mentions, as Ex-Tariffs. |

Antidumping and countervailing duty cases

See separate [Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews](#) section below.

CHILE

National Customs postings and Diario Oficial

The following documents, which may be of interest to international traders were posted to the National Customs Service (NCS) [website](#) or published in the [Diario Oficial de la República de Chile](#) (Official Gazette) or [Partial list; Unofficial translation].

| Date | Subject |
|----------|---|
| 07-06-18 | HACIENDA: Exempt Decree number 162, of 2018. - Declares international the X International Congress of the Southern Hemisphere Alacsa-R |
| | HACIENDA: Exempt Decree number 161, of 2018. - Declares international the XVII International Congress of Orthodontics |
| 14-06-18 | HACIENDA: Exempt Decree number 172, of 2018. - Applies reductions of customs duties for the importation of wheat and wheat or morcajo flour (tranquilum) |
| | HACIENDA: Extract of exempt Resolution number 2.415, of 2018.- Modifies Compendium of Customs Norms |
| 22-06-18 | HACIENDA: Exempt Decree №175, of 2018.- Updates Customs Tariff of the Republic of Chile |
| | HACIENDA: Exempt Decree № 108, of 2018.- Granting sponsorship and declaring international the XXIII version of the Week of the Chilean Traditions Aires del Niño |
| 23-06-18 | HACIENDA: Exempt Decree № 181, of 2018. - Applies rebates of customs duties for the importation of raw sugar, refined sugar grades 1 and 2, and refined sugar grades 3 and 4, and sub-standards |
| 30-06-18 | HACIENDA: Exempt Resolution № 339, of 2018.- Establishes that the acquirer of the current annotation certificate, circulation permit, payment of fines and any other management that affects the sanitation of the vehicles to be auctioned by the Customs of Iquique |
| | HACIENDA: Excerpt from Circular № 34, of 2018. - Instructions on modifications introduced by Law No. 21,039, which Improves Tax and Customs Justice, Law No. 20,322 and Article 123 bis of the Tax Code |

Classification opinions, advance rulings and classification valuation and origin decisions

The National Customs Service has recently redesigned its website. [Advance Classification Rulings](#) (Resoluciones Anticipadas Clasificación) from 2010 to the present are available.

COLOMBIA

TPTA information

Information, on the *Colombia-United States Trade Promotion Agreement* including presentations, rules of origin and TRQ information (all in Spanish) may be [found here](#). Sample (non-mandatory) Certificates of Origin are [available here](#).

Tariff Classification Resolutions

Tariff Classification Resolutions may be found [here](#).

MinCIT, MinHacienda and DIAN Documents

The following documents of interest to international traders were posted by the [Ministry of Commerce, Industry and Tourism](#) (MinCIT), [Ministry of Finance](#) (Hacienda) or the [National Directorate of Taxes and Customs](#) (DIAN):

| Date | Subject |
|---|--|
| 28-05-18 | MINCIT: Circular 18 "Circular modification 031 of 2017 - Distribution and administration of the export quota of unrefined sugar and panela from the World Trade Organization (WTO) to the United States 2017 – 2018" |
| 31-05-18 | MINCIT: Resolution 000027 (02-05-18) "By which the obligation to submit an Early Import Declaration for some goods is established " |
| 01-06-18 | MINCIT: Circular 017 "Presentation Request for extensions of the users of special import-export systems in the computer application of the Foreign Trade Single Window – VUCE" |
| 07-06-18 | MINCIT: Circular 019 "Decree 858 of (06-06) 2018 - Partially Modifies the Customs Tariff" |
| 14-06-18 | MINCIT: Circular 020 "Modification of Circular 037 of 2016 and its annexes 12, 13 and 20" |
| SEE NEXT MONTH'S UPDATE FOR DOCUMENTS PUBLISHED AFTER 14 JUNE | |

PERU

Tariff Classification database

A searchable [Tariff Classification Resolution \(ruling\) database](#) (from 2006 through the present) is available. It may be searched by the tariff number, resolution number, or description. The database currently has approximately 7400 resolutions, some with photographs.

SUNAT and *El Peruano* publications

The following documents of interest to international traders were posted during the past month by [SUNAT](#) (National Customs Superintendent and Tax Administration) or in the legal standards section of [El Peruano](#) (the Official Gazette) (dd-mm-yy):

| Date | Subject |
|---|--|
| 04-06-18 | SUNAT: Resolution No. 14-2018 / SUNAT / 310000 - Approve provisions on minimum descriptions for customs entries |
| 06-06-18 | SUNAT: Resolution No. 15-2018-SUNAT / 310000 Modify the general procedures Temporary Admission for Active Improvement DESPA-PG.06-A (version 1) and DESPA-PG.06 (version 5) |
| 09-06-18 | ECONOMY AND FINANCE: Resolution Vice Ministerial No. 006-2018-EF / 15.01 Reference prices and additional variable duties applicable to imports of corn, sugar, rice and whole milk powder |
| 15-06-18 | EXTERNAL RELATIONS: Ministerial Resolution No. 0338 / RE-2018 Publication of a summary of resolution 2418 (2018) of the United Nations Security Council regarding the Report of the Secretary General on the Sudan and South Sudan |
| 17-06-18 | EXTERNAL RELATIONS: Supreme Decree No. 019-2018-RE Supreme Decree approving the National Border Development and Integration Policy |
| SEE NEXT MONTH'S UPDATE FOR DOCUMENTS PUBLISHED AFTER 17 JUNE | |

Asia-Pacific

[Please note that material pertaining to the Eurasian Economic Union (EAEU) and the Customs Union between Russia, Armenia, Belarus, Kazakhstan and the Kyrgyz Republic is shown under EUROPE.]

AUSTRALIA

DHA notices and advices

The following Department of Home Affairs (DHA, formerly Immigration and Border Protection (DIBP)) Notices and Cargo advices (ACCA) were issued during the period covered by this Update:

| Date | Series and № | Title |
|----------|------------------------------------|---|
| 18-06-18 | DHA Notice 2018/17 | Approval for the importation of hemp seeds and hemp derived products |
| 31-05-18 | DHA Notice 2018/18 | Luxury car tax threshold and fuel efficient car limit 2018-19 |
| 21-06-18 | DHA Notice 2018/20 | Statistical code, Duty Rate and Other Changes for 1 July 2018 |
| | DHA Notice 2018/21 | Concessional Item 56 - Clinical Trial Kits and Placebos Used in Clinical Trials |

Australian Gazettes

The following documents were published in the *Government Notices Gazette*, the *Tariff Concessions Gazette* (TC) or other Gazettes as noted(dd-mm-yy):

| Date | Matter |
|----------|--------------------------|
| 06-06-18 | TC 18-21 |
| 13-06-18 | TC 18-22 |
| 20-06-18 | TC 18-23 |
| 27-06-18 | TC 18-24 |

Australian Tariff Precedents

The Department of Immigration and Border Protection (DIBP) has published a [List of Current Precedents](#), updated through 13 June 2017. Tariff Precedents are considered statements from Customs made to provide guidance on various classification issues. New information and tariff classification guides can be found on [Tariff Public Advice Products](#) webpage

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

CHINA (INCLUDING HONG KONG SAR)

China responds to US tariffs announced June 15

On June 15, 2018, shortly after the United States indicated that it would soon impose higher tariffs on certain Chinese goods, as a result of [USTR's 301 investigation](#) into China's intellectual property and technology transfer policies. the Ministry of Commerce spokesman issued the [following statement](#):

China and the United States have conducted several rounds of consultations on economic and trade issues in an effort to resolve differences and achieve a win-win situation. We deeply regret that the United States has disregarded the consensus it has formed and is fickle, provoking a trade war. This move is not only damaging bilateral interests but also undermining the world trade order. China firmly opposes this.

China does not want to fight a trade war. However, in the face of the short-sighted behavior that the United States has done against people, China has to respond strongly and firmly defend the interests of the country and the people, and resolutely safeguard economic globalization and the multilateral trading system. We will immediately introduce taxation measures of the same scale and the same strength. All the economic and trade achievements previously reached by the two parties will be invalid at the same time.

In today's era, launching a trade war is not in the global interest. We call on all countries to take joint action, resolutely put an end to this outdated and regressive behavior, and firmly defend the common interests of mankind.

China has [announced](#) that “[I]n order to defend its legitimate rights and interests,” China decided to rely on the laws and regulations of the *Foreign Trade Law of the People's Republic of China* and other basic principles of international law and impose tariffs on soybean, agricultural products, automobiles, and water originating in the United States. Products and other imported goods will be subject to tariff levying measures at a tax rate of 25%, involving about 34 billion U.S. dollars in imports from the United States in 2017 (see Annex 1). The above measures will take effect from July 6, 2018.

At the same time, China intends to impose an import tariff of 25% on commodities imported from the United States, including chemicals, medical equipment, and energy products, involving approximately US\$16 billion in US imports from the United States in 2017 (see Annex 2), final measures, and effective time will be [announced](#) separately.

Annexes:

- [List of Customs Tariff Commissions of the State Council Concerning the Collection of Customs Products for the United States and Canada.pdf](#) (annex 1)
- [The Customs Tariff Commission of the State Council issues a list of tariffs on the United States and Canada.pdf](#) (annex 2)

MOFCOM and GAC notices

The following Ministry of Commerce (MOFCOM), National Development and Reform Commission (NDRC) and General Administration of Customs (GAC) notices were posted during the period covered by this Update (mm-dd-yy):

| Date | Series and No | Subject |
|----------|-----------------------------|---|
| 06-01-18 | GAC Ann. 52 | on the Administration of Bonded Goods Transfer of Customs Special Supervision Area and Bonded Logistics Center (Type B) |
| 06-06-18 | GAC Ann. 53 | on the publication of the new Hong Kong standard of origin and related matters for zero-tariff goods from July 1, 2018 |
| 06-08-18 | GAC Ann. 54 | on Preventing the Infection of Nipah Virus Disease into China |
| 06-13-18 | GAC Ann. 55 | on the Prohibition of the Inspection and Quarantine List of the First China International Import Expo in 2018 and the List of Inspection and Quarantine Limits of the First China International Import Expo in 2018 |
| 06-14-18 | GAC Ann. 56 | on Enterprise Access to the Unified Information System of Cross-border E-Commerce |
| 06-15-18 | GAC Ann. 57 | on the publication of the “Implementation Rules for the Registration of Domestic Consignees of Solid Wastes Imported as Raw Materials” |
| | GAC Ann. 58 | on Preventing the Entry of Dengue Fever into China |

| Date | Series and No | Subject |
|----------|---------------------------------|--|
| 06-21-18 | GAC Ann. 59 | on the comprehensive promotion of enterprise-based processing trade regulatory reform |
| | GAC Ann. 61 | on Amending the Customs Declaration Form for Import and Export Goods and the List of Import and Export Goods |
| | GAC Ann. 62 | on Inspection and Quarantine Requirements for Imported Indian Rice |
| | GAC Ann. 63 | on the publication of the text of the administrative license legal document |
| 06-22-18 | GAC Ann. 64 | on the Implementation of Temporary Anti-Dumping Measures on Imports of Ethanolamines Originating in the United States, Saudi Arabia, Malaysia and Thailand |
| 06-27-18 | GAC Ann. 65 | on the Implementation of the Agreement on the Second Amendment to the Asia-Pacific Trade Agreement |
| 06-26-18 | GAC Ann. 67 | on the Format of Electronic Messages for Import and Export Declaration Forms |
| | GAC Ann. 68 | on the publication of the text of the legal documents involved in the Customs Bonded Verification Regulations of the People's Republic of China |
| 06-27-18 | GAC Ann. 69 | on Promulgating the Amendment to the Rules of Origin of the Asia-Pacific Trade Agreement |
| | GAC Ann. 70 | on Launching the Electronic Transmission Service of the Summary Tax Collection Data |
| 06-26-18 | GAC Ann. 71 | on the Promulgation of the Measures for the Supervision of the Customs of the PR of China on the Entry and Exit of Public Works of Permanent Residents text |
| | GAC Ann. 72 | on the publication of the text of the legal documents relating to the Measures of the Customs of the People's Republic of China on the Import and Export of Foreign Embassy and Embassy Personnel in China |
| 06-27-18 | GAC Ann. 73 | on the Promotion of Commodity Classification Information Submission of Paperless |
| | GAC Ann. 74 | on the promotion of a new generation of customs tax and fee electronic payment system |
| | GAC Ann. 75 | on the publication of the text of the legal documents relating to the Customs Regulations on Duty Free Shops and Duty Free Goods |
| | GAC Ann. 76 | on the Issuance of the Customs Clearance Notice for the First China International Import Expo in 2018 and the "Convenience Measures for the First China International Import Expo in 2018" |
| 06-28-18 | GAC Ann. 77 | on the Implementation of the Law of the People's Republic of China on Tonnage Taxes |
| | GAC Ann. 78 | on the adjustment of rice tax rate |
| 06-27-18 | GAC Ann. 79 | on the issuance of import ports for the restriction of solid waste |
| 06-29-18 | GAC Ann. 80 | on the issuance of a list of countries (regions) with preferential tax rates for applicable tonnage of ships |
| | MOFCOM Decree 6 | Decision of the Ministry of Commerce Decree No. 6 of 2018 on Amending the Interim Measures for the Administration of Establishment and Change of Foreign-Invested Enterprises |
| 06-30-18 | NDRC Order 19 | Special Administrative Measures for the Foreign Investment Access to the Free Trade Pilot Zone No. 19 of 2018 by the Ministry of Commerce of the Ministry of Development and Reform (Negative List) (2018 edition) |

Antidumping and Countervailing Duty Cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

INDIA

Other CBIC and DGFT notifications, circulars and instructions

The following Central Board of Indirect Taxes and Customs (CBIC) Customs notifications (NT-non tariff, T-tariff), circulars (Cir) and instructions (other than anti-dumping, countervailing duty and safeguard) were issued during the period covered by this Update [DGFT will appear next month]:

| Date | Series and No | Subject |
|-------------|----------------------------------|---|
| CBEC | | |
| 08-06-18 | 51/2018-Cus (NT) | Notification under Section 7 notifying Surat airport as Customs airport |
| 13-06-18 | 52/2018-Cus (NT) | Amendment to Notification no. 62/94-Customs (N.T.) dated 21.11.1994 notifying Karanja Terminal u/s 7(a) of Customs Act, 1962 for unloading of imported goods and loading of export goods or any class of goods. |
| 14-06-18 | 53/2018-Cus (NT) | Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver- Reg |
| | 47/2018-Cus (T) | Further amends notification No. 50/2017- Customs dated 30.06.2017 so as to increase basic customs duty (BCD) to 35% on crude edible vegetable oils and to 45% on refined edible vegetable oils. |
| 20-06-18 | 48/2018-Cus (T) | Increases the tariff rate on goods in chapters 7, 8, 28, 38, 72 and 73 in the First Schedule to the Customs tariff Act, 1975 |
| | 49/2018-Cus (T) | Further amends notification No. 50/2017-customs dated 30th June 2017, to prescribe effective rate of duty on specified goods |
| 22-06-18 | 56/2018-Cus (NT) | Non Tariff notifications issued by Anti-Smuggling Unit |
| | 57/2018-Cus (NT) | Non Tariff notifications issued by Anti-Smuggling Unit |
| 29-06-18 | 58/2018-Cus (NT) | Tariff Notification in respect of Fixation of Tariff Value of Edible Oils, Brass Scrap, Poppy Seeds, Areca Nut, Gold and Silver- Reg |
| 30-06-18 | 50/2018-Cus (T) | Provides the tariff concession to the goods of the description specified in column (3) of the Table hereto annexed and falling under the Chapter. |
| | 59/2018-Cus (NT) | Amends the Rules of Determination of Origin of Goods under the Asia-Pacific Trade Agreement, (formerly known as the Bangkok Agreement) Rules, 2006. |

Antidumping and countervailing duty cases

[See separate *Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews* section below.](#)

JAPAN

METI launches e-learning program in the field of security export control for academic and research institutes

On May 29, 2018, the Ministry of Economy, Trade and Industry (METI) [announced](#) that it had developed and launched an e-learning program in Japanese and English in academic and research institutes aiming at provide an opportunity for them to learn about security export control for technology transfers pursuant to the *Foreign Exchange and Foreign Trade Act* (Act No. 228 of 1949; hereinafter referred to as the "Act").

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A note on spelling, grammar and dates--

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Credits:

Unless otherwise indicated, all information is taken from official international organization or government websites, or their newsletters or press releases.

Source documents may be accessed by clicking on the blue hypertext links.

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Aiming to provide teaching staff and researchers with opportunities to learn about related systems under the Act and matters that they are required to control the various situations that may occur during the course of research activities, the e-learning program provides five theme-based educational videos both in Japanese and English: [i] need for export control security; [ii] summary of export control security systems; [iii] case-by-case points of concern: part I (issues in conducting daily research activities); [iv] case-by-case points of concern: part II (issues in hosting overseas students and researchers and in conducting joint research).

- [Access to the e-learning program](#)

NEW ZEALAND

Tariff amendment - WTO Information Technology Agreement

[The Tariff \(World Trade Organization Information Technology Agreement\) Amendment Order 2018](#) amends a number of technical errors in the New Zealand Tariff.

These errors were inadvertently introduced in 2017 when New Zealand's commitments under the *WTO Information Technology Agreement* were transferred from Part II Concessions to Part I, the main body of the New Zealand Tariff.

The order also makes some other technical amendments to motor vehicle heaters and parts thereof, and multi-ply paper and paperboard products.

The amendments come into force on 1 July 2018.

Update to MPI Biosecurity System Entry Levy

A number of Ministry of Primary Industries (MPI) fees and charges increase from 1 July, including the Biosecurity System Entry Levy.

Levy rates are increasing to \$23.41 including GST (for imports which attract the IETF), and \$17.53 including GST (for imports which attract the ICTF).

This levy is paid to MPI and will fund higher levels of border biosecurity.

This increase, combined with the Import Entry Transaction Fee of NZ\$29.26, brings the total entry fees payable to \$52.67.

The total fees for Inward Cargo Reports from 1 July will be:

Air: \$48.19 (ICTF of \$30.66 and BSEL of \$17.53)

Sea: \$377.35 (ICTF of \$359.82 and BSEL of \$17.53)

Further information on this and other MPI fee updates are available on [MPI's website](#).

New Health Promotion Agency (HPA) Levy rates for alcohol from 1 July 2018

On 1 June 2018, the New Zealand Customs Service [announced](#) The annual adjustment to the HPA levy rates on alcoholic beverages will take place on 1 July 2018.

The current and new HPA rates are:

| Class | Current HPA rates to 30 June 2018 | New HPA rates from 1 July 2018 |
|---------------------------|-----------------------------------|--------------------------------|
| A – 1.15–2.5 % alcohol | 0.5409 cents per litre | 0.5308 cents per litre |
| B – 2.5–6 % alcohol | 1.6152 cents per litre | 1.6111 cents per litre |
| C – 6–9% alcohol | 2.8847 cents per litre | 2.8308 cents per litre |
| D – 9–14% alcohol | 3.6059 cents per litre | 3.5385 cents per litre |
| E – 13-23% alcohol | 6.4281 cents per litre | 6.4722 cents per litre |
| F – more than 23% alcohol | 12.4064 cents per litre | 13.6100 cents per litre |

The Legislative Instrument that provides for these new rates is the [New Zealand Public Health and Disability \(Health Promotion Agency Levy\) Order 2018](#).

Alcoholic beverages removed from a licensed manufacturing area or imported after midnight on 30 June 2018 will be subject to the new rates.

New excise duty rates for alcohol from 1 July 2018

The annual adjustment to the excise and excise-equivalent duty rates on alcoholic beverages will take place on 1 July 2018.

The annual adjustment is based on movements in the Consumer Price Index less credit services subgroup over the 12-month period up to 31 March 2018.

The new rates are those set out in the [Excise and Excise-equivalent Duties Table \(Alcoholic Beverages Indexation\) Amendment Order 2018](#).

The rates are summarised as:

| Current excise rate to 30 June 2018 | New excise rate (GST excl) from 1 July 2018 |
|-------------------------------------|---|
| 43.573 cents per litre of beverage | 44.140 cents per litre of beverage |
| \$29.054 per litre of alcohol | \$29.432 per litre of alcohol |
| \$2.3243 per litre of beverage | \$2.3545 per litre of beverage |
| \$2.9054 per litre of beverage | \$2.9432 per litre of beverage |
| \$52.916 per litre of alcohol | \$53.605 per litre of alcohol |

Alcohol products removed from a licensed manufacturing area or imported after midnight on 30 June 2018 will be subject to the new rates.

Compulsory airbag recall now in effect

The New Zealand Customs Service [reminded](#) importers and their agents that vehicles containing alpha-type Takata airbags became prohibited imports from 31 May 2018. A mandatory recall order was issued by the Minister of Commerce and Consumer Affairs on 4 April 2018. All goods covered by the order automatically become prohibited imports under the *Fair Trading Act*.

The prohibition includes vehicles containing disabled airbags, but does not include vehicles that have had the airbags removed prior to importation. From 31 May 2018 vehicles containing alpha-type Takata airbags are NOT able to be initially registered in New Zealand, nor can they be sold in trade.

More information is available on the [RightCar website](#), including links to assist in identifying affected vehicles. Used vehicle importers should check the available information, and if the vehicle is affected, they should get it fixed in the exporting

country before export. If that isn't an option, then the airbag(s) should be removed prior to export, to avoid importing a prohibited good. The importer should be aware that any vehicle in that state can not be registered in New Zealand, and replacement in New Zealand by the vehicle brand owner may take some time.

PHILIPPINES

Implementation of the EFTA-Philippines FTA in the Philippines

The European Free Trade Association [reported](#) that the Philippines have stated that the *EFTA-Philippines Free Trade Agreement*, which entered into force on 1 June 2018 for the Philippines, Norway, Liechtenstein and Switzerland, is currently not being applied by local authorities in the Philippines, due to pending internal procedures. Preferential treatment for products originating in the EFTA States is therefore not granted in the Philippines for the time being. Exporters and importers of goods originating in an EFTA State are nevertheless encouraged to try to obtain preferential treatment upon import into the Philippines by claiming such treatment and by providing the necessary documentation, also with a view to obtain possible reimbursement of unduly levied customs duties at a later stage. EFTA Member States and the EFTA Secretariat are following up on the issue very closely and making all efforts to solve the problem with the Philippines as soon as possible. Further information can be obtained from the customs authorities of the EFTA States and/or the EFTA Secretariat.

SINGAPORE

Notices, circulars, etc.

| Date | Reference | Matter |
|----------|------------------------------|---|
| 12-06-18 | Not. 12/2018 | Revised Application Procedures for Customs E-Services |

VIETNAM

Customs control changes under recent government decrees

The Government recently introduced a number of changes to customs control procedures under [Decree 59/2018/ND-CP](#) ("Decree No. 59") and Decree [69/2018/ND-CP](#) ("Decree No. 69"). We highlight some notable amendments in accordance with these decrees below.

1. Customs valuation principle and declaration procedure

Decree No. 59 supplements the existing customs valuation methods for exports to include methods of calculating sales prices for identical goods and similar goods.

Under the previous regulation ([Decree 08/2015/ND-CP](#)), if importers did not agree with the customs authorities' adjusted value as compared to the importers' declared value, the customs authorities would release the goods and transfer the case to the post-clearance inspection division to determine if a post-clearance inspection would be conducted. Decree No. 59 now requests that importers adjust their declarations within five working days in the event that their declared customs value is rejected. If importers do not adjust the relevant declarations within this duration of time, the customs authorities will adjust the customs value at their own discretion and impose a tax and duty assessment. This process will also apply in the event that the customs authorities have doubts regarding the importer's declared customs value, conduct a consultation with the importer and following which the importer does not adjust the declared customs value as re-

requested during the allotted five working days from the date of consultation with the customs authorities.

2. Inspection authority

Under Decree No. 08, the provincial customs authorities where a given customs clearance procedure is conducted had the authority to conduct post-clearance inspections. This often resulted in companies being subject to multiple post-clearance inspections by different provincial customs authorities due to the fact that such companies underwent customs clearance procedures in multiple different provincial jurisdictions.

Decree No. 59 simplifies this procedure by centralizing this authority to the provincial customs authority in the province where the head office of the enterprise is located or where the enterprise is registered for tax purposes.

3. Inspections of manufacturing premises

The customs authorities will inspect manufacturing premises in the event (among others) that an entity imports goods for the first time to conduct toll manufacturing and contract manufacturing for export, as well as for entities which import goods for toll manufacturing for export but sub-contract the entirety of the manufacturing process to others.

4. Temporary import for re-export

Under Decree No. 69, foreign invested entities are not allowed to conduct business in the form of temporary import for re-export except in certain temporary import for re-export cases as provided by law (for non-trading purposes).

5. Requirement for toll manufacturing

Decree No. 69 requires toll manufacturing service providers to fulfill conditions applicable to products subject to conditional business before concluding any toll manufacturing contracts with offshore customers. The Prime Minister will determine toll manufacturing of goods subject to export/import prohibition and suspension for overseas consumption.

For additional information, please contact the author, [Thanh Vinh Nguyen](#).

Vietnam's updated policy on inclusion of new solar power projects in power development plans

On 10 May 2018, the Office of the Government issued Official Letter No. 174/TB-VPCP ("Official Letter No. 174") regarding policies for including solar power projects in power development plans. Under Official Letter No. 174, the Government provided policies and instructions to the Ministry of Industry and Trade ("MOIT") in terms of the approval process for inclusion of solar projects in relevant power development plans pending completion and issuance of a National Solar-specific Power Development Plan.

Click [here](#) to read the full summary. For additional information, please contact [Dang Chi Lieu](#).

New decree on sales promotions is being circulated

On 22 May 2018, the Government of Vietnam passed Decree No. 81/2018/ND-CP detailing the Law on Commerce regarding sale promotion activities (“Decree No. 81”), replacing Decree No. 37/2006/ND-CP dated 4 April 2006 (“Decree No. 37”). Decree No. 81 will take effect from 15 July 2018.

Decree No. 81 relaxes some of the restrictions on sales promotion activities under Decree No. 37. Specifically, Decree No. 81 relaxes:

- the value cap on promotion goods;
- the time period cap on the price discount;
- the administrative procedures for notification and registration of promotions; and
- situations permitting the ending of promotions prior to the registered period.

Read our full analysis of the Decree [here](#). For further information, please contact: [Lan Phuong Nguyen](#)

Europe, Middle East and North Africa

European Union and EFTA

EFTA States sign FTA with Ecuador, updated FTA with Turkey

On 25 June 2018, the European Free Trade Association (EFTA) held its summer Ministerial meeting in Sauðárkrúkur, Iceland, during which the Ministers of the four EFTA States, Iceland, Liechtenstein, Norway and Switzerland, signed the [Comprehensive Economic Partnership Agreement \(CEPA\)](#), a free trade agreement (FTA), with Ecuador, represented by H.E. Pablo Campana Sáenz, Minister of Foreign Trade of Ecuador. The signing, only two years after the launch of negotiations at the EFTA Ministerial Meeting in Bern in 2016, will strengthen economic relations between the EFTA States and Ecuador and give economic actors on both sides increased trade and investment opportunities.

Concurrently, the EFTA Ministers [signed an enhanced and updated FTA](#) with Turkey, represented by H.E. Nihat Zeybekci, Minister of Economy of Turkey. The current EFTA-Turkey Agreement, signed in 1991, is EFTA’s oldest existing FTA. After four years of negotiations, the modernised and enhanced Agreement will include updated provisions in areas such as intellectual property rights and extend to new topics such as trade in services, trade facilitation and trade and sustainable development.

EU adopts ‘rebalancing measures’ in reaction to US steel and aluminium tariffs – will collect higher tariffs on US goods from 22 June

On 20 June 2018, the European Commission [announced](#) that it adopted the regulation putting in place the EU’s rebalancing measures in response to the US tariffs on steel and aluminium. The measures will immediately target a list of products worth €2.8 billion and will come into effect on Friday 22 June, when the European Union will begin collecting increased duty of 10%, 25%, 35% and 50% on [selected products](#) originating in the United States. Excerpts from the announcement:

The list of US imports that will now face an extra duty at the EU border includes steel and aluminium products, agricultural goods and a combination of various other prod-

ucts. By putting these duties in place the EU is exercising its rights under the World Trade Organisation (WTO) rules.

Today's announcement follows the notification of the full list to the WTO and its endorsement by the College of Commissioners on 6 June, following the US application of the full tariffs on EU steel and aluminium products. EU Member States have expressed their unanimous support for this approach.

The EU will rebalance bilateral trade with the US taking as a basis the value of its steel and aluminium exports affected by the US measures. Those are worth €6.4 billion. Of this amount, the EU will rebalance on €2.8 billion worth of exports immediately. The remaining rebalancing on trade valued at €3.6 billion will take place at a later stage – in three years' time or after a positive finding in WTO dispute settlement if that should come sooner.

The EU rebalancing measures will be effective for as long as the US measures are in place, in line with the WTO Safeguards Agreement and EU legislation.

The Implementing Regulation, to be published tomorrow and entering into force on Friday, sets out the products and level of duties to be applied, both now and in the future, if necessary.

The list of products is the same as in the previous Implementing Regulation of 16 May and as [notified to the WTO on 18 May](#).

EU renews Russia sanctions concerning annexation of Crimea and Sevastopol

[Council Decision \(CFSP\) 2018/880](#) of 18 June 2018 (published in the *Official Journal* on 19 June 2018) renewed the EU's territorial sanctions that were put in place in response to the illegal annexation of Crimea and Sevastopol by Russia until 23 June 2019.

[Council Decision 2014/386/CFSP](#) of 23 June 2014 introduced restrictions on goods originating in Crimea or Sevastopol.

The decision has been amended several times and the measures in place now include:

- ban on imports of goods originating in Crimea or Sevastopol
- ban on investment in real estate in Crimea and Sevastopol
- ban on investment in entities in Crimea and Sevastopol
- embargo on certain goods and technology for use in certain sectors (transport, telecommunications, energy, oil, gas and mineral resources)
- ban on provision of certain services (related to such goods and technology)
- ban on provision of certain services related to infrastructure in certain sectors (transport, telecommunications, energy, oil, gas and mineral resources)
- ban on provision of certain services related to tourism
- prohibition for certain ships to enter ports in Crimea and Sevastopol

On 18 June 2018 the EU renewed the restrictive measures and these will remain in place until 23 June 2019.

EU and Australia launch FTA talks

On 18 June 2018, the European Commission [announced](#) that the EU and Australia had officially launched negotiations for a comprehensive and ambitious trade agreement between the EU and Australia.

The aim of the negotiations is to remove barriers to trade in goods and services, create opportunities for small and large companies, as well as setting ambitious rules in line with other trade agreements of the EU, contributing to shape global trade.

The opening of talks with Australia is part of the EU agenda for open and fair trade. It follows the conclusion of negotiations with Japan last year and Mexico this past spring, as well the entry into force of the EU-Canada trade agreement in September of last year. The future agreement between the EU and Australia will further consolidate the EU's engagement in the Asia-Pacific region. The first formal round of talks between the respective sides' teams of negotiators will take place in Brussels from 2 to 6 July.

Commission proposes measures to make tax and customs cooperation between Member States better and more efficient in next long-term EU budget 2021-2027

On 8 June 2018, the European Commission [announced](#) in a press release that it is proposing a continued financial commitment of €950 million for the EU's customs programme and €270 million for the EU's Fiscalis programme, representing just 0.07% and 0.02% of the next EU budget respectively.

The new **Customs Programme** will help put in place a modern Customs Union which puts the interests of EU business and citizens at its heart, by:

- **Increasing information and data exchange** between national customs administrations to better detect the flow of dangerous and counterfeit goods: a total of 2.7 million pieces of ammunition and 188,000 pieces of explosives were seized at EU borders in 2017;
- **Supporting customs authorities** in protecting the financial and economic interests of the Union, as well as in the correct collection of customs duties, import VAT and excise duties: The new programme will improve the capacity of customs administrations to deal with growing trade and changing economic and working models such as e-commerce and blockchain and will enhance cooperation and training across sectors;
- **Devising better risk management strategies** to protect the EU's financial interests; and help the EU better respond to security threats and transnational crime;
- **Continuing to facilitate growing levels of trade:** EU customs authorities handled 331 million declarations last year.

The new **Fiscalis Programme** will support cooperation between Member States' tax administrations and better contribute to the fight against tax fraud, tax evasion and tax avoidance, by:

- **Putting in place better and more connected IT systems**, which each Member State would otherwise have to develop individually. This includes developing and maintaining interoperable and cost-effective IT solutions to support tax authorities in implementing EU legislation;
- **Sharing good practices** and training to boost efficiency: this includes helping prevent unnecessary administrative burdens for citizens and businesses (including

SMEs) in cross-border transactions and significantly adding to the 423,000 tax professionals trained since 2014;

- **Putting in place joint actions in risk management and audits** – 1,000 of which have been organised between Member States since 2014;
- **Fostering Union competitiveness**, boosting innovation and facilitating the implementation of new economic models.

The Commission press release said that:

A swift agreement on the overall long-term EU budget and its sectoral proposals is essential to ensure that EU funds for ongoing programmes, including those dedicated to strengthening the Customs Union and the fight against tax avoidance and tax evasion can continue to deliver results on the ground.

Delays similar to the ones experienced at the beginning of the current 2014-2020 budgetary period would mean that the EU loses out on revenues to the EU budget from an efficient collection of EU customs duties, that customs authorities are less able to keep our borders safe, and that citizens are less protected from dangerous and counterfeit goods.

An agreement on the next long-term budget in 2019 would provide for a seamless transition between the current long-term budget (2014-2020) and the new one and would ensure predictability of funding to the benefit of all.

EU's tougher trade defence rules takes effect

On 7 June 2018, the European Commission issued a [press release](#) announcing that its new trade defence rules become effective as of 8 June. All new investigations initiated on or after this date will be subject to the modernised anti-dumping and anti-subsidy rules.

According to the release:

The changes coming into force tomorrow, aimed at modernising the EU's trade defence toolbox, enable the EU to impose higher duties in some cases by changing the 'lesser duty rule'; shorten the investigation period to accelerate the procedure; increase transparency and predictability of the system for EU firms; and reflect the high environmental and social standards applied in the EU. They conclude a major overhaul of the EU's trade defence instruments, including also a new anti-dumping methodology put in place in December of last year.

The new rules will shorten the current 9 month investigation period to 7 months for the imposition of provisional measures and make the system more transparent. Companies will benefit from an early warning system telling them if provisional duties will be imposed, which will help them adapt to the new situation. The Commission will support smaller and medium-sized companies (SMEs) via its specific "SME helpdesk" to make it easier for them to participate in trade defence proceedings.

Also, as a result of changes to the so-called 'lesser duty rule', in some cases, the EU may be able to impose higher duties. This will apply to all anti-subsidy cases, as well as antidumping cases concerning imports produced using raw materials and energy provided at an artificially low price.

As part of its investigations, the Commission will also take into account the costs of compliance with EU social and environmental legislation when calculating the levels of duties it can impose based on economic damage caused to companies. Furthermore, it will also not accept price undertakings, in general, from countries that have a bad record on implementing core International Labour Organisation standards and environmental agreements. For the first time, trade unions will also be able to participate in trade defence investigations.

European Commission endorses rebalancing duties on US products

In a 6 June 2018, [press release](#), the European Commission reported that the College of Commissioners endorsed the decision to impose additional duties on the full list of US products notified to the World Trade Organisation (WTO), as part of the EU's response to the US tariffs on steel and aluminium products. Following the 6 June decision to apply additional duties to selected imports from the United States, the Commission expects to conclude the relevant procedure in coordination with Member States before the end of June so that the new duties start applying in July. The Commission said that application of the rebalancing duties is fully in line with WTO rules, and corresponds to a list of products previously notified to the WTO. The WTO Safeguards Agreement allows for a rebalancing corresponding to the damage caused by the US measures with EU exports worth €6.4 billion (2017) being affected. The EU will therefore exercise its rights immediately on US products valued at up to €2.8 billion of trade. The remaining rebalancing on trade valued at €3.6 billion will take place at a later stage – in three years' time or after a positive finding in WTO dispute settlement if that should come sooner.

Commission issues notice regarding customs enforcement of IP rights after Brexit

On 4 June 2018, the European Commission issued a [Notice to Stakeholders - Withdrawal of the United Kingdom and EU rules in the field of customs enforcement of intellectual property rights](#). The notice pointed out that unless a ratified withdrawal agreement establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) ('the withdrawal date'). The United Kingdom will then become a 'third country', and preparation for the withdrawal must be taken not only by EU and national parties, but also by private parties. The notice stated:

In view of the considerable uncertainties, in particular concerning the content of a possible withdrawal agreement, intellectual property right owners are reminded of legal repercussions, which need to be considered when the United Kingdom becomes a third country.

Subject to any transitional arrangements that may be contained in a possible withdrawal agreement, as of the withdrawal date, the EU rules on customs enforcement of intellectual property rights, and in particular Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights, no longer apply to the United Kingdom.

This has in particular the following consequences:

According to Section 1 of Chapter II of Regulation (EU) No 608/2013, an applicant can submit to the competent customs department a Union application requesting the customs authorities of that Member State and of one or more other Member States to take action with respect to goods suspected of infringing an intellectual property right. In the case of a Union application, where the application is granted by the competent customs department in accordance with Articles 7 to 9 of Regulation (EU) No 608/2013, this decision takes effect in all Member States where action by the customs authorities are requested (Article 10(2)(b) of Regulation (EU) No 608/2013).

- Submission of Union applications: As of the withdrawal date, Union applications can no longer be submitted to the competent customs department of the United Kingdom. Union applications submitted in one of the EU-27 Member States remain valid in the EU-27 as of the withdrawal date even if the customs authorities of the United Kingdom are amongst the customs authorities requested to take action. Where a Union application was submitted in a Member State other than the United Kingdom, only requesting the cus-

toms authorities of that Member States and the customs authorities of the United Kingdom to take action, that application remains valid as a national application for the Member State in which it was submitted.

- Decisions concerning granted Union applications: As of the withdrawal date, decisions granting Union applications adopted by the competent customs department of the United Kingdom as a Member State on the basis of Union law are no longer valid in the EU-27.

Decisions granting Union applications adopted in one of the EU-27 Member States remain valid in the EU-27 as of the withdrawal date even if the customs authorities of the United Kingdom are amongst the customs authorities required to take action. Where a Member State other than the United Kingdom adopted a decision granting a Union application, requiring only the customs authorities of that Member State and the customs authorities of the United Kingdom to take action, that decision remains valid for the Member State in which it was submitted.

The [website of the Commission on taxation and customs union](#) provides general information on the rules on customs enforcement of intellectual property rights. The Commission said that these pages will be updated with further information, where necessary.

European Commission formally commences update of the Blocking Statute

As discussed in our previous [blog post](#), the European Commission has begun the process of integrating US sanctions measures against Iran into the Blocking Regulation (Regulation 2271/96) in response to the US President's withdrawal of his waiver relating to the JCPOA.

On 6 June 2018, the Commission announced that it had formally adopted an update of the Blocking Statute, adding to its scope the extraterritorial sanctions to be re-imposed by the US on Iran. The European Parliament and Council now have a period of two months to object to these measures before they enter into force. If no objection is raised, the updated acts will be published and will enter into force at the latest at the beginning of August, by the time the first batch of re-imposed US sanctions will take effect.

The full text of the Commission press release can be found [here](#).

If you have questions, please contact [Ross L. Denton](#).

EU reacts to US decision to put additional tariffs on steel and aluminium from the EU

On 31 May 2018, the European Commission issued a [press release](#) reacting to the US measures on steel and aluminium affecting the EU. The President of the European Commission, Jean-Claude Juncker and the Commissioner of Trade Cecilia Malmström both severely criticized the US decision to impose a 25% tariff on steel imports and 10% tariff on aluminium imports, indicating that the tariffs were in violation of WTO rules and that the EU response will be proportionate.

The press release in the Background section stated:

The US measures affect EU exports worth €6.4 billion in 2017. While striving to avoid today's situation, the EU has been preparing over the last months and stands now ready to react to the US trade restrictions on steel and aluminium in a swift, firm, proportionate and fully WTO-compatible manner.

The EU will launch legal proceedings against the US in the WTO on 1 June. This was decided by the College of Commissioners on 29 May and Member States were consulted on the same day. The US measures are primarily intended to protect the US domestic industry from import competition, clearly at odds with WTO rules. In addition to the WTO dispute settlement we are launching against the US measures, we have also coordinated action in this field with other affected partners.

As regards the US tariff measures, the EU will use the possibility under WTO rules to rebalance the situation by targeting a list of US products with additional duties. The level of tariffs to be applied will reflect the damage caused by the new US trade restrictions on EU products. The list of US products is ready: it was consulted with European stakeholders and supported by Member States. The EU notified its potential rebalancing to the WTO on 18 May and, in line with the Organisation rules, could trigger them 30 days later. The Commission will now in coordination with Member States take a formal decision to proceed with the rebalancing.

The Commission is determined to shield the EU steel and aluminium markets from damage caused by additional imports that might be coming into the EU as a result of the closure of the US market. An investigation towards possible imposition of safeguard measures on steel was launched on 26 March. The Commission has nine months to decide whether safeguard measures would be necessary. This decision could also be taken much earlier in the proceedings, if the investigation confirms the necessity for swift action. The Commission has also put in place a surveillance system for imports of aluminium to be prepared in case action will be required in that sector.

For additional information:

- [EU plan to counter US trade restrictions, as presented on 7 March](#)
- [Commission statement following the US announcements of 1 May](#)
- [List of products for rebalancing](#)
- [Safeguard proceedings on steel](#)
- [WTO dispute settlement](#)
- [More on EU-US trade relations](#)

Commission issues tariff classification regulations

[See separate section below](#) for tariff classification regulations issued by the European Commission during the period covered by this Update.

Amendments to the CN Explanatory Notes

[See separate section below](#) for amendments to the *Explanatory Notes to the Combined Nomenclature of the European Union* that were published in the *Official Journal* during the period covered by this Update.

Binding Tariff Information

The European Community has created the Binding Tariff Information (BTI) system as a tool to assist economic operators to obtain the correct tariff classification for goods they intend to import or export.

Binding Tariff Information is issued on request to economic operators by the customs authorities of the Member States. It is valid throughout the Community, regardless of the Member State which issued it. For information about an existing BTI, you may want to contact the [customs administration of the Member State](#) which issued it. However, remember that, according to the provisions for data protection, there are limitations as to the information an administration can provide. You can search and consult existing BTIs on the [EBTI-database](#).

Official Journal documents

The following documents of interest to international traders (excluding documents relating to day-to-day management of agricultural matters, individual protected designations of origin registrations, approvals or restrictions on specific substances and fishing rights) were published in the *Official Journal of the European Union*:

| OJ Date | Subject |
|----------|---|
| 01-06-18 | Information notice — Public consultation — Geographical Indications from Colombia to be protected as Geographical Indications in the European Union [2018/C 187/09] |
| | Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 April 2018 to 30 April 2018 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2018/C 188/01] |
| 04-06-18 | Commission Implementing Decision (EU) 2018/821 of 1 June 2018 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (notified under document C(2018) 3649) Text with EEA relevance. |
| | Regulation No 51 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of motor vehicles having at least four wheels with regard to their sound emissions [2018/798] |
| 06-06-18 | Council Decision (EU) 2018/826 of 28 May 2018 on the conclusion of the Agreement for scientific and technological cooperation between the European Union and the Republic of Lebanon setting out the terms and conditions for the participation of the Republic of Lebanon in the Partnership for Research and Innovation in the Mediterranean Area (PRIMA) |
| | Commission Delegated Regulation (EU) 2018/828 of 15 February 2018 amending Delegated Regulation (EU) 2015/68 as regards requirements relating to Anti-Lock Braking Systems, high pressure energy storage devices and hydraulic connections of the single-line type Text with EEA relevance |
| | Commission Delegated Regulation (EU) 2018/829 of 15 February 2018 amending and correcting Delegated Regulation (EU) 2015/208 supplementing Regulation (EU) No 167/2013 of the European Parliament and of the Council with regard to vehicle functional safety requirements for the approval of agricultural and forestry vehicles Text with EEA relevance |
| | Commission Delegated Regulation (EU) 2018/830 of 9 March 2018 amending Annex I to Regulation (EU) No 167/2013 of the European Parliament and of the Council and Commission Delegated Regulation (EU) No 1322/2014 as regards the adaptation of the vehicle construction and general requirements for the approval of agricultural and forestry vehicles |
| | Commission Regulation (EU) 2018/831 of 5 June 2018 amending Regulation (EU) No 10/2011 on plastic materials and articles intended to come into contact with food Text with EEA relevance |
| | Commission Regulation (EU) 2018/832 of 5 June 2018 amending Annexes II, III and V to Regulation (EC) No 396/2005 of the European Parliament and of the Council as regards maximum residue levels for cyantraniliprole, cymoxanil, deltamethrin, difenoconazole, fenamidone, flubendiamide, fluopicolide, folpet, fosetyl, mandestrobin, mepiquat, metazachlor, propamocarb, propargite, pyrimethanil, sulfoxaflor and trifloxystrobin in or on certain products Text with EEA relevance |
| | Commission Implementing Decision (EU) 2018/834 of 4 June 2018 amending Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 3318) Text with EEA relevance |
| | Commission Implementing Decision (EU) 2018/835 of 4 June 2018 concerning certain protective measures relating to African swine fever in Hungary (notified under document C(2018) 3319) Text with EEA relevance |
| | Decision No 1/2018 of the EU-Georgia Customs Sub-Committee of 20 March 2018 replacing Protocol I to the Association Agreement between the European |

| OJ Date | Subject |
|----------|--|
| | Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia of the other part, concerning the definition of the concept of 'originating products' and methods of administrative cooperation [2018/836] |
| 07-06-18 | Decisions of the EEA Joint Committee № 104/2017 through 117/2017 |
| | Regulation (EU) 2018/825 of the European Parliament and of the Council of 30 May 2018 amending Regulation (EU) 2016/1036 on protection against dumped imports from countries not members of the European Union and Regulation (EU) 2016/1037 on protection against subsidised imports from countries not members of the European Union |
| | Dangerous substances — List of authorisation decisions taken by the EEA EFTA States in accordance with Article 64(8) of Regulation (EC) No 1907/2006 (REACH) in the first half of 2016 [2018/C 195/09] |
| | Dangerous substances — List of authorisation decisions taken by the EEA EFTA States in accordance with Article 64(8) of Regulation (EC) No 1907/2006 (REACH) in the second half of 2016 [2018/C 195/10] |
| | Medicinal products — List of marketing authorisations granted by the EEA EFTA States for the second half of 2016 |
| 08-06-18 | Corrigendum to Commission Delegated Regulation (EU) 2016/1824 of 14 July 2016 amending Delegated Regulation (EU) No 3/2014, Delegated Regulation (EU) No 44/2014 and Delegated Regulation (EU) No 134/2014 with regard, respectively, to vehicle functional safety requirements, to vehicle construction and general requirements and to environmental and propulsion unit performance requirements (OJ L 279, 15.10.2016) |
| 11-06-18 | Notice concerning the entry into force of the Agreement between the European Union and Iceland on the protection of geographical indications for agricultural products and foodstuffs |
| | Notice concerning the entry into force of the Agreement in the form of an Exchange of Letters between the European Union and Iceland concerning additional trade preferences in agricultural products |
| | Corrigendum to Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ L 257, 28.8.2014) |
| 13-06-18 | Decision No 1/2018 of the ACP-EU Council of Ministers of 31 May 2018 regarding the revision of Annex Ic to the ACP-EU Partnership Agreement [2018/865] |
| 14-06-18 | Regulation (EU) 2018/848 of the European Parliament and of the Council of 30 May 2018 on organic production and labelling of organic products and repealing Council Regulation (EC) No 834/2007 |
| | Directive (EU) 2018/849 of the European Parliament and of the Council of 30 May 2018 amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment |
| | Directive (EU) 2018/852 of the European Parliament and of the Council of 30 May 2018 amending Directive 94/62/EC on packaging and packaging waste |
| | Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC |
| | |
| 15-06-18 | Commission Implementing Decision (EU) 2018/874 of 14 June 2018 determining that a temporary suspension of the preferential customs duty pursuant to Article 15 of Regulation (EU) No 20/2013 of the European Parliament and of the Council is not appropriate for imports of bananas originating in Nicaragua |
| | Regulation No 55 of the Economic Commission for Europe of the United Nations (UNECE) — Uniform provisions concerning the approval of mechanical coupling components of combinations of vehicles [2018/862] |
| | Commission communication in the framework of the implementation of Directive 2014/34/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to equipment and protective systems intended for use in potentially explosive atmospheres (Publication of titles and references of harmonised standards under Union harmonisation legislation) |

| OJ Date | Subject |
|----------|---|
| | <p>[2018/C 209/01]</p> <p>Commission communication in the framework of the implementation of Regulation (EC) No 765/2008 of the European Parliament and of the Council, Decision No 768/2008/EC of the European Parliament and of the Council, Regulation (EC) No 1221/2009 of the European Parliament and of the Council (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 209/02]</p> <p>Commission communication in the framework of the implementation of Regulation (EU) 2016/425 of the European Parliament and of the Council on personal protective equipment and repealing Council Directive 89/686/EEC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 209/03]</p> <p>Commission communication in the framework of the implementation of Directive 2014/35/EU of the European Parliament and of the Council on the harmonisation of the laws of the Member States relating to the making available on the market of electrical equipment designed for use within certain voltage limits (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 209/04]</p> <p>Commission communication in the framework of the implementation of Directive 2013/53/EU of the European Parliament and of the Council on recreational craft and personal watercraft and repealing Directive 94/25/EC (Publication of titles and references of harmonised standards under Union harmonisation legislation) [2018/C 209/05]</p> |
| 19-06-18 | <p>Commission Implementing Decision (EU) 2018/883 of 18 June 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 3942)</p> |
| 21-06-18 | <p>Commission Regulation (EU) 2018/885 of 20 June 2018 amending Annex VI to Regulation (EC) No 1223/2009 of the European Parliament and of the Council on cosmetic products</p> <p>Commission Implementing Regulation (EU) 2018/886 of 20 June 2018 on certain commercial policy measures concerning certain products originating in the United States of America and amending Implementing Regulation (EU) 2018/724</p> |
| 22-06-18 | <p>Council Decision (EU) 2018/889 of 4 June 2018 on the conclusion, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism</p> <ul style="list-style-type: none"> • Council of Europe Convention on the Prevention of Terrorism <p>Council Decision (EU) 2018/890 of 4 June 2018 on the conclusion, on behalf of the European Union, of the Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism</p> <ul style="list-style-type: none"> • Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism <p>Commission Implementing Decision (EU) 2018/894 of 21 June 2018 amending the Annex to Implementing Decision (EU) 2017/247 on protective measures in relation to outbreaks of highly pathogenic avian influenza in certain Member States (notified under document C(2018) 4007)</p> <p>Summary of European Commission Decisions on authorisations for the placing on the market for the use and/or for use of substances listed in Annex XIV to Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH) (Published pursuant to Article 64(9) of Regulation (EC) No 1907/2006) (1) [2018/C 218/06]</p> |
| 25-06-18 | <p>Commission Implementing Regulation (EU) 2018/895 of 22 June 2018 amending Regulation (EC) No 340/2008 on the fees and charges payable to the European Chemicals Agency</p> <p>Corrigendum to the list of competent authorities referred to in Article 7 of Directive (EU) 2016/681 of the European Parliament and of the Council of 27 April 2016 on the use of Passenger Name Record (PNR) data for the prevention, detection, investigation and prosecution of terrorist offences and serious crime (OJ C 194, 6.6.2018) [2018/C 20/06]</p> |

| OJ Date | Subject |
|----------|---|
| 26-06-18 | Council Decision (EU) 2018/902 of 21 April 2016 on the signing, on behalf of the European Union and its Member States, and provisional application of a Protocol to the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, to take account of the accession of the Republic of Croatia to the European Union <ul style="list-style-type: none"> • Protocol to the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part, to take account of the accession of the Republic of Croatia to the European Union |
| | Commission Implementing Decision (EU) 2018/910 of 25 June 2018 amending the Annex to Implementing Decision 2014/709/EU concerning animal health control measures relating to African swine fever in certain Member States (notified under document C(2018) 4060) |
| | Commission Implementing Decision (EU) 2018/911 of 25 June 2018 laying down interim protective measures in order to prevent the spread of peste des petits ruminants in Bulgaria (notified under document C(2018) 4071) |
| | Notice to importers concerning the application of the Registered Exporter System within the framework of the Generalised System of Preferences of the European Union [2018/C 222/08] |
| | Update of the list of residence permits referred to in Article 2(16) of Regulation (EU) 2016/399 of the European Parliament and of the Council on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code) [2018/C 222/10] |
| 27-06-18 | Council Regulation (EU) 2018/913 of 25 June 2018 amending Regulation (EU) No 1388/2013 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products |
| | Council Regulation (EU) 2018/914 of 25 June 2018 amending Regulation (EU) No 1387/2013 suspending the autonomous Common Customs Tariff duties on certain agricultural and industrial products |
| 28-06-18 | Commission Implementing Regulation (EU) 2018/917 of 27 June 2018 amending Implementing Regulation (EU) No 540/2011 as regards the extension of the approval periods of the active substances alpha-cypermethrin, beflubutamid, benalaxyl, benthiavalicarb, bifenazate, boscalid, bromoxynil, captan, carvone, chlorpropham, cyazofamid, desmedipham, dimethoate, dimethomorph, diquat, ethephon, ethoprophos, etoxazole, famoxadone, fenamidone, fenamiphos, flumioxazine, fluoxastrobin, folpet, foramsulfuron, formetanate, <i>Gliocladium catenulatum</i> strain: J1446, isoxaflutole, metalaxyl-m, methiocarb, methoxyfenozide, metribuzin, milbemectin, oxasulfuron, <i>Paecilomyces lilacinus</i> strain 251, phenmedipham, phosmet, pirimiphos-methyl, propamocarb, prothioconazole, pymetrozine and s-metolachlor |
| | Notice amending the notice of initiation of a safeguard investigation concerning the imports of steel products [2018/C 225/07] |
| 29-06-18 | Commission communication in the framework of the implementation of Regulation (EU) No 305/2011 of the European Parliament and of the Council laying down harmonised conditions for the marketing of construction products and repealing Council Directive 89/106/EEC (Publication of references of European Assessment Documents in accordance with Article 22 of Regulation (EU) No 305/2011) [2018/C 228/03] |
| | Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 May 2018 to 31 May 2018 (Published pursuant to Article 13 or Article 38 of Regulation (EC) No 726/2004 of the European Parliament and of the Council) [2018/C 229/01] |
| | Summary of European Union decisions on marketing authorisations in respect of medicinal products from 1 May 2018 to 31 May 2018 (Decisions taken pursuant to Article 34 of Directive 2001/83/EC or Article 38 of Directive 2001/82/EC) [2018/C 229/02] |

Restrictive measures established, amended, corrected

During the past month, the following restrictive measures were established, amended or corrected:

| OJ Date | Restrictive Measure |
|----------|--|
| 04-06-18 | Council Implementing Regulation (EU) 2018/814 of 1 June 2018 implementing Regulation (EU) 2017/1509 concerning restrictive measures against the Democratic People's Republic of Korea |
| | Council Implementing Decision (CFSP) 2018/819 of 1 June 2018 implementing Decision (CFSP) 2016/849 concerning restrictive measures against the Democratic People's Republic of Korea |
| | Commission Implementing Regulation (EU) 2018/816 of 1 June 2018 amending for the 285th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations |
| 06-06-18 | Council Implementing Regulation (EU) 2018/827 of 4 June 2018 implementing Regulation (EU) No 267/2012 concerning restrictive measures against Iran |
| | Council Decision (CFSP) 2018/833 of 4 June 2018 amending Decision 2010/413/CFSP concerning restrictive measures against Iran |
| 11-06-18 | Commission Implementing Regulation (EU) 2018/855 of 8 June 2018 amending for the 286th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations |
| 15-06-18 | Council Implementing Regulation (EU) 2018/870 of 14 June 2018 implementing Article 21(1) of Regulation (EU) 2016/44 concerning restrictive measures in view of the situation in Libya |
| | Council Implementing Decision (CFSP) 2018/872 of 14 June 2018 implementing Decision (CFSP) 2015/1333 concerning restrictive measures in view of the situation in Libya |
| | Corrigendum to Council Implementing Regulation (EU) 2018/705 of 14 May 2018 implementing Regulation (EU) No 269/2014 concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 118 I, 14.5.2018) |
| | Corrigendum to Council Decision (CFSP) 2018/706 of 14 May 2018 amending Decision 2014/145/CFSP concerning restrictive measures in respect of actions undermining or threatening the territorial integrity, sovereignty and independence of Ukraine (OJ L 118 I, 14.5.2018) |
| 18-06-18 | Commission Implementing Regulation (EU) 2018/875 of 15 June 2018 amending Council Regulation (EC) No 1210/2003 concerning certain specific restrictions on economic and financial relations with Iraq |
| 19-06-18 | Council Decision (CFSP) 2018/880 of 18 June 2018 amending Decision 2014/386/CFSP concerning restrictive measures in response to the illegal annexation of Crimea and Sevastopol |
| | Directive (EU) 2018/843 of the European Parliament and of the Council of 30 May 2018 amending Directive (EU) 2015/849 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, and amending Directives 2009/138/EC and 2013/36/EU |
| 21-06-18 | Commission Implementing Regulation (EU) 2018/888 of 21 June 2018 amending for the 287th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the ISIL (Da'esh) and Al-Qaida organisations |
| 25-06-18 | Council Implementing Regulation (EU) 2018/898 of 25 June 2018 implementing Regulation (EU) No 401/2013 concerning restrictive measures in respect of Myanmar/Burma |
| | Council Decision (CFSP) 2018/900 of 25 June 2018 amending Decision 2013/184/CFSP concerning restrictive measures against Myanmar/Burma |
| | Council Implementing Regulation (EU) 2018/899 of 25 June 2018 implementing Regulation (EU) 2017/2063 concerning restrictive measures in view of the situation in Venezuela |
| | Council Decision (CFSP) 2018/901 of 25 June 2018 amending Decision (CFSP) 2017/2074 concerning restrictive measures in view of the situation in Venezuela |

Antidumping and countervailing duty cases

See separate [Antidumping Countervailing Duty and Safeguards Investigations, Orders & Reviews](#) section below.

INDIVIDUAL EU-EFTA COUNTRIES

FRANCE

Official Gazette (*Journal officiel*)

| Date | Measure |
|----------|--|
| 14-06-18 | ACTION: Order of 31 May 2018 amending the Decree of 13 April 2016 on customs representation and the registration of customs representatives |
| 15-06-18 | OVERSEAS: Order of 13 June 2018 allocating between the overseas departments the export quota for traditional rum |
| | OVERSEAS: Order of 13 June 2018 allocating between the distilleries of the traditional rum export quota and relating to the management of this quota |

Notices to importers

The following [notices](#) were posted by Directorate General of Customs and Indirect Taxes (For laws and regulations, decrees, etc. please see listings under *Other EU-EFTA Notices - Import-export related measures*, below) :

| Release Date | Ref. No. and Subject |
|--------------|---|
| 17-05-18 | DA 18-023 Circular of 17 May 2018 concerning the sale to travelers residing in a third country to the European Union or to an overseas collectivity of the Republic - Procedure of export sales slips. |
| 01-06-18 | 2018/33- Notice to importers of certain open mesh fiberglass fabrics originating in the People's Republic of China and consigned from India, Indonesia, Malaysia, Taiwan and Thailand |
| 05-06-18 | 2018/34- Notice to importers of bicycles originating in the People's Republic of China |
| 11-06-18 | 2018/35- Notice to Importers of Crystalline Silicon Photovoltaic Modules and their Essential Components (Cells) from the People's Republic of China |
| 14-06-18 | DA 18-030 Presentation of Registration and Follow-up Procedures for Registered Customs Representatives (ROE) NOR CPAD1809738C |
| 15-06-18 | DA 18-031 Duties and taxes applicable to energy products as of July 1, 2018 2018/36- Notice to importers of certain manganese dioxides originating in South Africa |
| 21-06-18 | 2018/37 - Notice to Importers of Certain Products Originating in the United States |
| 26-06-18 | DA 18-033 Circular on Imports, Exports, Intra-Community Transfers and Transfers of Firearms, Ammunition and Their Components (NOR CPAD1817295C) |
| | DA 18-034 Circular on exports of war material and related materials, imports of war materials, arms and ammunition, intra-community transfers of defense and transit products of weapons and war material |
| 29-06-18 | DA 18-035 Circular on dual-use goods and technologies |

UNITED KINGDOM

Legislation ([legislation.gov.uk](#))

| Date | Measure |
|----------|---|
| 29-05-18 | SSI 2018/177 - The Animal Health (Miscellaneous Fees) (Scotland) Regulations 2018 |
| | SSI 2018/176 - The Animal By-Products and Pet Passport Fees (Scotland) Regulations 2018 |

| Date | Measure |
|----------|---|
| | SSI 2018/175 - The Marketing of Fruit Plant and Propagating Material (Fees) (Scotland) Regulations 2018 |
| 30-05-18 | SI 2018/650 - The Animal Health (Miscellaneous Fees) (Wales) Regulations 2018 / Rheoliadau Iechyd Anifeiliaid (Ffioedd Amrywiol) (Cymru) 2018 |
| | SI 2018/646 - The Animal By-Products and Pet Passport (Fees) (Wales) Regulations 2018 / Rheoliadau Sgîl-gynhyrchion Anifeiliaid a Phasbortau Anifeiliaid Anwes (Ffioedd) (Cymru) 2018 |
| 05-06-18 | SI 2018/666 - The Animal By-Products and Pet Passport Fees (England) Regulations 2018 |
| | SI 2018/664 - The Animal Health (Miscellaneous Fees) (England) Regulations 2018 |
| 08-06-18 | SI 2018/673 - The Road Vehicles (Defeat Devices, Fuel Economy and Type-Approval) (Amendment) Regulations 2018 |
| 11-06-18 | SI 2018/703 - The Control of Trade in Endangered Species Regulations 2018 |
| 14-11-18 | SI 2018/721 - The Hazardous Waste (Miscellaneous Amendments) (Wales) Regulations 2018 / Rheoliadau Gwastraff Peryglus (Diwygiadau Amrywiol) (Cymru) 2018 |
| 25-06-18 | SI 2018/760 - The Environmental Protection (Microbeads) (Wales) Regulations 2018 / Rheoliadau Diogelu'r Amgylchedd (Microbelenni) (Cymru) 2018 |
| 29-06-18 | SI 2018/772 - The Plant Health (Export Certification) (Wales) (Amendment) Order 2018 / Gorchymyn Iechyd Planhigion (Tystysgrifau Allforio) (Cymru) (Diwygio) 2018 |

HMRC updates

The following Public Notices, [Customs Information Papers](#) (CIPs) were issued by HM Revenue & Customs:

| Release Date | Ref. No. and Subject |
|---|---|
| Tariff and Anti-Dumping Notices | |
| 29-05-18 | Tariff Stop Press Notice 17 (2018): changes to commodity codes in chapter 73 |
| | Tariff Quota Notice 73 (2018): poultry originating in Iceland |
| 30-05-18 | Tariff Stop Press Notice 16 (2018): changes to commodity codes in chapter 70 |
| | Tariff Stop Press Notice 18 (2018): changes to the monthly trade euro rate |
| 31-05-18 | Basic anti-dumping and anti-subsidy regulations (Anti-Dumping Duty 2277) |
| | Investigation of biodiesel originating in Argentina and Indonesia (Anti-Dumping Duty 2276) |
| | Biodiesel originating in Argentina (Anti-Dumping Duty 2274) |
| 05-06-18 | Investigation of hot-rolled steel sheet piles originating in China (Anti-Dumping Duty 2275) |
| | Exemption of duty for imports of certain open mesh fabrics of glass fibres (Anti-Dumping Duty 2278) |
| | Ferro-silicon originating in Egypt and Ukraine (Anti-Dumping Duty 2279) |
| 06-06-18 | Investigation of solar glass imports originating in Malaysia (Anti-Dumping Duty 2273) |
| | Tariff Notice 18 (2018): changes to the Combined Nomenclature codes |
| 07-06-18 | Tariff Notice 19 (2018): lace-orthosis |
| | Tubes and pipes imported from India (Anti-Dumping Duty 2113) |
| | Concrete reinforcement bars and rods imported from Belarus (Anti-Dumping Duty 2206) |
| | Seamless pipes and tubes imported from China (Anti-Dumping Duty 2200) |
| | Anti-Dumping Duty measure AD2065 |
| | Lightweight thermal paper imported from Korea (Anti-Dumping Duty 2198) |
| | Anti-Dumping Duty measure AD2080 |
| | Anti-Dumping Duty measure AD2079 |
| Cast iron articles from China (Anti-Dumping Duty 2260) | |
| Hot-rolled flat metal products imported from China (Anti-Dumping Duty 2191) | |

| Release Date | Ref. No. and Subject |
|------------------------------------|---|
| | Certain corrosion resistant steel imported from of China (Anti-Dumping Duty 2263) |
| 08-06-18 | Tariff Notice 21 (2018): child's potty liners |
| | Tariff Notice 22 (2018): food supplement after dilution |
| 11-06-18 | UK Trade Tariff: community and common transit outwards |
| 20-06-18 | Tariff Notice 20 (2018): changes to the Combined Nomenclature codes |
| 27-06-18 | Tariff Stop Press Notice 19 (2018): changes to US steel and aluminium tariffs |
| 29-06-18 | Tariff Stop Press Notice 20 (2018): changes to commodity codes |
| | Tariff Stop Press Notice 21 (2018): changes to the monthly trade euro rate |
| Other Documents and Notices | |
| 18-06-18 | Revenue and Customs Brief 5 (2018): VAT liability on goods supplied on approval |
| 29-06-18 | Contact lists for Customs Freight Simplified Procedures |

ECO Notices to Exporters and DIT documents

The following Export Control Organisation (ECO) [Notices to Exporters](#) and other Department for International Trade (DIT) documents were issued:

| Date | Notice No. and Subject |
|----------|--|
| 11-06-18 | Impact assessment of the EU-Japan economic partnership agreement (EPA) on the UK |
| 12-06-18 | Notice to exporters 2018/13: new merger and takeover rules potentially affecting UK exporters in force from 11 June 2018 |
| 18-06-18 | RPC Opinion: EU-Japan Economic Partnership Agreement |
| 20-06-18 | Notice to exporters 2018/14: EU renews Russia sanctions concerning annexation of Crimea and Sevastopol |
| 21-06-18 | Notice to exporters 2018/15: control list classification service to return on 25 June |
| 22-06-18 | Notice to exporters 2018/16: export control joint unit changes email address format |
| 27-06-18 | Notice to exporters 2018/17: Argentina export control policy updated |

OTHER EU-EFTA COUNTRIES

Import-export related measures

The following import, export or antibribery measures were published in the on-line editions of the official gazettes of the countries shown during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

| Date* | Measure |
|----------------|---|
| ICELAND | |
| 28-05-18 | № 526/201 (10-05-18) Regulation amendment of Regulation no. 340/2016 on the granting of permits for parallel imports of medicinal products. |
| | № 527/2018 (17-10-18) Regulation on the entry into force of the EU Regulation on the definition, description and presentation of certain alcoholic beverages (VI) |
| | № 528/2018 (15-05-18) (2) amendment of Regulation no. 124/2015 on sulfur content in a particular liquid fuel |
| | № 530/2018 (11-05-18) Regulation on the entry into force of the EU Drugs Regulation (XIV) |
| 30-05-18 | № 545/2018 (11-05-18) Regulation on the marketing authorization for proprietary medicinal products, their labeling and package leaflet |

| Date* | Measure |
|-----------------------|---|
| | № 546/2018 (15-05-18) Regulation amendment of Regulation no. 699/1996 on import and wholesale distribution of medicinal products |
| | № 548/2018 (16-05-18) Regulation (7) amendment of Regulation no. 630/2014 on restrictions on the use of certain hazardous substances in electrical and electronic equipment |
| | № 551/2018 (25-05-18) Regulation (14) amendment of Regulation no. 878/2014 on biocidal products |
| | № 552/2018 (25-05-18) Regulation (11.) amendment of Regulation № 544/2015 on plant protection products |
| | № 553/2018 (25-05-18) Regulation (12.) amendment of Regulation no. 577/2013 on cosmetics |
| | № 554/2018 (25-05-18) Regulation (11.) amendment of Regulation no. 888/2015 on Registration, Evaluation, Authorization and Restrictions on Substances (REACH) |
| | № 555/2018 (25-05-18) Regulation (1) amendment of Regulation no. 160/2017 on the eco-label |
| 31-05-18 | № 557/2018 (23-05-18) Regulation about (34th) amendment to Regulation no. 301/1995 on the control of seed products. |
| | № 558/2018 (23-05-18) Regulation about (20.) amendment of Regulation no. 978/2011 on the entry into force of Regulation (EC) No. 1333/2008 on food additives |
| | № 559/2018 (23-05-18) Regulation on (3) amendment of Regulation no. 477/2017 on organic production and labeling of organic products |
| | № 560/2018 (15-05-18) Regulation about the mail and online store with drugs |
| | № 564/2018 (16-05-18) Regulation (2) amendment of Regulation no. 893/2004 on the manufacture of medicinal products |
| 04-06-18 | № 580/2018 (04-06-18) Regulation (3) amendment of Regulation no. 1096/2017 on the allocation of customs duties for imports of agricultural products in accordance with Annexes IVA and IVB to the Customs Act. |
| 13-06-18 | № 608/2018 (30-05-18) Rules amending regulation no. 220/2015 on the name and meaning of textile products |
| 15-06-18 | № 616/208 (01-06-18) Regulation (2) amendment of Regulation no. 1266/2017 on pharmacovigilance and delivery of medicinal products |
| 26-06-18 | № 76/2018 (19-06-18) Law amending the Customs Act, no. 88/2005, with subsequent changes (most developed countries in the world) |
| 28-06-18 | № 91/2018 (25-06-18) Law amending the Act on Money Laundering and Terrorist Financing, no. 64/2006, with subsequent changes (virtual and digital wallet). |
| | № 93/2018 (25-06-18) Law amending the Customs Act, no. 88/2005, with subsequent amendments (mother's milk) |
| 29-06-18 | № 657/2018 (28-06-18) Regulation on (4) amendment of Regulation no. 1096/2017 on the allocation of customs duties for imports of agricultural products in accordance with Annexes IVA and IVB to the Customs Act. |
| | № 658/2018 (28-06-18) Regulation on the allocation of open tariff quotas on friezes. |
| IRELAND (EIRE) | |
| 29-05-18 | S.I. No. 176 of 2018 European Union (Nutrition and Health Claims made on Foods)(Amendment) Regulations 2018 |
| 05-06-18 | S.I. No. 184 of 2018 European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2018 |
| 12-06-18 | S.I. No. 190 of 2018 European Communities (Extraction Solvents used in the Production of Food stuffs and Food Ingredients) (Amendment) Regulations 2018 |
| 15-06-18 | S.I. No. 197 of 2018 European Communities (Carriage of Dangerous Goods by Road and Use of Transportable Pressure Equipment) (Amendment) Regulations 2018 |
| LIECHTENSTEIN | |
| 15-06-18 | LGBI № 2018.127 Ordinance of 12 June 2018 amending the Regulation on measures against Syria (LR № 946.223.8) |
| LUXEMBOURG | |
| 30-05-18 | Mem A 427: Notice of publication pursuant to Article 40 of the amended law of |

| Date* | Measure |
|---------------|---|
| | 15 December 2010 on the safety of toys |
| 06-06-18 | Mem A 455: Grand-Ducal Regulation of 30 May 2018 concerning the implementing rules: 1 ° of Regulation (EC) No 1760/2000 of the European Parliament and of the Council of 17 July 2000 establishing a system for the identification and registration of cattle and concerning the labeling of beef and beef products and repealing Council Regulation (EC) No 820/97 as amended; and 2 ° of Commission Regulation (EC) No 911/2004 of 29 April 2004 implementing Implementing Regulation (EC) No 1760/2000 of the European Parliament and of the Council as regards eartags, passports and logbooks, as amended. |
| 21-06-18 | Mem A 498: Implementation of new European non-electric standards applicable in the Grand Duchy of Luxembourg. |
| | Mem A 499: Implementation of new European standards in the electrotechnical field applicable to the Grand Duchy of Luxembourg. |
| | Mem A 500: Implementation of new European telecommunications standards applicable in the Grand Duchy of Luxembourg. |
| | Mem A 503: Grand-Ducal Regulation of 15 June 2018 amending the amended Grand-Ducal Regulation of 30 July 2013 on the restriction of the use of certain hazardous substances in electrical and electronic equipment. |
| | Mem A 504: Grand-Ducal Regulation of 15 June 2018 amending annex III of the amended Grand-Ducal Regulation of 30 July 2013 on the restriction of the use of certain hazardous substances in electrical and electronic equipment |
| 27-06-18 | Mem A 532: Grand-Ducal Decree of 22 June 2018 issuing amendments to Appendices A and B of the 2017 version of the European Agreement concerning the International Carriage of Dangerous Goods by Road (ADR). |
| MALTA | |
| 19-06-18 | 196 of 2018 – Restriction of Use of Hazardous Substances in Electrical and Electronic Equipment (Amendment) Regulations, 2018 - <i>Gazzetta tal-Gvern ta' Malta Nru. 20,011– 19.06.2018</i> |
| NORWAY | |
| 01-06-18 | LOV-2018-06-01-23 Ministry of Finance Act on measures against money laundering and terrorist financing (Money Laundering Act) |
| | FOR-2018-05-31-784 Ministry of Finance Regulations concerning changes in regulations to the Customs and Customs Act (Customs Regulations) |
| 05-06-18 | FOR-2018-06-01-801 Ministry of Agriculture and Food Regulations on amendments to the regulation on pesticides |
| | FOR-2018-06-01-803 Ministry of Agriculture and Food Regulations for change in the wine regulations |
| | FOR-2018-06-04-804 Ministry of Agriculture and Food Regulations regarding change in traceability and labeling of cattle and beef |
| 12-06-18 | FOR-2018-06-11-847 Ministry of Finance Regulations concerning changes in regulations to the Customs and Customs Act (Customs Regulations) |
| 15-06-18 | Law-2018-06-15-44 Ministry of Food and Fisheries Act on the implementation of the EU's Electronic Identification and Confidentiality Services for Electronic Transactions in the Internal Market (Act on Electronic Trust Services) |
| | FOR-2018-06-05-871 Ministry of Agriculture and Food Regulation repealing regulations for extended validity of pesticide authorization certificates |
| | FOR-2018-06-15-873 Ministry of Food and Fisheries Entry into force of the Law of 15 June 2018 No. 44 on the implementation of the EU Regulation on Electronic Identification and Trust Services for Electronic Transactions in the Internal Market (Electronic Communications Act). |
| 18-06-18 | FOR-2018-06-15-889 Ministry of Climate and Environment Regulations concerning importation, exportation, possession, etc. of endangered species of wild fauna and flora (CITES regulation) |
| 19-06-18 | FOR-2018-06-15-889 Ministry of Climate and Environment Regulations concerning importation, exportation, possession, etc. of endangered species of wild fauna and flora (CITES regulation) |
| 20-06-18 | FOR-2018-06-20-913 Ministry of Agriculture and Food Regulations amending the regulation on administrative tariff reductions for agricultural products |
| 21-06-18 | FOR-2018-06-18-922 Ministry of Health and Care Services Regulations con- |

| Date* | Measure |
|---------------|---|
| | cerning change in regulation of medicinal products |
| 22-06-18 | FOR-2018-06-22-943 Ministry of Food and Fisheries Regulations regarding change in regulations on export credit scheme |
| | FOR-2018-06-22-942 Ministry of Food and Fisheries Entry into force of the Law of 22 June 2018 No. 86 on amendments to the Export Credit Act (new temporary loan and guarantee scheme for ships, etc.) |
| | LAW-2018-06-22-86 Ministry of Food and Fisheries Act on amendments to the Export Credit Act (new temporary loan and guarantee scheme for ships, etc.) |
| | LOV-2018-06-22-77 Ministry of Health and Care Services Law on amendments to the Tobacco Injury Act (illegal trade in tobacco products, etc.) |
| 27-06-18 | FOR-2018-06-26-1025 Ministry of Justice and Emergency Affairs Regulations on gas appliances |
| 29-06-18 | FOR-2018-06-26-1078 Ministry of Agriculture and Food Regulations amending the regulation on conversion factors for raw materials for food and feed production in the determination of customs duties and price equalization |
| POLAND | |
| 05-06-18 | № 1082 Announcement of the Prime Minister of May 7, 2018 regarding the publication of a uniform text of the regulation of the Council of Ministers regarding the Suwalki Special Economic Zone |
| 13-06-18 | № 1141 Regulation of the Minister of Finance of June 12, 2018 on appointing the head of the customs and tax office to impose a fine |
| 09-06-18 | № 1178 Regulation of the Minister of Finance of 29 May 2018 amending the regulation on the determination of excise goods with excise marks |
| 25-06-18 | № 1213 Protocol to the Framework Agreement on comprehensive partnership and cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 19 November 2014. |
| | № 1214 Government statement of 11 May 2018 regarding the binding force of the Protocol to the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part, to take account of the accession of the Republic of Croatia to Of the European Union, done at Brussels on 19 November 2014. |
| | № 1215 Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 15 January 2015. |
| | № 1216 Government statement of 11 May 2018 regarding the binding force of the Protocol to the Framework Agreement on Partnership and Cooperation between the European Union and its Member States, of the one part, and the Republic of the Philippines, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 15 January 2015. |
| | № 1219 Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 20 February 2014. |
| | № 1220 Government Declaration of 11 May 2018 regarding the binding force of the Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part, to take account of the accession of the Republic of Croatia to the European Union, drawn up in Brussels on 20 February 2014. |
| | № 1221 Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 18 December 2013. |
| | № 1222 Government Declaration of 11 May 2018 regarding the binding force of |

| Date* | Measure |
|--------------------|--|
| | the Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part, to take account of the accession of the Republic of Croatia to the European Union, drawn up in Brussels on 18 December 2013. |
| 28-06-18 | № 1253 Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 25 June 2014. |
| | № 1254 Government Declaration of 11 May 2018 regarding the binding force of the Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, to take account of the accession of the Republic of Croatia to the European Union, drawn up in Brussels on 25 June 2014. |
| | № 1255 Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 15 December 2016. |
| | № 1256 Government statement of 11 May 2018 regarding the binding force of the Protocol to the Stabilization and Association Agreement between the European Communities and their Member States, of the one part, and Bosnia and Herzegovina, of the other part, to take account of the accession of the Republic of Croatia to the European Union, done at Brussels on 15 December 2016. |
| SPAIN | |
| 12-06-18 | Resolution of June 1, 2018, from the General Directorate of Industry and the Small and Medium-Sized Company, publishing the list of European standards that have been ratified during the month of May 2018 as Spanish standards. (BOE-A-2018-7903) |
| | Resolution of June 1, 2018, of the General Directorate of Industry and of the Small and Medium-sized Enterprise, by which the list of annulled UNE regulations is published during the month of May 2018. (BOE-A-2018-7904) |
| | Resolution of June 1, 2018, from the General Directorate of Industry and the Small and Medium-Sized Companies, publishing the list of UNE standards approved by the Spanish Association for Standardization, during the month of May 2018. (BOE-A-2018-7905) |
| | Resolution of June 1, 2018, of the General Directorate of Industry and of the Small and Medium-Sized Companies, whereby the European and international standards projects that have been processed as UNE standard projects are submitted to public information by the Association Spanish Standardization, corresponding to the month of May 2018. (BOE-A-2018-7906) |
| 20-06-18 | Ministry of Industry, Trade and Tourism - Order ICT / 657/2018, of June 13, which modifies the annexes of the Regulation of foreign trade control of defense material, of other material and dual-use products and technologies, approved by Royal Decree 679 / 2014, from August 1. (BOE-A-2018-8383) |
| SWITZERLAND | |
| 29-05-18 | Ordinance of the FDF on goods benefiting from customs relief according to their use (Ordinance on Customs Relief, OADou) (RS 631.012) |
| | Ordinance of the FDF on the rates of contributions for the export of agricultural commodities (RS 632.111.723.1) |
| | Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01) |
| | Federal decree approving the Free Trade Agreement between the EFTA States and the Philippines <ul style="list-style-type: none"> • Free Trade Agreement between the EFTA States and the Philippines (with annexes) The Annexes are not published in the RO (RS 0.632.316.451) |
| 08-06-18 | FSVO Order instituting measures to prevent the introduction of African swine fever present in some Member States of the European Union (RS 916.443.107) |
| | FSIV Ordinance instituting measures to prevent the introduction of avian influen- |

| Date* | Measure |
|----------|--|
| | za present in certain Member States of the European Union (RS 916.443.102.1) |
| 12-06-18 | Ordinance of the Swiss Institute for Therapeutic Products on the enactment of the pharmacopoeia and the recognition of other pharmacopoeias (RS 812.214.11) |
| | Ordinance of the DFI concerning information on foodstuffs (OIDAI) (RS 817.022.16) |
| 14-06-18 | FSVO Order instituting measures to prevent the introduction of African swine fever present in some Member States of the European Union (RS 916.443.107) |
| | Ordinance of the DEFR on the use of Swiss indications of source for foodstuffs (OIPSD-DEFR) (RS 232.112.11) |
| | Ordinance of the DEFR on the use of Swiss indications of source for foodstuffs (OIPSD-DEFR) (RS 232.112.11) |
| 19-06-18 | Ordinance on Customs Duties on Goods in Trafficking with EU and EFTA Member States (Free Trade Order 1) |
| | Ordinance on the introduction of plant protection products (Ordinance on plant protection products, OPPh) (RS 916.161) |
| | Ordinance of the FOAG on Phytosanitary Measures for Agriculture and Productive Horticulture (OMP-FOAG) (RS 916.20.1) |
| 22-06-18 | FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107) |
| 26-06-18 | Ordinance on the Importation of Agricultural Products (Ordinance on Agricultural Imports, OIAgr) (RS 916.01) |
| 27-06-18 | FSIV Ordinance instituting measures to prevent the introduction of avian influenza present in certain Member States of the European Union (RS 916.443.102.1) |
| 29-06-18 | FSVO Order instituting measures against the spread of African swine fever through import, transit and export trade with the Member States of the European Union, Iceland and Norway (RS 916.443.107) |

Restrictive measures established, amended, corrected

The following restrictive measures (grouped by country) were established, amended or corrected and published in the national official journals or agency websites during the period covered by this Update. [This is a partial listing, unofficial translations.] *The date shown may be the signature date, release date or publication date, depending on local practice.

| Date* | Restrictive Measure |
|-----------------------|---|
| IRELAND (EIRE) | |
| | S.I. No. 201 of 2018 European Union (Restrictive Measures in respect of Myanmar/Burma) Regulations 2018 |
| | S.I. No. 202 of 2018 European Union (Restrictive Measures concerning Afghanistan) Regulations 2018 |
| 19-06-18 | S.I. No. 203 of 2018 Criminal Justice (Terrorist Offences) Act 2005 (Section 42)(Restrictive Measures concerning Certain Persons and Entities Associated with the ISIL (Da'esh) and Al Qaida Organisations)(No. 3) Regulations 2018 |
| | S.I. No. 204 of 2018 European Union (Restrictive Measures concerning Libya)(No. 3) Regulations 2018 |
| LUXEMBOURG | |
| 19-06-18 | Mem A 495: Ministerial Regulation of 19 June 2018 amending Annex IC of the Grand-Ducal Regulation of 29 October 2010 implementing the Act of 27 October 2010 on the Implementation of United Nations Security Council Resolutions and Acts adopted by the European Union containing prohibitions and financial restrictive measures against certain persons, entities and groups in the fight against the financing of terrorism. |
| SWITZERLAND | |
| 06-06-18 | Amendment to the Order of 2 October 2000 instituting measures against persons and entities related to Osama bin Laden, the "Al Qaeda" group or the Tali- |

| Date* | Restrictive Measure |
|----------|---|
| | ban (RS 946.203) [Entered into force on 05-06-18] |
| 01-06-18 | Order instituting measures against Syria (RS 946.231.172.7) |
| 08-06-18 | Amendment to the Ordinance of 30 March 2011 instituting measures against Libya (RS 946.231.149.82) [Entered into force 07-06-18] |
| | Amendment to the Ordinance of 7 August 1990 instituting economic measures towards the Republic of Iraq (RS 946.206) [Entered into force 07-06-18] |
| 11-06-18 | Amendment to the Ordinance on measures against Syria (RS 946.231.172.7) [Entered into force 12-06-18] |
| 19-06-18 | Amendment to the Ordinance of 2 October 2000 instituting measures against persons and entities related to Osama bin Laden, the "Al Qaeda" group or the Taliban (RS 946.203) [Entered into force 18-06-18] |
| | Amendment to the Ordinance of 11 November 2015 instituting measures against the Islamic Republic of Iran (RS 946.231.143.6) [Entered into force 20-06-18] |
| 25-06-18 | Amendment to the Ordinance of 27 August 2014 instituting measures to prevent the circumvention of international sanctions in relation to the situation in Ukraine (RS 946.231.176.72) [Entered into force 26-06-18] |

Non EU-EFTA European Countries

TURKEY

Turkey retaliates against US tariffs on steel and aluminum

On 21 June 2018, retaliatory tariffs on U.S. goods took effect in response to the United States imposition of 25% tariffs on steel and 10% tariffs on aluminum (section 232 measures). The Turkish government had submitted [its list](#) to the WTO on 21 May 2018. Duties between 4% and 70% are being imposed on a variety of US origin goods ranging from automobiles, whiskey, tobacco, coal, cosmetics, machinery equipment, paper and petrochemical products pursuant to [Decree 2018/11973 Decision on the Implementation of Additional Financial Obligation for the Imports of Certain Products Originating in the United States of America](#), published in the *T.C. Resmî Gazete* (the Official Gazette) on 25 June 2018.

In its WTO submission pursuant to Art. 12.5 of the *WTO Agreement on Safeguards*, Turkey said that in response to its consultations request (G/SG/183 dated 20 April 2018) with regard to the section 232 measures, the United States stated that “these actions are not safeguard measures, and therefore, there is no basis to conduct consultations under the Agreement on Safeguards with respect to these measures.” However, Turkey still considers them as safeguard measures which are not consistent with the provisions of the Safeguard Agreement.

Legislation (laws, resolutions, orders, etc.)

The following documents were published in the on-line [T.C. Resmî Gazete](#).

| Date | Subject |
|----------|---|
| 26-05-18 | Communiqué Pertaining to the Restructuring of Customs Receivables within the Scope of Law No. 7143 |
| 29-05-18 | 2018/11590 Between the Government of the Republic of Turkey Council of Ministers of Ukraine Resolution on the Ratification of the International Combined Cargo Transportation Agreement |
| | Communiqué Pertaining to the Amendment of the General Communiqué on Customs Duty (Serial No: 1) Regarding the Temporary Imported Land Vehicles (Serial No: 5) |
| 01-06-18 | Regulation on the Amendment of the Implementing Regulation on the Direct |

| Date | Subject |
|----------|---|
| | Foreign Investment Law Communiqué Pertaining to the Amendment in the Communiqué Relating to the Importation of Goods by Export (Communiqué No: Export 2006/7) (Export: 2018/5) |
| 05-06-18 | Customs General Communiqué (Transit Regime) (Series No: 6) 2018/11621 Establishing a Free Trade Area with the Republic of Turkey within the scope of the Framework Agreement on Trade in Services between the Republic of Korea Resolution on the Ratification of the Agreement together with the accompanying notes 2018/11626 Republic of Turkey and the Republic of Macedonia Free Trade Agreement between the Republic of Turkey and the established Joint Committee by the Republic of Macedonia Between the Free Trade Agreement 'originating products' which will replace the Protocol concerning the definition of the concept and Administrative Cooperation Method 2 on the Ratification of the 1/2018 Decree No. Decision 2018/11630 with the Government of the Republic of Turkey Customs Matters between the Government of Montenegro Decision on Approval of the Mutual Aid Agreement 2018/11639 Decision on Amendment to Additional Regulation to Import Order Decision 2018/11841 Annex to Decision on Import Regime |
| 06-06-18 | Communiqué on the Amendment of the Communiqué on the Implementation of Imports Surveillance (Communiqué No: 2017/4) |
| 07-06-18 | Seventh period 2018/11660 Turkey-Vietnam Joint Economic and Trade Committee Resolution on the Ratification of the Memorandum of Understanding 2018/11669 Republic of Turkey Ministry of Finance Financial Crimes Investigation Board (MASAK) with the Republic of Ecuador Financial and Economic Analysis Unit (UAF a) Between Money Laundering, Interconnecting Pioneers Crime and Terrorism Financing with the Decision on the Enforcement of Dair Memorandum Related Financial Intelligence Exchange Cooperation List of warfare equipment and weapons, ammunition and related spare parts, military explosive materials and related technologies (list of materials subject to the year 2018 control) to be subject to control pursuant to Law No. 5201, |
| 08-06-18 | Communiqué on the Amendment of the Regulation on Processing in the Inland (Export: 2006/12) (Export: 2018/4) |
| 12-06-18 | Regulation on the Amendment of the Turkish Food Codex Regulation on Food Additives Regulation on the Amendment of the Regulation on the Specification of Food Additives in Turkish Food Codex Communiqué on the Implementation of Imports Surveillance (No: 2018/13) |
| 13-06-18 | Communiqué on the Amendment of the Communiqué on the Implementation of Imports Surveillance (Communiqué No: 2018/3) Communiqué on the Implementation of Imports Surveillance (No: 2018/10) |
| 19-06-18 | Communiqué on the Implementation of Tariff Procurement for the Importation of Certain Agricultural and Processed Agricultural Products Originating in Bosnia and Herzegovina Communiqué on the Implementation of Imports Surveillance (No: 2018/11) Communiqué on the Implementation of Imports Surveillance (No: 2018/12) Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/22) Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/24) Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/25) |
| 21-06-18 | Communiqué on the Prevention of Unfair Competition in Imports (No: 2018/23) Communiqué Pertaining to Safeguard Measures in Import (No: 2018/4) |
| 22-06-18 | 2018/11799 Decision on Additional Financial Liability Scheme for Imports of Certain Products Communiqué on the Amendment of the Import Control of the Construction Materials (Product Safety and Inspection: 2018/14) (Product Safety and Inspection: 2018/26) |
| 23-06-18 | 2018/11737 Annex to the Decision of the Council of Ministers dated 30/9/2013 and numbered 2013/5428 of the United Nations Security Council on the Freez- |

| Date | Subject |
|----------|--|
| | ing of the Assets of the Persons, Organizations or Organizations listed in the Decisions of 1267 (1999), 1988 (2011) and 1989 (2011) 1) Decision on Amendment in the Numbered List |
| | 2018/11687 between Turkey and the European Community on the Principles on resolution Amendment Decision on the Implementation of Customs Union Regulation on the Amendment of the Regulation on the Determination of the Preferred Member of the Trade in Trade under the Preferential Trade Agreement between the D-8 Member States |
| | Regulation on the Amendment of the Regulation on the Determination of the Preferred Border of Trade in the Scope of the Western Balkan Origin Cumulation System |
| | Regulation on the Amendment of the Regulation on the Determination of the Preferred Source of Trade in the Scope of the Bilateral Origin Cumulation System |
| | Regulation on the Amendment of the Regulation on the Detection of the Preferred Origin of the Trade in the Scope of the Pan European Mediterranean Origin Cumulation System |
| | Regulation on the Amendment of the Regulation on the Determination of the Preferred Region of Trade in the Scope of the Regional Convention on Pan European Mediterranean Preferential Rules of Origin |
| | Islamic Republic of Iran and Turkey Preferential Trade Agreement between the Republic of the Regulation on the Determination of the Trade Preferential Origin of Goods in the Framework Regulation on the Amendment |
| | the Republic of Turkey Free Trade Agreement between the Republic of Mauritius Determination of the Regulation on Trade in Goods of the Framework Regulation on the Amendment of the Preferential Origin |
| | Turkey - About Malaysia Free Trade Agreement on Trade in Goods of the Framework Preferential Origin Determination of the Regulation on the Amendment |
| | Regulation on the Turkey-Chile Free Trade Agreement within the Framework of Origin Cumulation System Coverage Determination on Trade Preferential Origin of Goods by Regulation Amendment |
| | to be held in Turkey Exports under the Generalized System of Preferences Recognized by the Regulation on the movement certificate EUR.1 and invoice declaration Regulations Amending |
| | Turkey Regulation on Determination of Origin of Goods Benefiting from Preferential Regime Unilateral Recognized by Application |
| | General Customs Declaration (International Agreements) (Series No: 9) |
| 24-06-18 | List of Documents for Exemption of Taxes, Duties and Fees for May 2018 (Y) |
| 25-06-18 | 2018/11973 Decision on the Implementation of Additional Financial Obligation for the Imports of Certain Products Originating in the United States of America Regulation on the Amendment of the Regulation on Facilitation of Customs Procedures |
| 26-06-18 | Decision 2018/11996 on Amendment to Additional Regulation on Import Regime Decision |
| 27-06-18 | 2018/11911 the United Nations Between the Government of the Republic of Turkey's Disaster and Emergency Assistance in case of delivery of goods and assistance to staff Own Import, Export and Transit of the Resolution on the Ratification of the Agreement on Measures to Accelerate Info |
| | Decision on 2018/11975 Supplementary Decision on Import Regime Decision |
| 28-06-18 | 2018/11967 Resolution on the Amendment of the Limits of Antalya Free Zone |

UKRAINE

New law on LLCs became effective

On 17 June 2018, the Law of Ukraine *On Limited and Additional Liability Companies* came into effect. Current provisions of a limited liability company (LLC) charter will remain effective until the earlier of 17 June 2019 or the date when any amendments to a charter are introduced by the participants. After such date, the provisions of the law will override the conflicting provisions of the LLC charter. The provision of the law on expulsion of participants in the case of a participant's death or liquidation will become effective on 17 June 2019.

The law fundamentally changes the rules for LLCs in Ukraine. It provides participants with wide discretion in establishing the rules on LLC corporate governance and transfer of participatory interests.

To learn more about the new opportunities for your business, please download our [infographics](#).

For additional information, please contact the authors, [Viacheslav Yakymchuk](#), [Olha Demianiuk](#) and [Olena Serpukhovitina](#).

Legislation (laws, resolutions, orders, etc.)

The following Ukrainian Laws (*Закон України*), Resolutions (*Постанова*), Presidential Decrees (*Указ Президента*), Decrees of the Cabinet of Ministers (*Розпорядження Кабінету Міністрів України*), Regulations (*Положення*), Agency Orders (*Наказ*) and other pieces of legislation were posted on the [Parliamentary \(Верховної Ради\) website](#) during the period of coverage of this Update:

| Date | Subject |
|----------|--|
| 05-06-18 | On Approval of Amendments to the Regulation on the Procedure for Organizing and Conducting Inspections on Prevention and Counteraction to the Legalization (Laundering) of the Proceeds from Crime, Terrorist Financing and Financing of the Proliferation of Weapons of Mass Destruction. Decision of the National Bank of Ukraine dated 05-06-2018 No. 59 |
| 07-06-18 | About the Supreme Anti-Corruption Court Law of Ukraine dated June 7, 2018 No. 2447-VIII |
| | On Determination of the Representative of the Verkhovna Rada of Ukraine to the Committees of the External Control for Independent Evaluation (Audit) of the Effectiveness of the National Anti-Corruption Bureau of Ukraine Resolution of the Verkhovna Rada of Ukraine dated June 7, 2018 No. 2448-VIII |
| 20-06-18 | On the implementation of an experimental project on creating conditions for avoiding payment evasion of customs payments Resolution of the Cabinet of Ministers of Ukraine dated June 20, 2018 No. 479 |
| 21-06-18 | About application and introduction of amendments to personal special economic and other restrictive measures (sanctions) - National Security and Defense Council ; Decision dated June 21, 2018 and Decree of the President of Ukraine dated June 21, 2018, No. 176/2018 - |

Eurasian Economic Union (EAEU)

Decisions and recommendations of the Eurasian Economic Commission

The following Eurasian Economic Commission (EEC) decisions and recommendations have been posted in the documents section of the [Eurasian Economic Commission documentation page](#). In general, only final *Решення*,

Распоряжение and Recommendations having a direct effect on international traders are listed.

| Publication Date | Title |
|---|---|
| Board (Коллегии) of the Eurasian Economic Commission Решения | |
| 01-06-18 | № 91 (29-05-18) On approval of the list of products for which the filing of a customs declaration is accompanied by the submission of a document on the assessment of compliance with the requirements of the technical regulations of the Eurasian Economic Union "On the safety of equipment for children's playgrounds" (TR EAES 042/2017) |
| | № 92 (29-05-18) On the classification of aluminum tanks for the production of aerosol cans in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union |
| | № 93 (29-05-18) On the list of international and regional (interstate) standards and, in their absence, national (state) standards, as a result of which voluntary compliance with the requirements of the technical regulations of the Customs Union "Safety of elevators" (TR TC 011/2011) and the list international and regional (interstate) standards, and in their absence, national (state) standards containing rules and methods of research (tests) and measurements, including rules sampling necessary for the application and implementation of the requirements of the technical regulations of the Customs Union "Safety of elevators" (TR TS 011/2011) and the implementation of the assessment of compliance of technical regulation facilities |
| 07-06-18 | № 94 (05-06-18) On the establishment of rates of import customs duties of the Single Customs Tariff of the Eurasian Economic Union in respect of certain types of goods in accordance with the obligations of the Russian Federation in the WTO and on the introduction of changes to certain decisions of the Eurasian Economic Commission |
| | № 95 (05-06-18) On the introduction of changes in subheadings 4203 10 000 1 and 4203 10 000 9 of the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union |
| | № 96 (05-06-18) On introducing changes to the list of common processes within the framework of the Eurasian Economic Union |
| 18-06-18 | № 97 (13-06-18) On introducing changes to the list of common processes within the framework of the Eurasian Economic Union |
| | № 98 (13-06-18) On the establishment of the import customs duty rate of the Unified Customs Tariff of the Eurasian Economic Union with regard to cashew nuts in the shell |
| | № 99 (13-06-18) On the establishment of the import customs duty rate of the Unified Customs Tariff of the Eurasian Economic Union with respect to industrial fatty alcohols |
| | № 100 (13-06-18) On Amending the Decision of the Board of the Eurasian Economic Commission of April 21, 2015 No. 30 "On Measures of Non-Tariff Regulation" |
| | № 101 (13-06-18) On the classification of the combined preparation from a mixture of plant raw materials in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union |
| | № 102 (13-06-18) On the classification of textile polyester tape in accordance with the single Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union |
| 21-06-18 | № 103 (19-06-18) On approval of the Order of deferred determination of the customs value of goods |
| 28-06-18 | № 104 (26-06-18) On technological documents regulating information interaction in the implementation of the integrated process of the integrated information system of the Eurasian Economic Union "Generation and maintenance of a single register of radioelectronic facilities and high-frequency devices, including embedded or included in other goods permitted for importation into the customs territory of the Eurasian Economic Union" |
| | № 105 (26-06-18) On the fulfillment by the Republic of Kazakhstan of obligations within the framework of the functioning of the internal market of the Eura- |

| Publication Date | Title |
|------------------------------|---|
| | sian Economic Union |
| Board Recommendations | |
| 01-06-18 | № 8 (29-05-18) On the Introduction of Amendments to Volume VI of the Explanations to the Unified Commodity Nomenclature for Foreign Economic Activity of the Eurasian Economic Union |
| 21-06-18 | № 9 (19-06-18) On the interaction of bodies of state control (supervision) of the member states of the Eurasian Economic Union in carrying out measures for state control (supervision) over compliance with the requirements of the technical regulations of the Eurasian Economic Union |

Classification decisions adopted by the Commission and preliminary decisions adopted by the States-Members

The Commission has posted a table which provides a [collection of classification decisions](#) under the common tariff adopted by the Commission. A separate website exists for [preliminary decisions on the classification of goods adopted by the customs authorities of states - members](#) of the Eurasian Economic Union. It was last updated 12 June 2018. The table lists the tariff codes, a description, rationale (GRIs) for the decision.

BELARUS

Legislation (acts, resolutions, orders, etc.)

The following were posted to the SCC website or the [National Center for Legal Information of the Republic of Belarus](#):

| Date | Subject |
|----------|---|
| 07-06-18 | Belarus introduces licensing of imports of certain types of products from gyp-sum |
| 26-06-18 | Export duties on oil and oil products in Belarus increase from July 1 |
| 28-06-18 | President defined the procedure for additional financing of customs authorities |

Preliminary decisions on tariff classification

The State Customs Committee maintains a [searchable database of preliminary decisions on the tariff classification of goods](#) (*База данных товаров, в отношении которых принято предварительное решение о классификации*). The database has been updated through May 2018. It may be searched by tariff code or description (in Russian).

RUSSIAN FEDERATION

Russia introduces new countersanctions

On 4 June 2018, President Putin signed the Federal Law “*On Measures (Countermeasures) in Response to Unfriendly Actions of the USA and (or) other Foreign States*” (“*О мерах воздействия (противодействия) на недружественные действия Соединенных Штатов Америки и иных иностранных государств*”, Federal Law 127-ФЗ, the “Law on Countersanctions”). The Law on Countersanctions entered into force on the date of its publication (i.e., on 4 June 2018).

Specifically, the Law on Countersanctions includes the following potential countermeasures:

1. *Suspension or termination of international cooperation* of Russia and Russian legal entities with (i) unamicable states, (ii) entities subject to the jurisdiction of unamicable states that are directly or indirectly controlled by, or affiliated with, unamicable foreign states (in accordance with the decision of the President of Russia);
2. *Import ban or import restrictions* with respect to products and/or raw materials (i) originating from unamicable states, or (ii) manufactured by entities subject to the jurisdiction of unamicable states that are directly or indirectly controlled by, or affiliated with, unamicable foreign states (the list of products and/or raw materials will be determined by the Russian Government).
3. *Export ban or export restrictions* with respect to products and/or raw materials, if exported by (i) citizens of unamicable states, (ii) entities subject to the jurisdiction of unamicable states that are directly or indirectly controlled by, or affiliated with, unamicable foreign states (the list of products and/or raw materials will be determined by the Russian Government).
4. *Prohibition or restriction on the provision* (in Russia) of works/services for state and municipal needs and for the needs of certain kinds of legal entities, if such works/services are provided by entities subject to the jurisdiction of unamicable states that are directly or indirectly controlled by, or affiliated with, unamicable foreign states (the list of works/services will be determined by the Russian Government).
5. *Prohibition or restriction on* (i) privatization of state and municipal property, (ii) provision of works/services related to the organization for the sale of federal property and/or (iii) performance of the functions of the seller of federal property for entities subject to the jurisdiction of unamicable states that are directly or indirectly controlled by, or affiliated with, unamicable foreign states.
6. *Other measures as determined by the President of Russia.*

Additionally, the Law on Countersanctions empowers the President of Russia to introduce a special national regime (and exceptions to it) for goods and services originating from unamicable states if such states introduce any restrictions for goods and services originating from Russia.

According to the Law on Countersanctions, import ban or import restrictions shall not cover vital goods analogues to which cannot be found in Russia and imports of articles for personal use by Russian and foreign citizens and persons without citizenship.

For the purposes of the Law on Countersanctions, “*unamicable foreign states*” should be understood as the USA and other foreign countries committing “*unamicable actions*” with respect to Russia or its citizens or legal entities. The Law on Countermeasures does not provide for a straightforward definition of “unamicable actions.” Article 1(1) of the Law on Countermeasures only states that unamicable actions may occur through the imposition of political or economic sanctions against Russia and/or Russian citizens and/or Russian legal entities; however, unamicable actions may take the form of other actions “threatening the territorial integrity of Russia or aimed at economic and political destabilization of Russia.”

Open sources do not contain any information with respect to products and/or raw materials that could potentially fall under import and/or export ban/restrictions. The decision on this question, as well as on the list of “unamicable foreign states” is yet to be formally taken by the Russian President and Government.

As a part of the countersanctions package, the State Duma is considering imposition of administrative and/or criminal liability for compliance with international

sanctions. However, up to the moment it is not clear how the administrative and/or criminal offence in such draft bills will look like.

For additional information, please contact [Alexander Bychkov](#), [Vladimir Efremov](#), [Sergei Voitishkin](#) and [Maxim Kalinin](#).

Update on Russia's proposed new countersanctions

Law on Russian Economic Countermeasures

On 30 May 2018, the Federation Council (upper chamber of the Russian Parliament) approved the Federal Law “*On Measures (Countermeasures) in Response to Unfriendly Actions of the USA and (or) other Foreign States*” (the “Law on Countersanctions”). The Law on Countersanctions was approved in the version adopted by the State Duma in the third and final reading on 22 May 2018.

The Law on Countersanctions will be passed to President Putin not later than on 4 June 2018. Once received, President Putin will have to sign the Law on Countersanctions (or refuse to sign it, which is unlikely) within 14 days. The signed Law on Countersanctions is required to be formally published within 7 days from the date of its signing.

The Law on Countersanctions will come into force on the date of its publication. Initially, it was expected that it would become effective early in July 2018. However, given the latest developments, it seems that the Law on Countersanctions will be signed by President Putin and will come into force by the end of June 2018, at the latest.

After the Law on Countersanctions comes into force, it will be up to the Russian President and Government to decide which particular counter-measures (if any) and against what countries will be introduced. The Law on Countersanctions contains no deadline for such a decision, leaving the matter entirely at the discretion of the executive power.

For additional information, please contact [Alexander Bychkov](#) or [Vladimir Efremov](#).

Africa

SOUTH AFRICA

South African Customs and Excise Act Amendments of Rules and Tariff Schedules

| Date | Publication Details | Subject | Implementation Date |
|----------|---------------------|---|---------------------|
| 01-06-18 | GG.41668 R.556 | Amendment to Part 1 of Schedule No. 4, by the substitution of rebate items 405.04/00.00/01.00 and 405.04/00.00/02.00 in order to review the wording providing for goods for disabled persons or for the upliftment of indigent persons – ITAC Minute M15/2017 <ul style="list-style-type: none"> • Notice R556 | 01-06-18 |
| 08-06-18 | GG.41690 R.581 | Amendment to Part 1 of Schedule No. 1, by the substitution of tariff subheadings 1701.12, 1701.13, 1701.14, 1701.91 and 1701.99 to in- | 08-06-18 |

| Date | Publication Details | Subject | Implementation Date |
|----------|---------------------|---|---------------------------------------|
| | | <p>crease the rate of customs duty on sugar from 213.1c/kg to 233.81c/kg in terms of the existing variable tariff formula – ITAC Minute 05/2018</p> <ul style="list-style-type: none"> • Notice R.581 | |
| 15-06-18 | GG.41705 R.604 | <p>Amendment to Part 1 of Schedule No. 2, by the deletion of item 206.04/3207.40/01.06 and substitution of item 206/04/3207.40/02.06 to give effect to the sunset review of the anti-dumping duties on glass frit originating in or imported from Brazil – ITAC Report no. 579</p> <ul style="list-style-type: none"> • Notice R.604 | 15-06-18 |
| | GG.41705 R.603 | <p>Amendment to Part 1 of Schedule No. 1, by the insertion and substitution of various items under heading 73.12 in order to review the rates of customs duty on stranded wire, ropes and cables – ITAC Report No. 571 as amended by minute M02/2018</p> <ul style="list-style-type: none"> • Notice R.603 | |
| | GG.41705 R.605 | <p>Amendment to Part 2 of Schedule No. 4, by the insertion of rebate items 460.15/7312.10/01.06 and 460.15/7312.90/01.06 in order to provide for a rebate facility on stranded wire, ropes and cables – ITAC Report 571 as amended by minute M02/2018</p> <ul style="list-style-type: none"> • Notice R.605 | |
| 29-06-18 | GG.41739 R.650 | <p>Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.5/01.05 to 460.15/7208.5/07.05 and 460.15/7225.40/01.06 to 460.15/7225.40/09.06 in order to exclude certain hot-rolled steel from being subject to safeguard duty – ITAC Report 576</p> <ul style="list-style-type: none"> • Notice R.650 | 29-06-18 up to and including 10-08-18 |
| | GG.41739 R.651 | <p>Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.5/01.05 to 460.15/7208.5/07.05 and 460.15/7225.40/01.06 to 460.15/7225.40/09.06 in order to exclude certain hot-rolled steel from being subject to safeguard duty – ITAC Report 576</p> <ul style="list-style-type: none"> • Notice R.651 | 11-08-18 up to and including 10-08-19 |
| | GG.41739 R.652 | <p>Amendment to Part 3 of Schedule No. 2, by the substitution of safeguard item 260.03/72.08/01.04 and 260.03/7225.40/01.06 to exclude rebate item range 460.15/7208.5/01.05 to 460.15/7208.5/07.05 and 460.15/7225.40/01.06 to 460.15/7225.40/09.06 in order to exclude certain hot-rolled steel from being subject to safeguard duty – ITAC Report 576</p> <ul style="list-style-type: none"> • Notice R.652 | 11-08-19 up to and including 10-08-20 |
| | GG.41739 R.653 | <p>Amendment to Part 2 of Schedule No. 4 by the insertion of various rebate items applicable to tariff heading 72.08 and 7225.40 respectively in order to create a rebate facility on certain hot-rolled steel – ITAC Report 576</p> <ul style="list-style-type: none"> • Notice R.653 | 29-06-18 |
| | GG.41739 | Rule amendment by the substitution in item | 29-06-18 |

| Date | Publication Details | Subject | Implementation Date |
|------|---------------------|---|---------------------|
| | R.654 | 202.00 to the rules for form DA 179: Health promotion levy return for sugary beverages <ul style="list-style-type: none"> • Notice R.654 <ul style="list-style-type: none"> ○ DA 179 | |

Trade compliance enforcement actions - import, export, IPR, FCPA

The links below will take you to official press releases and summaries of selected administrative and judicial trade compliance enforcement actions (arrests, indictments, penalties, seizures, convictions, debarments, etc.) involving US and foreign import, export, FCPA/anti-bribery, IPR border enforcement and related matters. Child pornography, controlled substance and currency related seizures and arrests will not be listed, unless connected to trade violations. [Foreign government cases are preceded by the letter (F) in parenthesis].

[Agency abbreviations: US agencies - APHIS= Animal & Plant Health Inspection Service; ATF=Bureau of Alcohol, Tobacco, Firearms and Explosives; BIS= Bureau of Industry and Security, Office of Export Enforcement (Commerce); CBP=US Customs and Border Protection; CPSC=Consumer Product Safety Commission; DDTC= State Dep't Directorate of Defense Trade Controls; DOJ=Department of Justice, including US Attorneys; DEA=Drug Enforcement Administration; DoD=Dep't of Defense components [NCIS, DCIS, CID, etc.]; FBI=Federal Bureau of Investigation; FDA= US Food and Drug Administration; FRB= Federal Reserve Board of Governors; FTC= Federal Trade Commission; FWS= US Fish & Wildlife Service; GSA= General services Administration; HSI=US Immigration and Customs Enforcement, Homeland Security Investigations; NOAA=National Oceanic and Atmospheric Administration; OFAC=Office of Foreign Assets Control (Treasury); SEC=Securities and Exchange Commission; USCG= US Coast Guard; USPIA=Postal Inspection Service; USDA= US Department of Agriculture; ; DSS= Diplomatic Security Service. Local agencies - PD = Police departments; Non-US agencies - CBSA= Canada Border Services Agency; RCMP= Royal Canadian Mounted Police; SAT=Mexican Customs; HKCE= Hong Kong Customs & Excise; SFO = UK Serious Fraud Office.]

| Date of Release | Subject |
|-----------------|--|
| 06-06-18 | Ericsson, Inc. and Ericsson AB Settle Potential Civil Liability for an Apparent Violation of the Sudanese Sanctions Regulations (OFAC) |
| 06-07-18 | (F) New Zealand Aircraft Maker Pacific Aerospace Fined NZ \$74,000 for Illegal North Korea Exports (UN investigation, NZ) |
| 06-08-18 | Customs Broker Pleads Guilty to Mail Fraud in Scheme to Evade Federal Excise Tax on Imported Cigars (DOJ, TTB, IRS, CBP) |
| | Superseding Order Relating to Zhongxing Telecommunications Equipment Corporation and ZTE Kangxun Telecommunications Ltd. (BIS) |
| | CBP Officers Find More Than Seven Tons of Marijuana Hidden in Cargo Shipment (CBP, SAT, ICE) |
| 06-12-18 | California Residents Plead Guilty to Scheme to Illegally Export Components for Production of Night Vision Rifle Scopes (DOJ, FBI, IRS, BIS) |
| 06-14-18 | Third stolen Christopher Columbus letter returned to the Vatican (ICE, DOJ) |
| 06-20-18 | Wildlife crime: global seizures and arrests in transcontinental operation (coordinated by INTERPOL and the World Customs Organization (WCO), International Consortium on Combating Wildlife Crime (ICWC), Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, UNODC, World Bank and police, Customs, border, environment, wildlife and forestry agencies from 93 countries) |
| 06-25-18 | Philadelphia CBP Seizes \$289,130 Shipment of Counterfeit apparel from Hong Kong (CBP) |
| 06-27-18 | CBP Officers Seize Coolers at Portal Port of Entry (CBP) |
| | CBP and Otter Products Partner to Prevent Counterfeit Protective Phone Cases |

| Date of Release | Subject |
|-----------------|--|
| | from Entering US (CBP, Otter Products LLC) |
| | ICE HSI New York operation leads to arrests of 3 dozen darknet vendors selling illicit goods, weapons, drugs seized and more than \$23.6 million (ICE, DOJ, USFIS, USSS, DEA, FBI, CBP, NYPD) |
| | Manhattan U.S. Attorney Settles Civil Fraud Lawsuit Against Fine Jewelry Designer For Evading Customs Duties - Company Admits to Three Different Evasion Schemes. Must Pay \$796,000 and Implement Compliance Measures (DOJ, CBP, ICE) |
| 06-28-18 | Baltimore CBP Reports Nation's First Encounter of a Wood-Boring Wasp Species in Aluminum Coils from Greece (CBP, USDA) |
| | Philadelphia CBP Seizes Nearly \$10 Million in Counterfeit Luxury Watches (CBP) |

Newsletters, Reports, Articles, Etc.

Baker & McKenzie Global VAT/GST Newsletter

Baker & McKenzie's [Global VAT/GST Newsletter](#) provides a quick update into important developments in the field of VAT/GST across the globe. In order to maximize the effectiveness of this newsletter to you, most articles are brief and are designed to flag topics that are likely to affect multi-national businesses. Contacts for the Global VAT/GST Newsletter are:

- Jochen Meyer-Burrow, Partner, jochen.meyer-burrow@bakermckenzie.com
- Martin Morawski, Associate, martin.morawski@bakermckenzie.com


Publications, Alerts, Newsletters

The following Baker & McKenzie publications, client alerts, legal alerts or newsletters released during the period of coverage of this *Update* may be of interest to you:

| Subject |
|---|
| International Trade, Tax and Anti-corruption |
| Global International Trade Compliance Update – June 2017 {older issues} |
| International Commercial Client Alert: Trump on Trade: June 1 Update on Section 232 Duties on Steel & Aluminum |
| Canada International Commercial & Trade Client Alert: Canada announces retaliatory tariffs in response to US steel and aluminum tariffs |
| Mexico International Commercial Client Alert 33: USA announces that it will impose tariffs on imports of Mexican and European steel and aluminum; Mexico announces retaliation measures (Eng.); EUA anuncia que impondrá aranceles al acero y aluminio mexicanos y europeos; México anuncia medidas de represalia (Span.) |
| Mexico International Commercial Client Alert 34: Mexico implements retaliatory measure against duties imposed by the United States (Eng.); Mexico implementa medida de represalia a aranceles impuestos por Estados Unidos (Span.) |
| Mexico International Commercial Client Alert 36: Antidumping News – May 2018 - Final antidumping duties to imports of ceramic tableware and loose pieces of tableware (including porcelain) China originating (Eng.); Noticias Antidumping – Mayo 2018 - Se establecen cuotas compensatorias definitivas a la importación de vajillas y piezas sueltas de vajillas de cerámica (incluidas las de porcelana) originaria de China (Span.) |
| Global IMT Industry Group Client Alert: Trump Administration and Congress to Tighten Investment Restrictions & Export Controls to Address Technology Transfer Concerns |
| UK Business Crime Unit and Compliance and Investigations Practice Group Client Alert: Lisa Osofsky announced as new Director of the SFO |

| Subject |
|---|
| Vietnam Trade and Commerce Client Alert: The new decree on sales promotions is being circulated |
| Argentina: Insight - Customs Increases the Maximum FOB Value per Shipment for Imports via Courier |
| Thailand Client Alert: Cryptocurrencies and ICOs Now Regulated in Thailand (law and draft regulations as of 10 June 2018) |
| Vietnam Trade Client Alert: Customs control changes under recent government decrees |
| Other areas |
| Global Technology, Media & Telecommunications Group LegalBytes May 2018 |
| Vietnam Renewable Energy Client Alert: Vietnam's updated policy on inclusion of new solar power projects in power development plans |
| Thailand Insurance Newsletter June 2018: Insurance Revolution #5: InsurTech vs Lifestyle |
| Vietnam Technology, Media and Telecommunications Client Alert: Vietnam National Assembly Passes the Law on Cybersecurity |
| Ukraine Corporate M&A Legal Alert: New Law on LLCs Became Effective (Eng.); Новий закон про ТОВ набрав чинність (Ukr.) |

Webinars, Meetings, Seminars, Etc.



2018 Global Trade and Supply Chain Webinar Series

Continuing Challenges in Global Trade



We are very pleased to announce our 15th annual **Global Trade and Supply Chain Webinar Series** entitled, “**2018: Continuing Challenges in Global Trade**”. The series will include the latest international trade developments including the impact of the Trump presidency on trade policy, TPP and of Brexit. In addition to our usual topics of Customs and export controls/sanctions, we will also cover Human Rights, Forced Labor, and Ethical Supply Chains.

This year, we have again expanded our usual program to include our **Customs Academy**, which will feature 6 “*Customs 101*” webinars (highlighted in green below). The Customs 101 program will be primarily aimed at participants who are new to Customs and/or those who would like a refresher and will include introductory sessions on key Customs topics such as tariff classification, valuation and origin; and an overview of Customs in some key jurisdictions.

Terrie Gleason, a partner in our San Francisco, CA office and Head of the Firm's Global Customs Focus Group, and **Jenny Revis**, a partner in our London office, will moderate these webinars and be joined by experts from across our global network.

All webinars will begin at 11:00 AM Eastern (US) and are scheduled to run approximately 90 minutes. If you reside in a different time zone and wish to verify your time - please click on the following link: www.timeanddate.com.

If you miss a webinar that has already been given, wish to see it again or want to download a presentation, you may do so at [this new link](#) or by clicking the blue title below which indicates the material has been posted. Webinars are usually posted approximately two weeks after the live presentation.

| | | |
|-------------------|--|---|
| January 30 | Human Rights, Forced Labor, and Ethical Supply Chains: Best Practices for Managing Growing Legal Obligations and Risks | To register for this complimentary webinar series , click on the REGISTER NOW button and provide your |
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|--------------|--|--|
| | <p>Speakers: Reagan Demas (DC), John Foote (DC), Francesca Richmond (London), Christopher Burkett (Toronto), and John McKenzie (SF/Palo Alto)</p> | <p>information. You can register for one or all webinars.</p> <p>We hope you will participate in and enjoy this exciting webinar series!</p> |
| February 27 | <p>Speakers: Jose Hoyos-Robles (Mexico City), Olof Johannesson (Stockholm), Andrew Rose (London), Nicole Looks (Frankfurt), and Riza Buditomo (Jakarta)</p> | <p>Login Details: Log-in details will be sent via email one week before the event.</p> <p>Webinar Series Lead: Teresa A. Gleason Head, Global Customs Focus Group (San Francisco, CA) Tel: +1 415 576 3021 teresa.gleason@bakermckenzie.com</p> <p>These webinars are all complimentary.</p> <p>REGISTER NOW</p> <p>Questions: If you have any questions regarding this webinar series, please contact:</p> <p>Sal Gonzalez Business Development Specialist Tel: +1 202 835 1661 sal.gonzalez@bakermckenzie.com</p> <p>MCLE Credit: Approved for 1.5 California general CLE credits, 1.5 Illinois general CLE credits, 1.5 New York areas of professional practice CLE credits, and 1.5 Texas general CLE credits. Florida and Virginia CLE applications can be made upon request. Participants requesting CLE for other states will receive Uniform CLE Certificates.</p> <p>Baker & McKenzie LLP is a California and Illinois CLE approved provider. Baker & McKenzie LLP has been certified by the New York State CLE Board as an accredited provider in the state of New York for the period 12/12/15-12/11/18. This program may earn newly admitted New York attorneys credit under Areas of Professional Practice. Baker & McKenzie LLP is an accredited sponsor, approved by the State Bar of Texas, Committee on MCLE.</p>  <p><i>Pending - We have applied for CES and CCS credit for these webinars to the National Customs Brokers & Forwarders Association of America, Inc.</i></p> |
| March 27 | <p>Speakers: Marc Lager (Vienna), Anne Petterd (Singapore), Alex Lamy (DC) and John McKenzie</p> | |
| April 24 | <p>Speakers: Adrianna Ibarra-Fernandez (Mexico City), Jessica Mutton (London), and John McKenzie (SF/Palo Alto)</p> | |
| May 22 | <p>Speakers: Alexander Bychkov (Moscow), Nicole Looks (Frankfurt) and Jenny Revis (London), and John McKenzie (SF/Palo Alto)</p> | |
| June 26 | <p>Speakers: Kevin Nordin (London), Jon Cowley (Hong Kong) and Brian Cacic (Toronto)</p> | |
| July 24 | <p>Speakers: Terrie Gleason (San Francisco), Stu Seidel (DC) and Jenny Revis (London), and Fred Burke (Ho Chi Minh)</p> | |
| August 28 | <p>Speakers: Frank Pan (Shanghai), Vladimir Efremov (Moscow), and Reggie Mezu (Middle East)</p> | |
| September 25 | <p>Speakers: Adriana Ibarra-Fernandez (Mexico), Nicole Looks (Frankfurt), and Meredith DeMent (DC)</p> | |
| October 30 | <p>Speakers: Manuel Padron (Juarez), Alessandra Machado (Sao Paolo), and Esteban Ropolo (Buenos Aires)</p> | |
| November 27 | <p>Speakers: Kerry Contini (DC), Ben Smith (London), and Jon Cowley (Hong Kong)</p> | |
| December 18 | <p>Speakers: Eunkyung Kim Shin (Chicago), Edith Salcedo-Hinojosa (Guadalajara), and</p> | |

Daniel Sanchez-Elizondo (Guadalajara)



**RECORDED SESSIONS FROM OUR
ANNUAL YEAR-END REVIEW OF IMPORT/EXPORT DEVELOPMENTS
IN SANTA CLARA, CALIFORNIA**

14 November 2017 – Year-End Review of Import/Export Developments (Export Day)

AM Sessions Recording –

- Export Control Developments in the United States and European Union
- Encryption Export Controls and Cloud Computing: A Comparative Analysis
- United States Economic Sanctions Update & Russian Response to US Sanctions

PM Sessions Recording –

- Economic Sanctions: A Comparative Analysis
- Export Enforcement (panel format did not include slides)
- Export Control Developments in the Asia Pacific Region
- Arab States Boycott of Qatar and the Implications Under the United States Anti-Boycott Regulations

15 November 2017 – Year-End Review of Import/Export Developments (Import Day)

AM Sessions Recording –

- The Current International Trade Environment: Challenges to Globalization and its Impact on the Supply Chain
- Trade Policies and Initiatives Under the Trump Administration
- The NAFTA Renegotiation: A Multinational Perspective
- United States and Canadian Customs Regulatory Update

PM Sessions Recording –

- European Union Customs and Trade Developments
- Emerging Impediments to the Import of IT Products into China
- Latin American Trade Developments

2017 Global Trade and Supply Chain Webinar Series

“2017: Beginning of a New Era in Global Trade and Business?”

Our 14th annual, **Global Trade and Supply Chain Webinar Series** entitled, “2017: Beginning of a New Era in Global Trade and Business?” included the latest international trade developments including the impact

Webinar Start Time:

08:00 AM (Pacific)
10:00 AM (Central)
11:00 AM (Eastern)

*see timeanddate.com for time in your

of the Trump presidency on trade policy and of Brexit. In addition to our usual topics of Customs, export controls/sanctions and FCPA/anti-bribery, the 2017 series also covers data privacy and intellectual property in the supply chain.

In 2017, we expanded our usual program to launch our *Customs Academy*, featuring 6 “*Customs 101*” webinars (indicated in green). The Customs 101 program is primarily aimed at participants who are new to Customs and/or those who would like a refresher and will include introductory sessions on key Customs topics such as tariff classification, valuation and origin; and an overview of Customs in some key jurisdictions.

Terrie Gleason, a partner in our San Francisco office and Head of the Firm’s Global Customs Focus Group, and Jenny Revis, Of Counsel in the London office, will moderate these webinars and be joined by experts from across our global network.

All webinars are scheduled to run approximately 90 minutes.

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Webinar Dates and Topics:

January 31

[Major Customs Developments in North America and Asia](#)

Speakers: Stu Seidel (Washington, DC), Brian Cacic (Toronto), Eugene Lim (Singapore), and Adriana Ibarra-Fernandez (Mexico City)

February 28

[Customs Basic: How to Classify Your Products](#)

Speakers: Daniel Lund (London), Jose Hoyos-Robles (Mexico City), and Eunkyung Shin (Chicago)

March 28

[New Era of Protectionism? – Trump Presidency and Brexit Developments](#)

Speakers: Terrie Gleason and Stu Seidel (Washington DC), Ross Denton and Jessica Mutton (London)

April 25

[Customs Basic: How to Value Your Products](#)

Speakers: Nicole Looks (Frankfurt), Eugene Lim (Singapore), Paul Burns (Toronto), and Daniel Sanchez-Elizondo (Guadalajara)

May 23

[Impact on Sanctions: Trump Administration’s Effects on US, EU, and Russian Sanctions](#)

Speakers: Alexander Bychkov (Moscow), Ben Smith (London), Alex Lamy (Washington, DC) and Alison Stafford Powell (Palo Alto)

June 27

[Customs Basic: Determining the Origin of Your Products](#)

Speakers: Olivia Colville (Chicago), Jessica Mutton (London), and Adriana Ibarra-Fernandez (Mexico City)

July 25

[Major Developments in Data Privacy](#)

location.

Duration:

90 Minutes

Login Details:

Log-in details will be sent via email one week before the event.

Focus Group Head:

Teresa A. Gleason

Head, Global Customs Focus Group
(San Francisco, CA)

Tel: +1 415 576 3021

teresa.gleason@bakermckenzie.com

These webinars area all complimentary.

REGISTER NOW

Questions:

If you have any questions regarding this webinar series, please contact:

Sal Gonzalez

Business Development Specialist

Tel: +1 202 835 1661

sal.gonzalez@bakermckenzie.com

MCLE Credit:

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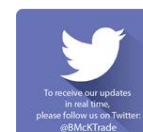
To register for this complimentary webinar series, click on the **Register Now** button above and provide

| <u>Laws – US, Canada and EU</u> | |
|---|---|
| Speakers: Brian Hengesbaugh (Chicago), Dean Dolan (Toronto), Dyann Heward-Mills (London), Michael Egan (Washington, DC) | |
| August 22 | <u>Customs Basic: Reducing your Duty Liability Through the Use of Customs Procedures</u> |
| Speakers: Roger van de Berg (Amsterdam), Eunkyung Kim Shin (Chicago), Manuel Padron-Castillo (Juarez), and Panya Sittisakonsin (Bangkok) | |
| September 19 | <u>Intellectual Property Considerations and Issues in Your Supply Chain</u> |
| Speakers: Gary Shapiro (San Francisco), Lothar Determann (Palo Alto), Jochen Herr (Munich), Isabella Liu, Kei Matsumoto, Flavia, Rabello | |
| October 24 | <u>Customs Basic: What You Need to Know about Customs in the EU, Russia and China</u> |
| Speakers: Mariacristina Scarpa and Giulia Bettarini (Milan), Alexander Brychov and Vladimir Efremov (Moscow), and Frank Pan (Shanghai) | |
| November 28 | <u>Major Developments in FCPA/Anti-Bribery Regulation</u> |
| Speakers: John McKenzie (San Francisco), Mini vandePol (Hong Kong), and Peter Tomczak (Chicago) | |
| December 19 | <u>Customs Basic: What You Need to Know about Customs in the US, Mexico and Brazil</u> |
| Speakers: Alejandro Martinez-Galindo (Guadalajara), Alessandra S. Machado (Sao Paulo), Meredith DeMent (Washington, DC), and Meghan Hamilton (Chicago) | |

your information. You can register for one or all webinars.





We hope you will participate in and enjoy this exciting webinar series!



Interested in learning more?



WTO TBT Notifications

Member countries of the World Trade Organization (WTO) are required under the *Agreement on Technical Barriers to Trade* (TBT Agreement) to report to the WTO all proposed technical regulations that could affect trade with other Member countries. The WTO Secretariat distributes this information in the form of “notifications” to all Member countries. This chart summarizes notifications in English posted by the WTO during the past month. If you are interested in obtaining copies of any of these notifications, please contact stuart.seidel@bakermckenzie.com who will try to obtain the text. Some notifications are only available in the official language of the country publishing the notification. *Note: All dates are given as mm/dd/yyyy; National flags are not scaled for relative comparison.*
































| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|----------------|-------------|-------------------------|--|
|  Argentina | ARG/151/Add.19 | 05/25/2018 | Not given | Bicycles |
|  Argentina | ARG/289/Add.7 | 05/25/2018 | Not given | Motor vehicles, trailers and semi-trailers |
|  Argentina | ARG/151/Add.18 | 05/25/2018 | Not given | Bicycles |
|  Argentina | ARG/309/Add.3 | 06/18/2018 | Not given | Textile products and footwear |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|--------------|-------------|-------------------------|---|
|  Armenia | ARM/84 | 05/30/2018 | 07/09/2018 | High Voltage Equipment |
|  Bahrain, Kingdom of | BHR/519 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Bahrain, Kingdom of | BHR/520 | 05/30/2018 | 07/29/2018 | Frozen Taro |
|  Bahrain, Kingdom of | BHR/521 | 05/30/2018 | 07/29/2018 | Mastic |
|  Bahrain, Kingdom of | BHR/522 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Bahrain, Kingdom of | BHR/523 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  Bahrain, Kingdom of | BHR/524 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Bahrain, Kingdom of | BHR/525 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bahrain, Kingdom of | BHR/526 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bahrain, Kingdom of | BHR/527 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Bolivia | BOL/10 | 05/25/2018 | 07/24/2018 | Andean Community Nomenclature (NANDINA) code. Product description - Portland Cement: 2523.29.00 - Other: Only applies to cement types I, IP, IF, IS and IM. Other hydraulic cements: Only applies to pozzolanic cements |
|  Bolivia | BOL/10/Add.1 | 05/30/2018 | Not given | Andean Community Nomenclature (NANDINA) code. Product description - Portland Cement: 2523.29.00 - Other: Only applies to cement types I, IP, IF, IS and IM. Other hydraulic cements: Only applies to pozzolanic cements |
|  Botswana | BWA/79 | 06/25/2018 | 08/24/2018 | Low voltage switchgear and controlgear |
|  Botswana | BWA/80 | 06/25/2018 | 08/24/2018 | Protective gloves against dangerous chemicals and micro-organisms |
|  Botswana | BWA/81 | 06/25/2018 | 08/24/2018 | Protective gloves against dangerous chemicals and micro-organisms |
|  Botswana | BWA/82 | 06/25/2018 | 08/24/2018 | Low voltage switchgear and controlgear |
|  Botswana | BWA/83 | 06/25/2018 | 08/24/2018 | Luminaires |
|  Botswana | BWA/84 | 06/25/2018 | 08/24/2018 | Raw cow's milk |
|  Botswana | BWA/85 | 06/25/2018 | 08/24/2018 | Pasteurized cow's milk |
|  Botswana | BWA/86 | 06/25/2018 | 08/24/2018 | Yoghurt, sour milk (madila) and buttermilk |
|  Botswana | BWA/87 | 06/25/2018 | 08/24/2018 | Ultra High Temperature treated cow's milk |
|  Brazil | BRA/814 | 05/31/2018 | Not given | Improve knowledge of existing, emerging and innovative technologies, subsidizing the processes of evaluation of technologies and production of regulations in Sanitary Surveillance |
|  Brazil | BRA/815 | 05/31/2018 | Not given | Medical devices (HS Chapter 90) |
|  Brazil | BRA/816 | 05/31/2018 | Not given | Self-test instruments for glucose and its consumables. |
|  Brazil | BRA/817 | 05/31/2018 | 06/27/2018 | Active ingredient P34 – Pyriproxyfen |
|  Brazil | BRA/818 | 05/31/2018 | 06/27/2018 | Ingredient B40 - Beauveria Bassiana |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|---------------|-------------|-------------------------|--|
|  Brazil | BRA/819 | 05/31/2018 | 06/27/2018 | Active ingredient T48 – Thiamethoxam |
|  Brazil | BRA/820 | 06/12/2018 | 08/06/2018 | Market goods |
|  Brazil | BRA/821 | 06/13/2018 | 09/09/2018 | Public Taking of subsidies |
|  Brazil | BRA/773/Add.1 | 06/18/2018 | Not given | Seasoned meat products (HS Code(s): 02) |
|  Brazil | BRA/822 | 06/18/2018 | 07/20/2018 | Maximum limits of the relevant impurities |
|  Brazil | BRA/402/Add.3 | 06/25/2018 | Not given | Olive-residue oil and blends (HS 1509, 1510) |
|  Brazil | BRA/823 | 06/25/2018 | 09/03/2018 | Kombucha (HS 09.02) |
|  Brazil | BRA/824 | 06/25/2018 | Not given | Propagation material for rubber tree (HS Code 06) |
|  Brazil | BRA/825 | 06/26/2018 | Not given | Residues and contaminants in products of animal origin (HS Code(s) 02; 03) |
|  Brazil | BRA/826 | 06/27/2018 | 08/25/2018 | Organic production (HS Code 01;02;03;04;05;06;07;08;09;10;11;12;13;15;16;17;18;19;20;21;22;23) |
|  Cambodia | KHM/4 | 06/26/2018 | 08/25/2018 | Brake System |
|  Cambodia | KHM/5 | 06/26/2018 | 08/25/2018 | Brake system |
|  Cambodia | KHM/6 | 06/26/2018 | 08/25/2018 | Seat Belt Anchorage |
|  Cambodia | KHM/7 | 06/26/2018 | 08/25/2018 | Safety Belt |
|  Cambodia | KHM/8 | 06/26/2018 | 08/25/2018 | Seats |
|  Cambodia | KHM/9 | 06/26/2018 | 08/25/2018 | Head Restraint |
|  Cambodia | KHM/10 | 06/26/2018 | 08/25/2018 | Pneumatic Tyres (Passenger Vehicle) |
|  Cambodia | KHM/11 | 06/26/2018 | 08/25/2018 | Speedometers |
|  Cambodia | KHM/12 | 06/26/2018 | 08/25/2018 | Exhaust Emission for motorcycles |
|  Cambodia | KHM/13 | 06/26/2018 | 08/25/2018 | Noise for motorcycles |
|  Cambodia | KHM/14 | 06/26/2018 | 08/25/2018 | Safety Glazing Material |
|  Cambodia | KHM/15 | 06/26/2018 | 08/25/2018 | Rear View Mirrors |
|  Cambodia | KHM/16 | 06/26/2018 | 08/25/2018 | Exhaust Emission for heavy duty vehicles |
|  Cambodia | KHM/17 | 06/26/2018 | 08/25/2018 | Noise Emission |
|  Cambodia | KHM/18 | 06/26/2018 | 08/25/2018 | Pneumatic Tyres (commercial vehicle) |
|  Cambodia | KHM/19 | 06/26/2018 | 08/25/2018 | Driver Operated Control |
|  Cambodia | KHM/20 | 06/26/2018 | 08/25/2018 | Pneumatic Tyres for Motorcycles |
|  Cambodia | KHM/21 | 06/26/2018 | 08/25/2018 | Steering System |
|  Cambodia | KHM/22 | 06/26/2018 | 08/25/2018 | Exhaust Emission for light duty vehicles |
|  Canada | CAN/556 | 06/04/2018 | 08/02/2018 | Motor vehicle |
|  Canada | CAN/520/Add.1 | 06/11/2018 | Not given | On-road heavy-duty vehicles, engines and trailers |




























| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|---------------------|-------------|-------------------------|--|
|  Canada | CAN/394/Rev.2/Add.1 | 06/15/2018 | Not given | Food intended for human consumption |
|  Canada | CAN/557 | 06/26/2018 | 08/24/2018 | Tobacco and vaping products |
|  Chile | CHL/403/Add.1 | 05/24/2018 | Not given | Steel structures |
|  Chile | CHL/442 | 05/24/2018 | 07/23/2018 | Milk and cheese |
|  Chile | CHL/443 | 06/07/2018 | 08/06/2018 | Urban and rural public transport buses |
|  Chile | CHL/444 | 06/26/2018 | 08/25/2018 | Automatic valves for portable liquefied petroleum gas (LPG) cylinders weighing 2, 5, 11 or 15kg |
|  China | CHN/1272 | 05/29/2018 | 07/28/2018 | Air cleaner |
|  China | CHN/1273 | 06/06/2018 | 08/05/2018 | Brake linings for automobiles |
|  China | CHN/1274 | 06/22/2018 | 08/21/2018 | Road motor vehicle |
|  China | CHN/1275 | 06/22/2018 | 08/21/2018 | Road motor vehicle |
|  Colombia | COL/232 | 05/25/2018 | 07/22/2018 | Chemicals (28.00.00) |
|  Colombia | COL/56/Add.7 | 05/31/2018 | Not given | Refrigerators, freezers, combined refrigerator-freezers, household type |
|  Colombia | COL/227/Add.1 | 05/31/2018 | Not given | Pressure cookers (7323.93.10.00 and 7615.10.10.00) |
|  Colombia | COL/162/Add.2 | 06/15/2018 | Not given | Corrugated bars |
|  Costa Rica | CRI/176/Add.1 | 05/25/2018 | Not given | Dietary supplements |
|  Ecuador | ECU/51/Add.4 | 06/07/2018 | Not given | Wire products (HS 7217, 7313, 7314, 7317) |
|  Ecuador | ECU/31/Add.11 | 06/18/2018 | Not given | Ceramic tiles (HS 6907, 6908) |
|  Ecuador | ECU/257/Add.3 | 06/25/2018 | Not given | Valves for industrial use (HS 8481.10.00, 8481.30.00, 8481.80.40, 8481.80.51, 8481.80.59, 8481.80.60, 8481.80.70 and 8481.10) |
|  Ecuador | ECU/264/Add.2 | 06/25/2018 | Not given | Safety or relief valves (HS 8481.40) |
|  European Union | EU/552/Add.1 | 06/04/2018 | Not given | Thiram (pesticide active substance) |
|  European Union | EU/573 | 05/28/2018 | 07/27/2018 | Biocidal products |
|  European Union | EU/574 | 05/28/2018 | 07/27/2018 | Biocidal products |
|  European Union | EU/575 | 06/11/2018 | 08/10/2018 | Biocidal products |
|  European Union | EU/576 | 06/11/2018 | 08/10/2018 | Biocidal products |
|  European Union | EU/577 | 06/11/2018 | 09/09/2018 | New motor vehicles of all categories (passenger cars, light commercial vehicles, trucks and busses, including their trailers, as well as systems, components and separate technical units intended for such vehicles). |
|  European Union | EU/578 | 06/13/2018 | 08/12/2018 | Propiconazole (pesticide active substance) |
|  European Union | EU/579 | 06/21/2018 | 08/20/2018 | Electrical and electronic equipment |
|  European Union | EU/580 | 06/22/2018 | 08/21/2018 | Electrical and electronic equipment |
|  France | FRA/186 | 05/30/2018 | 07/29/2018 | Unmanned civilian aircraft (drones) |



| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|--------------|-------------|-------------------------|--|
|  France | FRA/187 | 05/30/2018 | 07/29/2018 | Unmanned civilian aircraft (drones) |
|  Guyana | GUY/21 | 06/18/2018 | 07/14/2018 | Toys and playthings |
|  India | IND/80 | 06/25/2018 | 08/24/2018 | Transparent Float Glass of cut sizes or stock sheets square, rectangular and of other shapes. |
|  Italy | ITA/33 | 06/22/2018 | 09/07/2018 | Cotton buds made of plastic or of any non-biodegradable and non-compostable material; Exfoliating rinse-off cosmetic products or detergents containing microplastics |
|  Japan | JPN/598 | 06/07/2018 | 08/06/2018 | Aseptic filling Tofu, fungicide (fludioxonil) and Bologna sausage |
|  Japan | JPN/599 | 06/22/2018 | Not given | Substances with probable effects on the central nervous system |
|  Japan | JPN/600 | 06/27/2018 | 08/25/2018 | 920MHz band Low Power Wireless system |
|  Kazakhstan | KAZ/20 | 06/11/2018 | 07/09/2018 | High voltage equipment |
|  Kazakhstan | KAZ/21 | 06/11/2018 | 07/25/2018 | Underground Rolling Stock and its Components |
|  Kenya | KEN/672 | 06/07/2018 | 06/09/2018 | Sphygmomanometers |
|  Kenya | KEN/673 | 06/07/2018 | 06/09/2018 | Mouth props and airways |
|  Kenya | KEN/674 | 06/07/2018 | 06/09/2018 | Anaesthetic airways |
|  Kenya | KEN/675 | 06/07/2018 | 06/09/2018 | Impregnated Cotton swabs |
|  Kenya | KEN/676 | 06/07/2018 | 06/09/2018 | Autoclaving Tape |
|  Kenya | KEN/677 | 06/07/2018 | 06/09/2018 | Pressure-sensitive autoclaving tape |
|  Kenya | KEN/678 | 06/07/2018 | 06/09/2018 | Radiographic films |
|  Kenya | KEN/679 | 06/07/2018 | 06/09/2018 | Dial thermometers |
|  Kenya | KEN/680 | 06/07/2018 | 06/09/2018 | Hair extensions |
|  Kenya | KEN/681 | 06/07/2018 | 06/09/2018 | Office panel systems – Workstations |
|  Kenya | KEN/682 | 06/07/2018 | 06/09/2018 | Wooden office table |
|  Kenya | KEN/683 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/684 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/685 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/686 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/687 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/688 | 06/07/2018 | 08/06/2018 | Furniture |
|  Kenya | KEN/689 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/690 | 06/07/2018 | 06/09/2018 | Furniture |
|  Kenya | KEN/691 | 06/07/2018 | 06/09/2018 | Protective equipment |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|--------------|-------------|-------------------------|--|
|  Kenya | KEN/692 | 06/07/2018 | 06/09/2018 | Helmets |
|  Kenya | KEN/693 | 06/08/2018 | 06/09/2018 | Plastic apron |
|  Kenya | KEN/694 | 06/08/2018 | 06/09/2018 | Health care wastes bins |
|  Kenya | KEN/695 | 06/08/2018 | 06/09/2018 | Bin liners (polythene bags) |
|  Kenya | KEN/696 | 06/08/2018 | 06/09/2018 | Filtering face masks |
|  Kenya | KEN/697 | 06/08/2018 | 06/09/2018 | Overall clothings |
|  Kenya | KEN/698 | 06/08/2018 | 06/09/2018 | Safety goggles |
|  Kenya | KEN/699 | 06/08/2018 | 06/09/2018 | Waste transfer trolleys |
|  Kenya | KEN/700 | 06/07/2018 | 06/09/2018 | Gloves for healthcare waste handling |
|  Kenya | KEN/701 | 06/08/2018 | 07/09/2018 | Coppra |
|  Kenya | KEN/702 | 06/08/2018 | 07/09/2018 | Coco leaf midrib brooms (Petiole) |
|  Kenya | KEN/703 | 06/08/2018 | 07/09/2018 | Makuti |
|  Kenya | KEN/704 | 06/08/2018 | 07/09/2018 | Butter |
|  Kenya | KEN/705 | 06/08/2018 | 07/09/2018 | UHT Milk |
|  Kenya | KEN/706 | 06/08/2018 | 07/09/2018 | Yoghurt |
|  Kenya | KEN/707 | 06/08/2018 | 07/09/2018 | Milk powders and cream powders |
|  Kenya | KEN/708 | 06/08/2018 | 07/09/2018 | Raw Cow milk |
|  Kenya | KEN/709 | 06/08/2018 | 07/09/2018 | Pasteurised milk |
|  Kenya | KEN/710 | 06/08/2018 | 07/09/2018 | Dairy ice cream |
|  Kenya | KEN/711 | 06/08/2018 | 07/09/2018 | Sweetened condensed milk |
|  Kenya | KEN/712 | 06/08/2018 | 07/09/2018 | Ghee |
|  Korea, Republic of | KOR/770 | 05/28/2018 | 07/27/2018 | Consumer chemical products and Biocides |
|  Korea, Republic of | KOR/771 | 05/28/2018 | 07/27/2018 | Cleansing & Hygiene Products (Newly added: Disposable panty liner, Dry tissue for wet wipes) |
|  Korea, Republic of | KOR/772 | 05/28/2018 | 07/01/2018 | Clothes washing machines |
|  Korea, Republic of | KOR/773 | 05/28/2018 | 07/27/2018 | Disposable panty liner, dry tissue for wet tissue |
|  Korea, Republic of | KOR/774 | 06/07/2018 | 08/06/2018 | Medical Devices |
|  Korea, Republic of | KOR/775 | 06/11/2018 | 08/10/2018 | Non-phase-in substance & Phase-in Substance, carcinogenic or mutagenic substance |
|  Korea, Republic of | KOR/776 | 06/13/2018 | 08/12/2018 | Electricity meter |
|  Korea, Republic of | KOR/777 | 06/25/2018 | 08/24/2018 | Food |
|  Kuwait | KWT/401 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Kuwait | KWT/402 | 05/30/2018 | 07/29/2018 | Frozen Taro |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|---|---------------|-------------|-------------------------|---|
|  Kuwait | KWT/403 | 05/30/2018 | 07/29/2018 | Mastic |
|  Kuwait | KWT/404 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Kuwait | KWT/405 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  Kuwait | KWT/406 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Kuwait | KWT/407 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Kuwait | KWT/408 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Kuwait | KWT/409 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Lithuania | LTU/32 | 06/11/2018 | 08/10/2018 | Waste water |
|  Lithuania | LTU/33 | 06/14/2018 | 08/13/2018 | Construction products |
|  Mexico | MEX/410 | 05/28/2018 | 07/22/2018 | Meat, bone or mixed flour or meal, whether of domestic or imported origin, animal feed |
|  Mexico | MEX/321/Add.3 | 06/13/2018 | Not given | Natural gas, ethane, biogas and coal-associated gas (heading 2711) |
|  Mexico | MEX/356/Add.2 | 06/07/2018 | Not given | Safety headgear (tariff heading 6506.10.00.00) (HS code 650610) |
|  Mexico | MEX/365/Add.4 | 06/13/2018 | Not given | Anti-pollution equipment (98.06.00.02) |
|  Mexico | MEX/372/Add.1 | 06/07/2018 | Not given | Household refrigerators and freezers 84.18.21.10 |
|  Mexico | MEX/387/Add.1 | 06/12/2018 | Not given | Split-type, free-flow, ductless air conditioners (known as mini-split and multi-split air conditioners), whether simple cycle (only cold) or reverse cycle (heat pump), with air-cooled condensers, powered by electricity, with nominal cooling capacities of 1W to 19,050W, which operate by mechanical compression. |
|  Mexico | MEX/411 | 06/07/2018 | 07/27/2019 | Electric traction lifts for passengers and freight (HS 842810) |
|  Mexico | MEX/413 | 06/12/2018 | 08/05/2018 | Conformity assessment bodies |
|  Mexico | MEX/414 | 06/12/2018 | 08/06/2018 | Cooking utensils with a non-stick coating that contain the following base materials (substrata): aluminium, steel, stainless steel, iron, ceramics, glass, or any other material deriving from these base materials. |
|  Mexico | MEX/415 | 06/12/2018 | 08/07/2018 | Lubricating oils for four-stroke petrol engines and/or lubricating oils for two- and four-stroke diesel engines. Related tariff headings: 271012, 271019 and 271020. |
|  Mexico | MEX/412 | 06/12/2018 | 08/05/2018 | Digital, automatic grain moisture meters |
|  Mexico | MEX/416 | 06/18/2018 | 08/11/2018 | Speed detection devices, heading: 852610 |
|  Mexico | MEX/417 | 06/18/2018 | 08/12/2018 | Electrical products - Lighting (851310, 853010, 940510, 940520 and 940540) (HS: 851310 - Lamps, 853010 - Equipment for railways or tramways, 940510 - Chandeliers and other electric ceiling or wall lighting fittings, excluding those of a kind used for lighting public open spaces or thoroughfares, 940520 - Electric table, desk, bedside or floor-standing lamps, 940540 - Other electric lamps and lighting fittings) |

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|  Mexico | MEX/418 | 06/18/2018 | 08/13/2018 | Fire-fighting equipment - Portable and mobile fire extinguishers |
|  Mexico | MEX/419 | 06/18/2018 | 08/13/2018 | Portable fire extinguishers |
|  Mexico | MEX/420 | 06/18/2018 | 08/14/2018 | Meters for cold potable water and hot water Tariff heading: 902820 |
|  Mexico | MEX/421 | 06/19/2018 | 08/17/2018 | Meters for cold potable water and hot water (902820) |
|  Namibia | NAM/1 | 05/30/2018 | 07/18/2018 | Cement, Portland cement, Portland-slag cement, Portland silica fume cement, Portland-Pozzolana cement, Portland-fly ash cement, Portland burnt shale cement, Portland-limestone cement, Portland composite cement, Blast furnace cement, Pozzolanic cement, Composite cement. Salt; sulphur; earths and stone; plastering materials, lime and cement (HS 25) |
|  Nepal | NPL/5 | 05/30/2018 | 07/29/2018 | Children's Toys |
|  Oman | OMN/352 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Oman | OMN/353 | 05/30/2018 | 07/29/2018 | Frozen Taro |
|  Oman | OMN/354 | 05/30/2018 | 07/29/2018 | Mastic |
|  Oman | OMN/355 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Oman | OMN/356 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  Oman | OMN/357 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Oman | OMN/358 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Oman | OMN/359 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Oman | OMN/360 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Pakistan | PAK/112 | 05/25/2018 | 07/24/2018 | Liquid Tea/Coffee Whitener (HS 1901.9090) |
|  Pakistan | PAK/113 | 05/25/2018 | 07/24/2018 | Powder Tea/Coffee Whitener (HS 1901.9090) |
|  Pakistan | PAK/114 | 05/25/2018 | 07/24/2018 | Refined Palm Olein PS: 1600-2003, (HS 1511.9030) |
|  Peru | PER/104 | 06/07/2018 | 08/30/2018 | Cannabis seeds, resin, extract, tinctures and oil (tariff headings: 1211.90.90.99, 1301.90.90.90, 1302.19.91.00 and 1302.19.99.00) |
|  Philippines | PHL/204/Corr.1 | 06/01/2018 | Not given | Radiographic equipment |
|  Philippines | PHL/203 | 05/28/2018 | Not given | Radiographic Equipment |
|  Philippines | PHL/204 | 05/29/2018 | Not given | Radiographic equipment |
|  Philippines | PHL/205 | 05/29/2018 | 07/28/2018 | Agricultural machines and equipment |
|  Philippines | PHL/206 | 05/30/2018 | 07/29/2018 | Agricultural machines and equipment |
|  Qatar | QAT/518 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Qatar | QAT/519 | 05/30/2018 | 07/29/2018 | Frozen Taro |
|  Qatar | QAT/520 | 05/30/2018 | 07/29/2018 | Mastic |
|  Qatar | QAT/521 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Qatar | QAT/522 | 06/19/2018 | 08/18/2018 | Cappuccino powder |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
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|  Qatar | QAT/523 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Qatar | QAT/524 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Qatar | QAT/525 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Qatar | QAT/526 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Russian Federation | RUS/87 | 05/28/2018 | 07/25/2018 | Light Rail Transport, Trams and its Components |
|  Russian Federation | RUS/88 | 05/28/2018 | 07/25/2018 | Underground Rolling Stock and its Components |
|  Saudi Arabia | SAU/1051 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Saudi Arabia | SAU/1052 | 05/30/2018 | 07/29/2018 | Frozen Taro |
|  Saudi Arabia | SAU/1053 | 05/30/2018 | 07/29/2018 | Mastic |
|  Saudi Arabia | SAU/1054 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Saudi Arabia | SAU/1055 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  Saudi Arabia | SAU/1056 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Saudi Arabia | SAU/1057 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Saudi Arabia | SAU/1058 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Saudi Arabia | SAU/1059 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  South Africa | ZAF/224/Add.2 | 06/28/2018 | Not given | Fish and crustaceans, molluscs and other aquatic invertebrates (HS 03) |
|  South Africa | ZAF/230 | 06/27/2018 | 08/25/2018 | Peaches and nectarines |
|  Sri Lanka | LKA/36 | 05/28/2018 | Not given | Food (products covered and HS Codes are given in the Gazette Notification No. 2064/34 of 29 March 2018) |
|  Taiwan Economy | TPKM/312/Rev. 1 | 05/28/2018 | Not given | Prepackaged food containing allergenic substances |
|  Taiwan Economy | TPKM/225/Add. 3 | 06/11/2018 | Not given | Organic agricultural products |
|  Taiwan Economy | TPKM/324 | 06/15/2018 | 08/14/2018 | Hot rolled steel H-beams (HS 7216) |
|  Taiwan Economy | TPKM/325 | 06/20/2018 | 08/19/2018 | Food containing ingredients of genetically modified organisms at food vending locations |
|  Taiwan Economy | TPKM/326 | 06/20/2018 | 08/19/2018 | Prepackaged food containing ingredients of genetically modified organisms; food additives containing ingredients of genetically modified organisms; un-packaged food containing ingredients of genetically modified organisms. |
|  Tanzania | TZA/49/Rev.1 | 06/13/2018 | Not given | Fertilizer - Potassium sulphate (sulphate of potash) |
|  Tanzania | TZA/50/Rev.1 | 06/13/2018 | Not given | Fertilizer - Potassium chloride (muriate of potash) |
|  Tanzania | TZA/51/Rev.1 | 06/13/2018 | Not given | Fertilizer - Calcium ammonium nitrate (CAN) |
|  Tanzania | TZA/52/Rev.1 | 06/13/2018 | Not given | Fertilizer - Triple Superphosphate |

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|--|---------------|-------------|-------------------------|---|
|  Tanzania | TZA/53/Rev.1 | 06/13/2018 | Not given | Fertilizer - Ammonium Sulphate |
|  Tanzania | TZA/55/Rev.1 | 06/13/2018 | Not given | Fertilizer – Urea |
|  Tanzania | TZA/181 | 06/12/2018 | 06/11/2018 | Sesame (Simsim) seeds |
|  Tanzania | TZA/182 | 06/12/2018 | 08/11/2018 | Cashew kernels |
|  Tanzania | TZA/183 | 06/12/2018 | 08/11/2018 | Organic fertilizer |
|  Tanzania | TZA/184 | 06/12/2018 | 08/11/2018 | Fertilizers |
|  Tanzania | TZA/185 | 06/12/2018 | 08/11/2018 | Fertilizers |
|  Tanzania | TZA/186 | 06/12/2018 | 08/11/2018 | Organic production |
|  Tanzania | TZA/187 | 06/13/2018 | 08/12/2018 | Nitrogen, Phosphorus & Potassium (NPK) compound fertilizers |
|  Tanzania | TZA/188 | 06/13/2018 | 08/12/2018 | Granulated phosphate rock |
|  Tanzania | TZA/189 | 06/13/2018 | 08/12/2018 | Phosphate rock powder |
|  Tanzania | TZA/190 | 06/22/2018 | 08/21/2018 | Cashew kernels |
|  Tanzania | TZA/191 | 06/22/2018 | 08/21/2018 | Sesame (Simsim) seeds |
|  Thailand | THA/507/Add.1 | 06/01/2018 | Not given | Infant and young child food (HS Code 0401, 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter. (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) |
|  Thailand | THA/508/Add.1 | 06/01/2018 | Not given | Infant and young child food (HS Code 0401, 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402), Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401) |
|  Thailand | THA/509/Add.1 | 06/01/2018 | Not given | Infant and young child food (HS Code 0401, 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) |
|  Thailand | THA/511/Add.1 | 06/04/2018 | Not given | Infant and young child food (HS Code 0401, 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) Milk and cream, not concentrated nor containing added |

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| | | | | sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) |
|  Thailand | THA/510/Add.1 | 06/07/2018 | Not given | Infant and young child food (HS Code 0401, 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) Milk and cream, not concentrated nor containing added sugar or other sweetening matter (HS 0401), Milk and cream, concentrated or containing added sugar or other sweetening matter (HS 0402) |
|  Thailand | THA/514 | 06/26/2018 | 08/25/2018 | Fibres and Cables (HS 8544) |
|  Turkey | TUR/116 | 05/28/2018 | 07/27/2018 | Plugs with metric fine thread |
|  Turkey | TUR/117 | 06/26/2018 | 08/25/2018 | Hook Wrenches |
|  Turkey | TUR/118 | 06/26/2018 | 08/25/2018 | Structural Steel Equal And Unequal Leg Angles |
|  Uganda | UGA/841 | 06/04/2018 | 08/03/2018 | Butter and other fats and oils derived from milk; dairy spreads (HS 0405) |
|  Uganda | UGA/842 | 06/05/2018 | 08/04/2018 | UHT milk (HS 0401) |
|  Uganda | UGA/843 | 06/05/2018 | 06/04/2018 | Yoghurt (HS 0403) |
|  Uganda | UGA/844 | 06/05/2018 | 06/04/2018 | Milk powders, milk cream powder |
|  Uganda | UGA/845 | 06/05/2018 | 08/04/2018 | Raw cow milk (HS 0401) |
|  Uganda | UGA/846 | 06/05/2018 | 08/04/2018 | Pasteurised milk (HS 0401) |
|  Uganda | UGA/847 | 06/05/2018 | 08/04/2018 | Dairy ice cream (HS 2105) |
|  Uganda | UGA/848 | 06/05/2018 | 08/04/2018 | Sweetened condensed milk (HS 0402) |
|  Uganda | UGA/849 | 06/06/2018 | 08/05/2018 | Ghee (HS 0403) |
|  Uganda | UGA/850 | 06/14/2018 | 8/13/2018 | Nectars Fruit juices (including grape must) and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter (HS 2009) |
|  Ukraine | UKR/136 | 06/21/2018 | 08/20/2018 | External power supplies |
|  Ukraine | UKR/137 | 06/21/2018 | 08/20/2018 | Household refrigerating appliances |
|  Ukraine | UKR/138 | 06/21/2018 | 08/20/2018 | Simple set-top boxes |
|  Ukraine | UKR/139 | 06/21/2018 | 08/20/2018 | Vacuum cleaners |
|  Ukraine | UKR/140 | 06/21/2018 | 08/20/2018 | Energy-related products |
|  Ukraine | UKR/141 | 06/21/2018 | 08/20/2018 | Machinery; Low-Voltage Electrical Equipment; Equipment able to create electromagnetic interference or may be influenced by such interference |
|  United Arab Emirates | ARE/412 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  United Arab Emirates | ARE/413 | 05/30/2018 | 07/29/2018 | Frozen Taro |
|  United Arab Emirates | ARE/414 | 05/30/2018 | 07/29/2018 | Mastic |

| Country | Notification | Date Issued | Final Date for Comments | Merchandise Covered |
|--|----------------------|-------------|-------------------------|---|
|  United Arab Emirates | ARE/415 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  United Arab Emirates | ARE/416 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  United Arab Emirates | ARE/417 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  United Arab Emirates | ARE/418 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United Arab Emirates | ARE/419 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United Arab Emirates | ARE/420 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  United States | USA/1058/Add.2 | 05/28/2018 | Not given | Hearing aids (HS 9021) |
|  United States | USA/1349/Add.1 | 05/28/2018 | Not given | Wireless microphone operations |
|  United States | USA/1362 | 05/07/2018 | 07/02/2018 | Volatile organic compounds |
|  United States | USA/1363 | 05/07/2018 | 06/29/2018 | Organic livestock production |
|  United States | USA/1364/Add.1 | 05/28/2018 | Not given | Bioengineered (BE) |
|  United States | USA/1364 | 05/07/2018 | 07/03/2018 | Bioengineered (BE) |
|  United States | USA/827/Rev.2/ Add.5 | 06/07/2018 | Not given | Formaldehyde emissions, composite wood products |
|  United States | USA/564/Add.4 | 06/11/2018 | Not given | Baby cribs |
|  United States | USA/1351/Add.1 | 06/11/2018 | Not given | Tobacco products (HS 24) |
|  United States | USA/1352/Add.1 | 06/11/2018 | Not given | Tobacco products (HS 24) |
|  United States | USA/1355/Add.1 | 06/11/2018 | Not given | Cigars (HS 24) |
|  United States | USA/1359/Add.1 | 06/11/2018 | Not given | Volatile Organic Compound limits |
|  United States | USA/1222/Add.1 | 06/14/2018 | Not given | Nonylphenol ethoxylates (NPEs) |
|  United States | USA/1370 | 06/14/2018 | 08/10/2018 | Asbestos (HS 2524) |
|  United States | USA/1371 | 06/22/2018 | 08/30/2018 | Coffee (HS 0901) |
|  United States | USA/1372 | 06/22/2018 | 09/04/2018 | Activity centers |
|  United States | USA/1373 | 06/22/2018 | 07/09/2018 | Small satellites (HS 8802) |
|  United States | USA/960/Corr.1 | 06/26/2018 | Not given | Hazardous materials |
|  United States | USA/1048/Add.1 | 06/25/2018 | Not given | High chairs |
|  United States | USA/1364/Corr.1 | 06/26/2018 | Not given | Bioengineered (BE) |
|  United States | USA/1308/Add.1 | 06/27/2018 | Not given | Children's products |
|  United States | USA/1374 | 06/27/2018 | 07/10/2018 | Normal category airplanes |
|  Viet Nam | VNM/127 | 06/04/2018 | 08/03/2018 | Pharmaceutics |
|  Viet Nam | VNM/128 | 06/04/2018 | 08/03/2018 | Pharmaceutics |
|  Viet Nam | VNM/129 | 06/07/2018 | 08/06/2018 | Food additives |
|  Viet Nam | VNM/130 | 06/11/2018 | 08/10/2018 | Substances used to fortify vitamin A in food |
|  Yemen | YEM/121 | 05/30/2018 | 07/29/2018 | Instant noodles |
|  Yemen | YEM/122 | 05/30/2018 | 07/29/2018 | Frozen Taro |

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|  Yemen | YEM/123 | 05/30/2018 | 07/29/2018 | Mastic |
|  Yemen | YEM/124 | 06/19/2018 | 08/18/2018 | Creamy Labaneh |
|  Yemen | YEM/125 | 06/19/2018 | 08/18/2018 | Cappuccino powder |
|  Yemen | YEM/126 | 06/19/2018 | 08/18/2018 | Food products expiration dates |
|  Yemen | YEM/127 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Yemen | YEM/128 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |
|  Yemen | YEM/129 | 06/20/2018 | 08/19/2018 | Tyres of multi-purpose vehicles, trucks, buses and trailers |

CBSA Advance Rulings

The following table lists [advance rulings](#) posted by the Canada Border Services Agency (CBSA). In September of 2014, the CBSA enhanced the Advance Ruling ([Tariff Classification](#) and [Origin](#)) and [National Customs Ruling](#) programs by publishing ruling letters in their entirety, with the applicant's consent, on the CBSA Web site.

It is important to note that rulings are binding only between the CBSA and the applicant. While posted rulings are for reference purposes only, they provide meaningful guidance and help other importers in complying with Canada's trade legislation. Click on the "Merchandise" listing to see full text of the posted ruling.

| Date | TRS Number | Merchandise | Tariff Classification and Basis |
|----------|------------------------|--|--|
| 12-22-16 | 276670 | Caprylic/Capric Triglyceride | 1516.20.90.40 [GIR 1, 6] |
| 01-25-17 | 276677 | Gel Plates | 3926.90.99.90 [GIR 1, 6; CDN Rule 1; Chap. 39 Note 10] |
| 12-22-16 | 276095 | Monkey Bars Sherpa Booties with non-skid soles | 6405.20.90.00 [GIR 1, 6; EN 61.11] |
| 11-23-16 | 276555 | Packr Executive Solar Backpack | 4202.92.20.21 [GIR 1, 3(b), 6 EN B(2)(i)] |
| 12-22-16 | 276564 | Portable power pack | 8504.40.90.93 [GIR 1, 6; Sec. XVI, Note 6] |
| 12-22-16 | 276558 | Solar chargers | 8501.31.00.90 [GIR 1, 3(b), 6; EN 85.01] |
| 11-23-16 | 276484 | Speedball Calligraphy Fountain Pen Deluxe Set #2904 | 9608.30.90.00 [GIR 1, 3(b), 6] |
| 11-03-16 | 276499 | Speedball Calligraphy Fountain Pen Deluxe Set – Black #2905 | 3215.90.00.00 [GIR 1, 6; EN 3215] |
| 11-03-16 | 276500 | Speedball Calligraphy Fountain Pen Ink Cartridge Set – Assorted Colors #2906 | 3215.90.00.00 [GIR 1, 6; EN 3215] |
| 12-22-16 | 276480 | Speedball Calligraphy Fountain Pen Set #2903 | 9608.30.90.00 [GIR 1, 3(b), 6] |

CBP Rulings: Downloads and Searches

As US Customs and Border Protection (CBP) issues several thousand rulings a year, it is not practical to list each ruling. However, almost all rulings issued by US Customs or CBP from 1993 to the present and many issued before 1993 are available for search and downloading using the [CROSS search engine](#). Over 190,000 such rulings are in the database.

CBP Rulings: Revocations or Modifications

The following table summarizes proposals made or actions taken that were published in the weekly [Customs Bulletin and Decisions](#) during the past month by US Customs and Border Protection pursuant to 19 U.S.C. §1625(c) to revoke or modify binding rulings or treatment previously accorded to substantially identical merchandise.

| Published in CBP Bulletin (P) Proposed (A) Action | Product(s) or Iss30ue(s) | Ruling(s) to be Modified (M) or Revoked (R) | Old Classification or Position | New Ruling | New Classification or Position | Comments Due (C) or Effective Date (E) |
|---|---|---|--------------------------------|--|--------------------------------|--|
| Proposed Revocations/modifications | | | | | | |
| (P) 06-06-18 | Tariff classification of bottle bags | HQ H235569 | R | 4202.92.90 (now 4202.92.91/ 4202.92.97) | HQ H273867 | 4202.92.3900 [GRI 1, 6; Chap 42, AUSN 1] 4202.92.4500 [GRI 1, 6; Chap 42, AUSN 1] |
| | | NY N179138 | R | | | |
| | | NY N230128 | M | | | |
| | | NY N204304 | M | | | |
| Revocations/Modifications | | | | | | |
| (A) 06-06-18 | Tariff classification of the LG Chromebase | NY N257812 | R | 8543.70.96 | HQ H264746 | 8471.49.00 [GRI 1,6; Chap 84 Note 5(A); 84.71 EN(A)] |
| | Tariff classification of a girl's upper body garment. | NY N279310 | R | 6109.10.00 | HQ H282945 | 6212.10.90 [GRI 1; EN 62.12] Eligible for Peru TPA |

European Classification Regulations

The table below shows the Classification Regulations that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

| Commission Implementing Regulation | Description of the goods | Classification (CN code) | Reasons |
|---|---|--------------------------|--|
| (EU) 2018/837 of 31-05-18 | <p>A product composed of the following ingredients (% by weight):</p> <ul style="list-style-type: none"> — water 41,6 — sugar 18,1 — glycerin 15,1 — citric acid 13,9 — maltodextrine 4,1 — ascorbic acid 3,0 — steviol glycosides 1,8 — natural flavors 1,1 — minor quantities of vitamins B₆, B₁₂ and folic acid (B₉). <p>The product is a non-alcoholic, aromatised, and coloured liquid that is used as a food supplement after dilution. It is not directly drinkable.</p> | 2106 90 98 | <p>Classification is determined by general rules 1 and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 2106, 2106 90 and 2106 90 98.</p> <p>Classification in Chapter 30 as a medicament is excluded as specific diseases, ailments or their symptoms for which the product is to be used are not indicated. Therefore, the product does not fulfil the requirements of Additional note 1 to Chapter 30, first paragraph, point (a).</p> <p>Classification as a beverage under Chapter 22 is excluded as the product is not directly drinkable (see also the Explanatory Notes to the Combined Nomenclature to Chapter 22, General, second paragraph, second sentence).</p> <p>The product contains a sweetener, different vitamins and a high quantity of glycerin. Therefore, it has a more complex composition than a simple</p> |

| Commission Implementing Regulation | Description of the goods | Classification (CN code) | Reasons |
|---|--|--------------------------|--|
| | <p>The product is presented to be used for supporting the immune system and providing energy to the human body. The daily dose of the product is two millilitres, which has to be diluted before consumption. Such a daily dose includes 40 mg of vitamin C, 1 mg of vitamin B₆, 200 µg of folic acid and 2 µg of vitamin B₁₂.</p> <p>The product is presented in a 60 ml plastic bottle with a dripping device for retail sale.</p> | | <p>sugar syrup covered by subheadings 2106 90 30 to 2106 90 59 (see also the Harmonised System Explanatory Notes to heading 2106 , point (12)).</p> <p>Its intended particular use is also indicated by its packaging and labelling as food supplement for retail sale. It is clear from the objective characteristics and properties of the product, in particular its composition, as well as the form of its presentation, that the product is intended for a specific use to support the immune system rather than for a more general use, which is the case for sugar syrups.</p> <p>The product is therefore to be classified under CN code 2106 90 98 as other food preparation.</p> |
| (EU) 2018/838 of 31-05-18 | <p>A product consisting of a disposable liner, to be used in conjunction with a child's potty, composed of a plastic bag to which a multi-layer absorbent pad made from paper and a superabsorbent polymer of polyacrylate in the form of granules is attached at the bottom of the bag.</p> <p>These superabsorbent polyacrylate granules are transformed into a gel when they come in contact with urine.</p> | 3924 90 00 | <p>Classification is determined by general rules 1, 3(b) and 6 for the interpretation of the Combined Nomenclature and by the wording of CN codes 3924 and 3924 90 00 .</p> <p>Classification under heading 4818 is excluded because the essential character of the product is not given by its paper components but by the superabsorbent polymer of polyacrylate.</p> <p>Classification under heading 9619 is excluded because the product is not shaped so that it fits to the human body (see also the Harmonised System Explanatory Notes (HSEN) to heading 9619).</p> <p>The product is a combination of plastics and other materials. A product which combines plastics and other materials is classified in chapter 39 provided that it retains the essential character of articles of plastics (see also the HSEN, General Notes to Chapter 39).</p> <p>The essential character of the product is provided by superabsorbent polymer; the paper is solely considered to have a carrier or packaging function.</p> <p>The product is therefore to be classified in CN code 3924 90 00 as other household articles and hygienic or toilet articles, of plastics.</p> |

Amendments to the CN Explanatory Notes

The table below shows amendments to the explanatory notes to the *Combined Nomenclature of the European Union* that were published in the *Official Journal* during the period covered by this *International Trade Compliance Update*.

| Official Journal | Page or CN code | Description of Articles |
|-------------------------------|-----------------|--|
| 2018/C 191/04 | p. 69, CN 1211 | Add new text to EN for subheading '1211 90 86 Other' |
| 2018/C 191/05 | p. 182, CN 3824 | Add new text to EN for subheadings '3824 99 92 and 3824 99 93 Chemical products or |

| Official Journal | Page or CN code | Description of Articles |
|-------------------------------|-----------------|---|
| | | <i>preparations, predominantly composed of organic compounds, not elsewhere specified or included</i> |
| 2018/C 191/06 | p. 152, CN 2939 | After the EN to subheading '2939 69 00 Other', new texts are inserted for 2939 71 00 and 2939 79. |

Section 337 Actions

In the United States, section 337 of the Tariff Act of 1930 as amended (19 U.S.C. §1337) provides *in rem* relief from unfair practices in import trade, including unfair methods of competition in the importation of articles, importation and sale in the United States of articles which infringe US patents, registered trademarks, copyrights or mask works. Listed below are 337 actions published during the past month by the US International Trade Commission, the independent United States agency charged with enforcement of section 337.

| Inv. № | Commodity | Action |
|---|--|---|
| 337-TA-1012 (Enforcement Proceeding) | Certain Magnetic Data Storage Tapes and Cartridges Containing the Same | Notice of Institution of Formal Enforcement Proceeding |
| 337-TA-1044 | Certain Graphics Systems, Components Thereof, and Consumer Products Containing the Same | Commission Determination to Review in Part a Final Initial Determination Finding a Section 337 Violation; Target Date Extension and Schedule for Filing Written Submissions |
| 337-TA-1056 | Certain Collapsible Sockets for Mobile Electronic Devices and Components Thereof | Commission's Final Determination Finding a Violation of Section 337; Issuance of a General Exclusion Order; Termination of the Investigation |
| 337-TA-1115 | Certain Blow-Molded Bag-In-Container Devices, Associated Components, and End Products Containing or Using Same | Institution of an investigation based on a complaint filed on behalf of Anheuser-Busch InBev S.A. and Anheuser-Busch, LLC alleging patent infringement |
| 337-TA-1116 | Certain Blood Cholesterol Testing Strips and Associated Systems Containing the Same | Institution of an investigation based on a complaint filed on behalf of Polymer Technology Systems alleging patent infringement |
| 337-TA-1117 | Certain Full-Capture Arrow Rests and Components Thereof | Institution of an investigation based on a complaint filed on behalf of Bear Archery, Inc. alleging patent infringement |
| 337-TA-1118 | Certain Movable Barrier Operator Systems and Components Thereof | Institution of an investigation based on a complaint filed on behalf of The Chamberlain Group, Inc. alleging patent infringement |
| 337-TA-1119 | Certain Infotainment Systems, Components Thereof, and Automobiles Containing the Same | Institution of an investigation based on a complaint filed on behalf of Broadcom Corporation alleging patent infringement |
| 337-TA-1120 | Certain Human Milk Oligosaccharides and Methods of Producing the Same | Institution of an investigation based on a complaint, as amended and supplemented, filed on behalf of Glycosyn LLC alleging patent infringement |
| 337-TA-1121 | Certain Earpiece Devices and Components Thereof | Institution of an investigation based on a complaint filed on behalf of Bose Corporation alleging patent infringement |

In addition to the above actions, the ITC has published notices indicating that it has received complaints filed on behalf of the following companies alleging violations of §337 with regard to the listed commodities and soliciting comments on any public interest issues raised by the complaints:

| Ref. № | Commodity | Complaint filed on behalf of: |
|-------------------------|--|--|
| DN 3321 | Certain Convertible Sofas and Components Thereof | Sauder Manufacturing Company |
| DN 3322 | Certain Water Filters and Components Thereof | Electrolux Home Products, Inc. and KX Technol- |

| Ref. № | Commodity | Complaint filed on behalf of: |
|-------------------------|---|-------------------------------|
| | | ogies, LLC |
| DN 3323 | Certain Carburetors and Products Containing Such Carburetors | Walbro, LLC |
| DN 3325 | Certain Powered Cover Plates | SnapRays, LLC d/b/a SnapPower |
| DN 3326 | Certain Height-Adjustable Desk Platforms and Components Thereof | Varidesk LLC |

Antidumping, Countervailing Duty and Safeguards Investigations, Orders & Reviews

In order to assist our clients in planning, we are listing antidumping, countervailing duty and safeguards notices published or posted during the past month from the US, Canada, Mexico, the EU, Australia, India, Brazil, and occasionally other countries. (Click on blue text for link to official document.)

Key: AD, ADD=antidumping, antidumping duty; CV, CVD=countervailing duty or subsidy; LTFV=less than fair value.



United States Department of Commerce, International Trade Administration (ITA)

| Case № | Merchandise/Country | Action |
|---|---|--|
| A-570-806 | Silicon Metal From China | Continuation of ADD Order |
| A-570-056 A-552-821 | Certain Tool Chests and Cabinets From China and Vietnam | ADD Orders |
| C-549-834 | Citric Acid and Certain Citrate Salts From Thailand | Final Negative CVD Determination, and Final Negative Critical Circumstances Determination |
| C-570-065 | Stainless Steel Flanges From China | CVD Order |
| A-549-833 | Citric Acid and Certain Citrate Salts From Thailand | Affirmative Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances in Part |
| A-423-813 | Citric Acid and Certain Citrate Salts From Belgium | Affirmative Final Determination of Sales at LTFV |
| A-301-803 | Citric Acid and Certain Citrate Salts From Colombia | Affirmative Final Determination of Sales at LTFV and Final Negative Determination of Critical Circumstances |
| C-570-083 | Certain Steel Wheels From China | Postponement of Preliminary Determination in the CVD Investigation |
| A-570-866 | Certain Folding Gift Boxes From China | Final Results of Expedited Third Sunset Review and Continuation of the ADD Order |
| C-533-884 C-570-081 C-549-838 | Glycine From India, China and Thailand | Postponement of Preliminary Determinations of CVD Investigations |
| A-570-010 | Crystalline Silicon Photovoltaic Products From China | Notice of Court Decision Not in Harmony with Final Determination of the LTFV Investigation |
| A-570-904 | Certain Activated Carbon From China | Final Results of Expedited Second Sunset Review of the ADD Order |
| A-583-848 | Certain Stilbenic Optical Brightening Agents From Taiwan | Preliminary Results of ADD Administrative Review; 2016-2017 |
| A-489-501 | Welded Carbon Steel Standard Pipe and Tube Products From Turkey | Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017 |
| C-570-991 | Chlorinated Isocyanurates From China | Final Results of CVD Administrative Review; 2015 |
| A-588-869 | Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products From Japan | Preliminary Results of ADD Administrative Review; 2016-2017 |


United States Department of Commerce, International Trade Administration (ITA)

| Case № | Merchandise/Country | Action |
|--|--|---|
| A-489-816 | Certain Oil Country Tubular Goods From Turkey | Preliminary Results of ADD Administrative Review; 2016-2017 |
| A-570-058 A-428-845 A-533-873 A-475-838 A-580-892 A-441-801 | Certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel From China, Germany, India, Italy, S. Korea, and Switzerland: | ADD Orders; and Amended Final Determinations of Sales at LTFV for China and Switzerland |
| A-570-064 | Stainless Steel Flanges From China | Final Affirmative Determination of Sales at LTFV |
| A-570-008 | Certain Circular Welded Carbon Steel Pipes and Tubes From Taiwan | Preliminary Results of ADD Administrative Review and Preliminary Determination of No Shipments; 2016-2017 |
| C-552-813 | Steel Wire Garment Hangers From Vietnam | Rescission of CVD Administrative Review; 2017 |
| C-570-982 | Utility Scale Wind Towers From China | Rescission of CVD Administrative Review; 2016 |
| A-580-809 | Circular Welded Non-Alloy Steel Pipe From S. Korea | Final Results of ADD Administrative Review; 2015-2016 |
| C-570-971 | Multilayered Wood Flooring From China | Final Results and Partial Rescission of CVD Administrative Review; 2015 |
| A-201-844 | Steel Concrete Reinforcing Bar From China | Final Results of ADD Administrative Review; 2015-2016 |
| A-570-831 | Fresh Garlic From China | Final Results and Partial Rescission of the 22 nd ADD Administrative Review and Final Result and Rescission, In Part, of the New Shipper Reviews; 2015-2016 |
| A-122-863 , A-570-077 A-484-803 A-533-881 A-580-897 A-489-833 | Large Diameter Welded Pipe From Canada, Greece, India, China, S. Korea, and Turkey | Postponement of Preliminary Determinations in the LTFV Investigations |
| A-570-827 | Certain Cased Pencils From China | Rescission of ADD Administrative Review; 2016-2017 |
| A-520-803 | Polyethylene Terephthalate Film, Sheet and Strip from the United Arab Emirates | Partial Rescission of ADD Administrative Review; 2016-2017 |
| C-469-818 | Ripe Olives From Spain | Final Affirmative CVD Determination |
| A-469-817 | Ripe Olives From Spain | Final Affirmative Determination of Sales at LTFV |
| A-823-810 | Solid Agricultural Grade Ammonium Nitrate From Ukraine | Final Results of Sunset Review and Revocation of Order |
| C-570-087 | Steel Propane Cylinders From China | Initiation of CVD Investigation |
| A-570-086 A-583-864 A-549-839 | Steel Propane Cylinders From China, Taiwan and Thailand | Initiation of LTFV Investigations |
| A-570-832 | Pure Magnesium From China | Final Results of ADD Administrative Review; 2016-2017 |
| A-570-073 | Common Alloy Aluminum Sheet From China | ADD Investigation: Affirmative Preliminary Determination of Sales at LTFV; Preliminary Affirmative Determination of Critical Circumstances, and Postponement of Final Determination |
| C-570-076 | Certain Plastic Decorative Ribbon From China | Preliminary Affirmative CVD Determination and Alignment of Final Determination With Final ADD Determination |
| A-580-894 | Certain Tapered Roller Bearings From S. Korea | Final Determination of Sales at LTFV |
| A-580-895 | Low Melt Polyester Staple Fiber From S. Korea | Final Determination of Sales at LTFV and Final Affirmative Determination of Critical Circumstances, in Part |
| A-570-079 | Cast Iron Soil Pipe From China | Postponement of Preliminary Determination in the LTFV Investigation |
| A-583-861 | Low Melt Polyester Staple Fiber From Taiwan: | Final Determination of Sales at LTFV |
| A-570-929 | Small Diameter Graphite Electrodes From China | Notice of Partial Rescission of ADD Administrative Review; 2017-2018 |


United States Department of Commerce, International Trade Administration (ITA)

| Case № | Merchandise/Country | Action |
|--|---|---|
| A-570-069 A-549-835 | Rubber Bands from China and Thailand | Postponement of Preliminary Determinations in the LTFV Investigations |
| A-583-864 | Steel Propane Cylinders From Taiwan | Termination of LTFV Investigation |
| A-583-853 | Certain Crystalline Silicon Photovoltaic Products From Taiwan | Final Results of ADD Administrative Review; 2016-2017 |
| C-570-982 | Utility Scale Wind Towers From China | Rescission of CVD Administrative Review; 2017 |
| C-570-085 | Certain Quartz Surface Products From China | Postponement of Preliminary Determination in the CVD Investigation |
| C-533-882 | Large Diameter Welded Pipe From the India | Preliminary Affirmative CVD Determination and Alignment of Final Determination with Final ADD Determination |
| C-570-078 | Large Diameter Welded Pipe From China | Preliminary Affirmative CVD Determination and Alignment of Final Determination With Final ADD Determination |
| C-580-898 | Large Diameter Welded Pipe From S. Korea | Preliminary Affirmative CVD Determination and Alignment of Final Determination with Final ADD Determination |
| C-489-834 | Large Diameter Welded Pipe From Turkey | Preliminary Affirmative CVD Determination and Alignment of Final Determination with Final ADD Determination |


United States International Trade Commission (USITC)

| Inv. № | Merchandise/Country | Action |
|--|--|---|
| 701-TA-585 | Stainless Steel Flanges From China | (Final) Determination that an industry in the United States is materially injured by reason of imports subject goods that have been found by Commerce to be subsidized by the government of China |
| 701-TA-589 731-TA-1394-1396 | Forged Steel Fittings From China, Italy, and Taiwan | (Final) Scheduling of the Final Phase of CVD and ADD Investigations |
| 731-TA-1362-1367 | Cold-Drawn Mechanical Tubing from China, Germany, India, Italy, Korea, and Switzerland | (Final) Determinations that an industry in the United States is materially injured by reason of imports of subject goods, that have been found by Commerce to be sold in the United States at LTFV |
| 731-TA-1387-1391 | Polyethylene Terephthalate (PET) Resin From Brazil, Indonesia, Korea, Pakistan, and Taiwan | (Final) Scheduling of the Final Phase of ADD Investigations |
| 701-TA-606 731-TA-1416 | Quartz Surface Products From China | (Preliminary) Determinations that is a reasonable indication that an industry in the United States is materially injured by reason of imports of subject products from China that are alleged to be sold in the United States at LTFV and to be subsidized by the government of China |
| 731-TA-1369-1372 | Fine Denier Polyester Staple Fiber From China, India, Korea, and Taiwan | (Final) Supplemental Schedule for the Subject Investigations |
| 701-TA-581 | Citric Acid and Certain Citrate Salts From Thailand | (Final) Termination of investigation |
| 731-TA-1383 | Stainless Steel Flanges from China | (Final) Supplemental Schedule for the Subject Investigation. |
| 731-TA-860 | Tin- and Chromium-Coated Steel Sheet from Japan | (Third Review) Determination that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. |
| 701-TA-608 731-TA-1420 | Steel Racks From China | (Preliminary) Institution of AD and CVD Investigations and Scheduling of Preliminary Phase Investigations |
| 701-TA-489 731-TA-1201 | Drawn Stainless Steel Sinks from China | (Review) Scheduling of Expedited Five-Year Reviews |



United States International Trade Commission (USITC)

| Inv. № | Merchandise/Country | Action |
|----------------------------|-------------------------------|---|
| 731-TA-921 | Folding Gift Boxes From China | (Third Review) Determination that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. |



Canadian International Trade Tribunal (CITT)

| Ref. Number | Merchandise/Country | Action |
|-----------------------------|---|--|
| NQ-2017-004 | <i>Dumping and subsidizing:</i> Certain copper pipe fittings originating in or exported from Vietnam | Reasons issued |
| RD-2016-002 | <i>Dumping:</i> Certain hot-rolled carbon steel plate and high-strength low-alloy steel plate, as defined in each of the aforementioned proceedings originating in or exported from Bulgaria, the Czech Republic, Romania, Ukraine, Brazil, Denmark, Indonesia, Italy, Japan and S. Korea | Notice of Commencement of Interim Review |
| PI-2018-003 | Certain 54-inch gypsum board originating in the U.S. for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories (collectively "Western Canada"). | Notice of Commencement of Preliminary Injury Inquiry |



Canada Border Services Agency (CBSA)

| Ref. Number | Merchandise/Country | Action |
|---|---|---|
| SP 2018 IN | <i>Dumping and Subsidizing:</i> Certain sucker rods originating in or exported from China | Initiation of Investigations-Statement of Reasons |
| CRS 2018 IN | <i>Dumping and Subsidizing:</i> Cold-rolled steel from China, South Korea and Vietnam | Statement of Reasons |
| RB1 2018 UP ICDAS | Concrete reinforcing bar (rebar) exported to Canada from China, Korea and Turkey China, Korea and Turkey | Notice of Initiation of Normal Value Review (IÇDAŞ Celik Enrji Tersane ve Ulasim Sanayi A.S., Turkey) |
| RB1 2018 UP COLAKOGLU | Concrete reinforcing bar (rebar) exported to Canada from | Notice of Initiation of Normal Value Review (Çolakoğlu Metalurji A.S., Turkey) |
| OCTG2 2018 UP HLD CLARK | Certain oil country tubular goods (OCTG) from Chinese Taipei, India, Indonesia, the Philippines, the Republic of Korea, Thailand, Turkey, Ukraine, and Vietnam | Notice of Initiation of Normal Value Review (HLD Clark Steel Pipe Co. Inc. Philippines) |
| SC 2018 ER | <i>Dumping and Subsidizing:</i> Certain seamless casing originating in or exported from China | Notice of Expiry Review Decision |
| GB2 2018 IN | Certain 54-inch gypsum board from the U.S. imported into Canada for use or consumption in the provinces of British Columbia, Alberta, Saskatchewan, and Manitoba, as well as the Yukon and Northwest Territories (collectively "Western Canada"). | Notice of Initiation of Investigations |
| DWP 2017 IN | Certain Dry Wheat Pasta From Turkey | Notice of Final Determinations |



NAFTA Panels

| Ref. Number | Merchandise/Country | Action |
|-------------|---------------------|--------|
| None | | |



Mexico - Ministry of Economy

| Ref. № | Merchandise/Country | Action |
|--------------------------|---|---------------------|
| EA 01/17 | Metallized plastic balloons originating in China, regardless of the country of export | Final AD resolution |



European Union

| Ref. Number | Merchandise/Country | Action |
|-------------------------------|--|---|
| 2018/C 189/05 | Bicycles originating in China | Notice of initiation of an expiry review of the AD measures |
| (EU) 2018/823 | Certain rainbow trout originating in Turkey | Commission Implementing Regulation terminating the partial interim review of the CV measures |
| (EU) 2018/824 | Ferro-silicon originating in Egypt and Ukraine | Commission Implementing Decision terminating the AD proceeding |
| 2018/C 199/09 | Union of crystalline silicon photovoltaic modules and key components (i.e. cells) originating in China | Notice concerning the AD and CV measures in force: change of the name of a company subject to the duty rate for cooperating non-sampled companies |
| 2018/C 203/07 | Manganese dioxides originating in South Africa | Notice of the impending expiry of certain AD measures on 01.03.2019 |
| 2018/C 225/07 | Steel products | Notice amending the notice of initiation of a safeguard investigation |
| (EU) 2018/921 | Tartaric acid originating in China | Commission Implementing Regulation imposing a definitive ADD following an expiry review |
| (EU) 2018/928 | Certain seamless pipes and tubes of iron or steel originating in China | Commission Implementing Decision terminating the re-opening of the investigation concerning the judgments in joined cases C-186/14 P and C-193/14 P in relation to Council Regulation (EC) No 926/2009 imposing a definitive ADD and collecting definitively the provisional duty, and Commission Implementing Regulation (EU) 2015/2272 imposing a definitive ADD following an expiry review |



Australian Anti-Dumping Commission

| Ref. № | Merchandise/Country/Case № | Action |
|-------------------------|--|---|
| 2018/74 | Hollow Structural Sections from China, Taiwan, Malaysia & Korea #419 | Findings in Relation to a Review of Measures |
| 2018/75 | Deep Drawn Stainless Steel Sinks from China #459 | Findings in Relation to a Review of Measures |
| 2018/77 | | Consultation on the Introduction Model Control Codes |
| 2018/78 | Tomato Products, Prepared or Preserved from Italy #462 | Findings of an Accelerated Review |
| 2018/86 | PVC Flat Electric Cables from China #469 | Initiation of an investigation into alleged dumping and subsidisation |
| 2018/87 | Steel Pallet Racking from China and Malaysia #441 | Preliminary Affirmative Determination and Imposition of Securities |
| 2018/88 | Hollow Structural Sections from Thailand #445 | Findings in Relation to a Review of AD Measures |
| 2018/89 | Wind Towers from China and Korea#EX0067 | Initiation of an Exemption Inquiry |
| 2018/91 | Aluminium Extrusions from China #EX0063 | Withdrawal of Application |
| 2018/92 | Various | Monthly Status Report - May 2018 |



Australian Anti-Dumping Commission

| Ref. № | Merchandise/Country/Case № | Action |
|--------------------------|---|--|
| 2018/93 | Clear Float Glass from Thailand #479 | Initiation of an Anti-circumvention inquiry |
| 2018/98 | Aluminium Extrusions from China #475 | Termination of an Accelerated Review |
| 2018/99 | Railway Wheels from China and France #466 | Preliminary Affirmative Determination and Imposition of Securities |
| 2018/100 | Steel Reinforcing Bar from Indonesia #481 | Initiation of an Accelerated Review |
| 2018/101 | Pineapple fruit, Consumer from Thailand #478 | Initiation of a Review of AD Measures |
| 2018/102 | Aluminium Road Wheels from China #464 | Extension of time granted to issue Statement of Essential Facts and the Final Report |
| 2018/103 | Ammonium Nitrate from China, Sweden and Thailand #473 | Initiation of an investigation into alleged dumping |
| 2018/104 | Ammonium Nitrate from Russia #EX0066 | Initiation of an exemption inquiry |



China Ministry of Commerce (MOFCOM)

| Ref. Number | Merchandise/Country | Action |
|-----------------------------|--|--|
| GAC Ann. 64 | Ethanolamines originating in the United States, Saudi Arabia, Malaysia and Thailand | Implementation of Temporary AD Measures |
| MOFCOM № 43 | Styrene originating in S. Korea, Taiwan and the United States | Final ruling on the import AD investigation |
| MOFCOM № 48 | Toluidine originating in the European Union | Final review of the AD measures |
| MOFCOM № 50 | Ethanolamines originating in the United States, Saudi Arabia, Malaysia and Thailand | Preliminary ruling on the AD investigation |
| MOFCOM № 52 | High temperature pressure bearing alloy steel seamless steel pipes originating in the United States and the European Union | Review Investigation of the AD Measures |
| MOFCOM № 49 | Hydriodic acid originating in the United States and Japan | Preliminary ruling on the AD investigation |
| MOFCOM № 47 | Nylon 6 chips originating in United States, the EU, Russia and Taiwan; Caprolactam originating in the EU and the United States | Assigning the AD rate applicable to Honeywell Resin and Chemicals Co., Ltd. to new entity that replaced it |
| MOFCOM № 46 | White feather broilers originating in Brazil | Preliminary ruling on the AD investigation |
| MOFCOM № 45 | Sulfamethoxazole originating in India | Termination of AD measures |
| MOFCOM № 11 | Oriented electrical steel originating in Japan, Korea and the European Union | Acceptance of price commitment from POSCO Co. Ltd |



Government of India Ministry of Finance (Department of Revenue)

| Notification № | Merchandise/Country | Action |
|-----------------------------------|--|--|
| 32/2018-Cus (ADD) | Digital Offset Printing Plates originating in or exported from China PR | Rescind ADD on imports imposed vide Notification No. 51/2012-Customs (ADD), dated the 3rd December, 2012 |
| 33/2018-Cus (ADD) | Hydrogen Peroxide originating in or exported from Bangladesh, Taiwan, Korea RP, Indonesia, Pakistan and Thailand | Revises ADD by amending the notification No. 28/2017-Customs (ADD) dated 14th June, 2017 |


Government of India Ministry of Finance (Department of Revenue)

| Notification No | Merchandise/Country | Action |
|-----------------------------------|--|---|
| 34/2018-Cus (ADD) | New/unused Pneumatic Tyres originating in or exported from China | Provide for provisional assessment of ADD by M/s Shandong Haohua Tire Co. Ltd. (Haohua) (Producer) through Guangzhou Exceed Industrial Technology Co. Ltd. (exporter) or H K Trade Wing Trading Limited (exporter) till the final findings of New Shipper Review in this regard are received. |


Argentina Ministry of Production – Secretary of Commerce

| Ref. No | Merchandise/Country | Action |
|--------------------------|---|--|
| 346/2018 | Disconnectors for a voltage greater than or equal to 17,5 KV but less than or equal to 245 KV and with a rated current less than or equal to 4,000 A, even with command box, originating in Italy | Initiation of investigation into alleged dumping; AFIP may demand certificates of origin |
| 339/2018 | Certain metal protection grids, with a diameter greater than 400 mm, of the types used in fans with electric motor incorporated, originating from China and Taiwan | Close investigation without the application of definitive anti-dumping duties |
| 364/2018 | Certain parenteral solutions containing sodium chloride or dextrose, sterile, in closed infusion systems, originating in Brazil and Mexico | Proceed to initiate an investigation for alleged dumping |
| 367/2018 | Aluminum radiators, for domestic use, for central heating, non-electric heating, originating in Spain, Italy and China | Proceeding to the opening of an investigation for alleged dumping |


Brazil Ministry of Development, Industry and Trade

| Reference | Merchandise/Country | Action |
|-------------------------------|---|--|
| CAMEX Res. 39 | Certain austenitic stainless steel seam pipes of grades 304 and 316, originating in Malaysia, Thailand and Vietnam | Sets a definitive ADD for 5 years |
| Cir. 23 | Whole or skimmed milk, not broken down, commonly classified under items 0402.10.10 | Announces deadlines that will serve as parameters for the remainder of the review of the ADD |
| CAMEX Res. 40 | Certain cast iron and / or chromium-plated steel grinding bodies for use in mills with a percentage of chromium of 17.6 to 22 %, originating in India | Imposes a definitive ADD, for a period of up to five years |
| CAMEX Res. 41 | Basic magnesium refractories, originating in China and Mexico | Suspends definitive AD measures |

Opportunity to Request Administrative Review

In a June 1, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it will receive requests to conduct administrative reviews of various antidumping (AD) and countervailing duty (CVD) orders and findings with June anniversary dates:

| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|---|----------|--------|
| Antidumping Duty Proceedings | | |
| Japan: Carbon and Alloy Seamless Standard, Line | | |



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| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|---|-----------|-----------------|
| and Pressure Pipe (Over 4 1/2 Inches) | A-588-850 | 6/1/17-5/31/18 |
| Carbon and Alloy Seamless Standard, Line and Pressure Pipe (Under 4 1/2 Inches) | A-588-851 | 6/1/17-5/31/18 |
| Mexico: Prestressed Concrete Steel Rail Tie Wire | A-201-843 | 6/1/17-5/31/18 |
| Spain: Chlorinated Isocyanurates | A-469-814 | 6/1/17-5/31/18 |
| Finished Carbon Steel Flanges | A-469-815 | 2/8/17-5/31/18 |
| Taiwan: Helical Spring Lock Washers | A-583-820 | 6/1/17-5/31/18 |
| PR of China: Artist Canvas | A-570-899 | 6/1/17-5/31/18 |
| Chlorinated Isocyanurates | A-570-898 | 6/1/17-5/31/18 |
| Furfuryl Alcohol | A-570-835 | 6/1/17-5/31/18 |
| High Pressure Steel Cylinders | A-570-977 | 6/1/17-5/31/18 |
| Prestressed Concrete Steel Wire Strand | A-570-945 | 6/1/17-5/31/18 |
| Prestressed Concrete Steel Rail Tie Wire | A-570-990 | 6/1/17-5/31/18 |
| Polyester Staple Fiber | A-570-905 | 6/1/17-5/31/18 |
| Silicon Metal | A-570-806 | 6/1/17-5/31/18 |
| Tapered Roller Bearings | A-570-601 | 6/1/17-5/31/18 |
| Countervailing Duty Proceedings | | |
| PR of China: High Pressure Steel Cylinders | C-570-978 | 1/1/17-12/31/17 |
| Suspension Agreements | | |
| None | | |

Requested Reviews

In a June 6, 2018 *Federal Register* [notice](#), the US Department of Commerce announced that it has received timely requests to conduct administrative reviews of various antidumping and countervailing duty orders and findings with April anniversary dates. See actual notices for companies requesting review:

| AD/CVD Proceedings - Country/ Merchandise | Case No. | Period |
|---|-----------|-------------------|
| Antidumping Duty Proceedings | | |
| S. Korea: Phosphor Copper | A-580-885 | 10/14/16-03/31/18 |
| PR of China: 1,1,1,2-Tetrafluoroethane (R-134A) | A-570-044 | 10/7/16-3/31/18 |
| Certain Activated Carbon | A-570-904 | 4/1/17-3/31/18 |
| Drawn Stainless Steel Sinks | A-570-983 | 4/1/17-3/31/18 |
| Magnesium Metal | A-570-896 | 4/1/17-3/31/18 |
| Stainless Steel Sheet and Strip | A-570-042 | 9/19/16-3/31/18 |
| Countervailing Duty Proceedings | | |
| PR of China: Stainless Steel Sheet and Strip | C-570-043 | 7/18/16-12/31/17 |
| Suspension Agreements | | |
| None | | |

Initiation of Sunset Reviews

In a June 1, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that it was automatically initiating a five-year ("Sunset") review of the antidumping and countervailing duty orders listed below.

| AD/CVD DOC Case No. | ITC Case No. | Country | Merchandise |
|---------------------|--------------|---------|--|
| A-822-804 | 731-TA-873 | Belarus | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-570-860 | 731-TA-874 | China | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-570-908 | 731-TA-1110 | China | Sodium Hexametaphosphate (2 nd Review) |
| A-570-985 | 731-TA-1203 | China | Xanthan Gum (1 st Review) |

| | | | |
|-----------|------------|-----------|--|
| A-560-811 | 731-TA-875 | Indonesia | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-449-804 | 731-TA-878 | Latvia | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-841-804 | 731-TA-879 | Moldova | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-455-803 | 731-TA-880 | Poland | Steel Concrete Reinforcing Bars (3 rd Review) |
| A-823-809 | 731-TA-882 | Ukraine | Steel Concrete Reinforcing Bars (3 rd Review) |

Advance Notification of Sunset Reviews

In a June 1, 2018, *Federal Register* [notice](#), the US Department of Commerce advised that the following cases were scheduled for five-year (“Sunset”) reviews for July.

| AD/CVD Proceedings - Merchandise/Country | Case No. |
|--|-----------------------------------|
| Antidumping Duty Proceedings | |
| No Sunset Review of antidumping duty orders is scheduled for initiation in July 2018. | |
| Countervailing Duty Proceedings | |
| No Sunset Review of countervailing duty orders is scheduled for initiation in July 2018. | |
| Suspended Investigations | |
| Lemon Juice from Argentina | A-822-804 (4th Review) |
| Corrected on 6-25-18 to delete Lemon Juice, which was listed in error | |



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