



January 2021 - Info Expeditor

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CBFANC Annual State of the Port 2021, February 10th

CBFANC Annual State of the Port, a Virtual Event, February 10, 2020, 12 P.M.

Aloha – Meet and Greet your new CBP San Francisco Area Port Director!

Director Murley joins us from the Port of Honolulu.

How to Keep Track of 2,500 Miles of Shoreline?

The Coast Guard Captain Marie Byrd will provide a behind-the-scenes-view of the daily challenges of keeping our port and waterways safe.

Trade Tariffs, GSP and Detention & Demurrage Who do you call?

Peter Friedmann will help you get in the know on DC policies and the know-how on FMC's policing on unfair ocean practices



Coast Guard Captin of the Port Marie Byrd

**Free registration for CBFANC members; \$40 Guests
\$20 PCC Association members
All proceeds will be used for future PCC Missions and
WESCCON**

- [ILWU Seeks High Priority Level for COVID Vaccine?!?!?](#)
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CBFANC Annual State of the Port

CBFANC Annual State of the Port 2021, February 10, 2021, 12 PM.

A Virtual Event featuring:
Bruce Murley, CBP, SF New Port Director;
Coast Guard Captain Marie Byrd;
Peter Friedmann, OurManInDC.

Please check our website for registration details, or click here:

[Register for State of the Port](#)

BIS-CBFANC Seminar Feb 10, 2021

February 10, 2021, 10 a.m. to 12 p.m. PST; a virtual event: BIS-CBFANC Seminar Explores Export Controls for Exporters and Forwarders,

[Register for BIS Export Webinar](#)

CBFANC Social Media

Please connect with us!

Twitter - [@cbfanc](#)

LinkedIn - [CBFANC](#)

Facebook - [CBFANC](#)

Events Around the Bay

- [P.A.E.I - Professional Association of Exporters and Importers](#)

[Register for State of the Port](#)

[Read here for additional details..](#)

Port Congestion Persists

Evey Hwang, CBFANC President

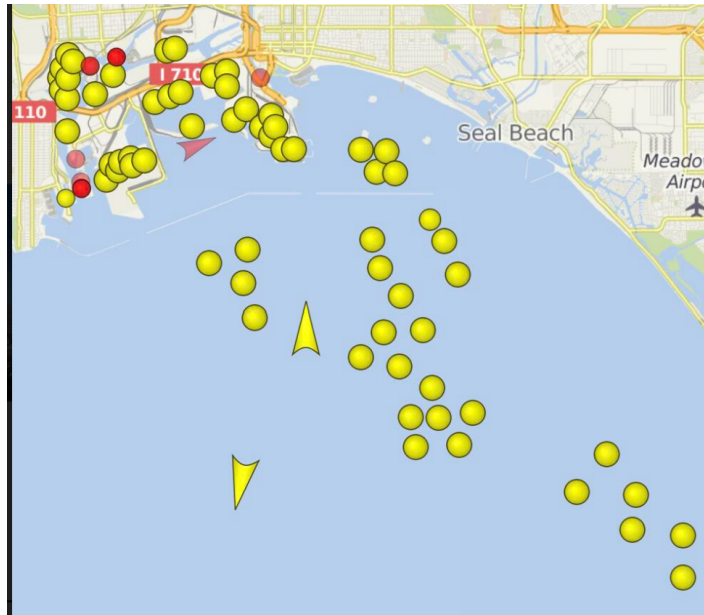


Evey Hwang, Alba Wheels Up, CBFANC President

Port Congestion in Los Angeles and Long Beach ports is causing delays into Oakland averaging 10 days. The "new" reality: Upwards of 30 vessels sit at anchorage in SoCal; and 10+ vessels in the SF Bay awaiting a berth at Oakland Port. Some experts predict the situation may not soften until Chinese New Year; others predict port congestion continuing into summer months. The vessel delays to berth after sitting at anchorage within port limits also causes problems with CBP entry dates. Some carriers continued updating AMS arrival dates contrary to the agreement made by with Customs Border Protection to halt such updates. The shifting of AMS dates by the carriers resulted in duty increases due to the December 31 2020 expirations of GSP and 301 Tariff Exclusions. Join the weekly (Tuesday) Pacific Coast Council association meetings to keep updated and...*be sure to register to attend February 10th CBFANC's State of the Port event!*

Below is a recent screen shot of ships awaiting discharge in SoCal.

- www.paei.org.
- [OWIT NC](#) - Organization of Women in International Trade Check website for updates
- [Monterey Bay International Trade Association \(MBITA\)](#) - Monterey Bay International Trade Association Check Website for updates
- [Norcal W.T.C.](#) - The Northern California World Trade Center Check Website for updates
- [PTA](#) - Pacific Transportation Association Check Website for updates



PGA-USDA-Aphis Core Overview of Important Updated Requirements

Mindi Li, Megabrokers



Mindi Li, Megabrokers, CBFANC Board Member, PGA Committee

PGA -USDA-APHIS CORE OVERVIEW

Full implementation of electronic ACE filing for the USDA APHIS Core Message Set began on January 25th 2021. This changed the severity from a "warning" to "reject" entry for not filing the APHIS message set.

Filers have to submit an APHIS Core Message Set when filing an entry for APHIS-regulated plants, plant products, animal products, or live dog imports.

***Data to be submitted at the first U.S. port of arrival

***Data submission regardless of shipment value (Incl. Sect 321 De Minimis Value Entry, Entry type 86)

***Exemption to Entry Types -FTZ (06), Re Warehouse (22), Warehouse Withdrawal (31, 32, 34, 38), T&E (62), IE (63)

***Required APHIS PGA data must be entered in ACE at, or before arrival

***Importers still need to obtain all necessary documents (Permits, animal or plant health certificates etc.);

Permit/Certificates matched in ACE is no longer required to submit hard copy (be sure to input the whole permit/certificate number including dashes or slashes).
***Official Government-to-Government certificates (phytosanitary certificates, veterinary certificates, and CITES certificates) continue to be collected in paper format as original documents.

[Important details, guidelines, contact info, continue here...](#)

BIS-CBFANC Seminar Explores Export Controls for Exporters and Forwarders

Sung Wook (John) Lee, SW Logistics



CBFANC will hold an export oriented seminar on Export controls for freight forwarders and exporters, on February 17, 2021, 10 A.M. to 12 P.M. PST.

Lani Tito from Bureau of Industry and Security BIS will speak about general overview of BIS and the export controls that govern licensed cargo. Topics discussed may include export controls, export licenses, ITAR, ECCN, Export Administration Regulations (EAR), Commerce Control List.

Janice Whitaker is currently with Abbott Laboratories, managing a Customs and Trade Compliance team. She is also currently the President of WIT NC. Janice will be speaking from the private sector perspective, and how to properly navigate the ACE Direct – Export Filing concerning licensed cargo. This will be of special interest to the export departments of freight forwarders and export professionals.

[Register for BIS Export Webinar](#)

State of California COVID-19 Relief Grants ROUND 2 OPENS FEBRUARY 2ND

Sung Wook (John) Lee, SW Logistics



Pictured above: Sung Wook (John) Lee

UPDATE: GRANTS ARE STILL AVAILABLE! NEW APPLICATIONS CAN BE FILED DURING THE OPENING OF ROUND 2, FEBRUARY 2ND, 8 A.M. PST, CLOSING ON FEBRUARY 8TH, 6 P.M. PST.

Open to all CBFANC members, clients and the trade community that was affected by COVID-19 pandemic.

Though much attention is focused on the federal stimulus bill enacted yesterday and its provisions to activate another round of PPP (Paycheck Protection Program) lending, we likely won't know many details about the new program until sometime next week. Stay tuned for that...

But in the meantime, the State of California is about to launch a very different and much simpler business grant program for COVID-impacted businesses located in California.

The "[California Small Business COVID-19 Relief Grant Program](#)" will deliver **grants of \$5,000 to \$25,000 for businesses with annual revenues between \$1,000 and \$2.5 million.**

[Read here for more details about the COVID Relief Grants](#)

Equipment Imbalance Surcharge Announced; FMC Must Act to Protect US Shippers!

Peter Friedmann, OurManInDC



Peter Friedmann, aka OurManInDC, FBB Federal Relations

**Blatant Discrimination vs. Exporters
FMC and Congress Must Act**

Zim has announced an ['Equipment Imbalance Surcharge'](#) on US exports across the Pacific. Essentially another way to deny service to US exporters. Shockingly blatant and an opportunity for the FMC to utilize its authority under the Shipping Act to protect US exporters.

**CBFANC Legislative Committee Offers
Washington DC Update**

Sandra Alvarez, Flexport LLC



**Sandra Alvarez, Flexport, CBFANC Board Member,
Legislative Committee**

**USTR Suspends Retaliatory Tariffs on Goods from
France**

A January 7th [news release](#) from the office of the U.S. Trade Representative (USTR) announced that the 25% tariff increase on goods from France that was to go into effect January 6th has been canceled. The tariff increase was originally announced in July 2020 as retaliation against France's digital

services tax (DST). The USTR has “decided to suspend the tariffs in light of the ongoing investigation of similar DSTs adopted or under consideration in ten other jurisdictions.”

Additional Washington DC News:

Lots of chatter about Capitol Security and the Biden Transition. Like 9/11 will this (likely) one-time January 6th incident change security? - probably yes.

Exclusions - Biden will wait to take any action on 301 till a deep dive review - just a hunch that no changes will be made right away.

Most trade issues, i.e. VN, 301s, etc, left to Biden Administration.

Janet Yellen (Treasury Secretary): US will be strong on China and will use all available tools - trade policy will not change that much, but we'll have to see how things are going to shake out.

Biden and Trump along with most House and Senate Democrats and Republicans agree on China, more often than not. We'll have to see how they dig into Trade with China.

Testimony from new cabinet members retains tough stance on China. More to come.

Steel/aluminum tariffs will be maintained during the Biden Administration.

AFL-CIO will file labor complaint vs. Mexico per USMCA .

Rich DiNucci. - Moving back to DC at the request of Deputy Commissioner Perez.

KEEP CALM AND WEAR YOUR MASK AND GET VACCINATED



Oakland A's Stadium Update

Evey Hwang, CBFANC President



Evey Hwang reports on a couple of the meetings she attended on behalf of CBFANC.

Oakland As Stadium Update:

January 11th the Seaport Compatibility Measures meeting was for updates on Environmental Impact Report anticipated in February from the City of Oakland. AT issue is whether the clock ran out on Oakland As fast-tracking on State Lands review by Bay Conservation Development Commission (BCDC). The East Oakland Stadium Alliance e (EOSA) countered with lawsuit asserting that a full environmental study should not be short-cut. CBFANC is a member of EOSA and continues to support the interest of maritime business at Oakland Port.

January 19th Propellor Club of Northern California heard an update from Mike Jacob of Pacific Merchant Shippers Association and Luis Cuadra with BergDavis on behalf of EOSA. Featured was a discussion to push for a grassroots response to counter Oakland As persistent attempts to shortcuts an environmental review of the ballpark and luxury condos development at a time when affordable housing and other community priorities should engage City of Oakland’s attention.

East Oakland Stadium Alliance Continues Fight Against Waterfront Stadium/Luxury Condos



East Oakland Stadium Alliance Members, above.

The Oakland Athletics and the Port are now in exclusive negotiations over building a 35,000 person baseball stadium on Port land. Housing, offices and retail would be built around the stadium. The prospective stadium is controversial. People in the maritime industry worry it would create more traffic around the Port and limit future expansion. Others believe Oakland already has a perfectly good stadium. The EOSA opposes the Oakland A's ballpark proposal at the Port of Oakland, a development project incompatible with the

working waterfront. Our coalition shares concerns expressed by SSA Containers President Ed Denike, who says the proposal has caused carriers to tell us that they will not sign long-term agreements with us if the ballpark is built," citing fears of increased congestion and delays inside the Oakland Estuary. SSA's Oakland International Container Terminal (OICT) accounts for 70% of container volume at the Port of Oakland, and loss of business at the terminal would have significant impacts on the Port. We encourage the Port to implement projects that fulfill growth goals and steer clear of those that detract from Oakland's maritime industry, a critical economic driver for the Bay Area.

[New Seaport Logistics Center Also At Risk, read here...](#)

Congress Unlikely to Move Quickly on New COVID Relief Legislation

Ray Bucheger, FBB Federal Relations



Ray Bucheger, FBB Federal Relations, Washington DC.

The impeachment trial for President Trump could last several weeks, which will take up a lot of bandwidth in that chamber.

In addition to the impeachment trial, the Senate is responsible for holding hearings and voting to confirm Biden's cabinet and sub-cabinet nominees. This process takes a long time under perfect circumstances, and we are not operating under perfect circumstances.

Congress will not simply take up and pass Biden's COVID Relief proposal as written. House and Senate Democrats have their own ideas about which programs should be funded – there will be a lot of negotiation on those points.

The process the Senate uses to take up this bill will also determine how long this takes.

As of right now, Senate leaders are saying they will go through regular order, which means that 60 votes will be needed in the Senate to cut off debate before they can move to a vote on the bill itself. This means that 10 Republicans will need to vote with the Democrats (and it will mean that all 50 Democrats – including moderate Democrats that don't support everything in the Biden proposal – will need to vote together). Getting 10 Republicans on board will require changes to the bill that could be tough to get through the House, where Speaker Pelosi will need to keep progressive members of her caucus happy with the bill.

[The Senate Has Two Other Options, read here...](#)

Happy Chinese New Year of the Ox! February 12, 2021



Big Increase in Number of Containers Lost at Sea

Jack Hubbard, TLR (Emeritus), Editor



Above, the One Apus after storm at sea

Ships Roll With The Waves, Thousands of Containers Go Overboard.

Maritime insurance executives said roughly 3,000 containers have been lost at sea over the past two months. This is a significant increase above amount reported by The World Shipping Council in July that showed an average 1,382 containers were lost at sea each year between 2008 and 2019.

On January 16th, the Maersk Essen (capacity: 13,000 TEU) lost 750 containers halfway through its trans-Pacific sailing from Xiamen. The One Apus lost around 2,000 containers in November when it hit a storm off Hawaii. Insurance claims from the One Apus could reach more than \$200 million.

A possible explanation for the increase: As ships become bigger and containers are stacked higher and higher, a vessel's stability may come under pressure from pitching and rolling. So called "parametric rolling" can happen when waves don't hit the bow head on, but at an angle.

Maritime officials say ship operators are looking at installing sensors that could issue warnings on sea conditions to avoid parametric rolling.

(Source: *Wall Street Journal*, Jan 22, 2021)

New Cranes, Chassis shortages AND a New Ship to Call Oakland Port

Evey Hwang, CBFANC President



Evey Hwang reports again on meetings she attended on behalf of CBFANC.

January 12th Propellor Club of Northern California hosted Ed DeNike with SSA. Big port news of the year is OICT/SSA's four new cranes which can handle the larger vessels. Until all assembled and system integrated, the cranes will not functionable until at least April. SSA acknowledged chassis shortage and addressed efforts to source more. Concerns were raised about the West Coast ports costing more than competitors for labor and rail, and California zero emissions requirements could significantly add to the cost of doing business in California. Labor shortage due to COVID have led to a successful agreement between terminal operators and ILWU for temperature checks at union (hiring) halls. Vaccinations for essential workers in transportation and logistics were also actively discussed.

[Details of Jan 25th meeting and more, read here...](#)

Peter Friedmann Continues Advocacy on Behalf of the Shipping Industry

Evey Hwang, CBFANC President



Peter Friedmann, our Pacific Coast Council D.C. Counsel and AgTC Executive Director, continues his advocacy on our behalf. First with getting actions from Federal Maritime Commission guidelines [Interpretive Rule on Demurrage and Detention Under the Shipping Act](#) through Commissioner Rebecca Dye in early 2020. And now this month to provide a [Form to Submit Demurrage, Detention and Export Restriction Information see below](#)). Peter Friedmann will speak at CBFANC State of the Port so...*be sure to register to attend February 10th CBFANC's State of the Port event!*

[Form to Submit to FMC, available here...](#)

ILWU Seeks High Priority Level for COVID Vaccine?!?!?

Evey Hwang, CBFANC President and Jack Hubbard, Editor



At the ports, 10% of longshore workers have been infected with COVID-19. This pushed the ports of Los Angeles and Long Beach to advise the State of California that "our dock workers have been on job every day since the emergency orders were put in place last March. We need to get them vaccinated as soon as possible." After a recent Propellor Club meeting hosting SSA's Ed DeNike, Propellor Club President Stas Maragonis confirmed that "ILWU and the container terminal operators have agreed to institute temperature checks at the gates of the terminals before workers enter". More information on COVID vaccination scheduling is available on the State's website dashboard <https://covid19.ca.gov/vaccines/#California-vaccines-dashboard> and [MyTurn.Ca.Gov](https://myturn.ca.gov)

To read the AJOT and LA Times articles on this issue, please go to the links below.

<https://ajot.com/insights/full/ports-of-los-angeles-and-long-beach-urge-california-to-fast-track-vaccines-for-dockworkers>

<https://www.latimes.com/business/story/2021-01-20/covid-surge-hits-la-ports-increasing-need-for-vaccines>

2020 Gave West Coast Ports Reasons to be Proud

Thomas Jelenic, VP, PMSA



Thomas Jelenic, Vice President, Pacific Merchant Shipping Association

(Editor's Note: The following is an excerpt from an essay written by Mr. Jelenic concerning the West Coast ports successes during COVID Pandemic year of 2020)

While most headlines and trade journals focused on congestion and remarked on what had gone wrong, few focused on the amazing feat of what was being achieved. In fact, nothing had gone wrong in the ports. Rather, the entire supply chain was suffering under the pandemic. Through regular communication by port stakeholders, flexibility between labor and terminals, and simply hard work, the supply chain never buckled.

We should take a moment to appreciate and be thankful for the work put in by everyone on the waterfront. From the ocean carriers to the marine terminal operators to the ports of Los Angeles and Long Beach to the ILWU, cargo flowed all year. Our colleagues, especially the members of ILWU, have worked under the risk of the pandemic. Some have become sick; too many have died. In a year of crisis, the men and women on the waterfront ensured that the goods to protect us during a pandemic and keep our economy functioning were always available.

Have a Happy Valentine's Day, February 14, 2021



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