



March 2023 - Info Expeditor

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CBFANC Seaport Townhall Covers CBP Ocean Cargo Entry and Exam Procedures

Evey Hwang, CBFANC Ocean Committee Chair



Evey Hwang, CBFANC Board of Directors Chair, Alba Wheels Up

At the March 29th CBFANC Seaport Townhall there was good dialogue overall and special focus on CBP Agriculture holds. Below were some of today's questions:

- How will the exam site been chosen for consolidation containers that will go to a CFS with a PT?*
- What triggers for a container/shipment to be held by USDA for examination if merchandise is not regulated by USDA?*
- Many document review holds, while they do get released after doc review just curious why so many doc., reviews?*
- We are getting a lot Ag Holds & docs required in Oakland when submitting an entry**
- Having to upload via DIS more than normal
- We can upload original phytosanitary to DIS, once it has been uploaded to DIS, do we still have to send the original phyto to AQI***
- Will CBP start sending PT doc to both broker and CES exam site?****

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
[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

AgTC 35th Annual Meeting

AgTC 35th Annual Meeting
June 13-16, 2023
Tacoma WA
[See story for details](#)

WESCCON
OCTOBER 26 - 29, 2023
RANCHO LAS PALMAS, Rancho Mirage, CA
[WESCCON | pacificcoastcouncil](#)

Response from CBP was best practice to transmit and if needed, upload documents to DIS as early as possible. Below some response from discussion:

* Exam site may be chosen based on master bill. If house bill cargo targeted and at CFS, exam will be at CFS.

***For original Phytosanitary Certificate, Chief Anderson responded "only if requested"

****Per APD Felicia Brown, CBP Officer will notate in ACE cargo release notes to Broker: the assigned CES site and PT#

Of interest, an attendee cited information on Ocean house bill ACE update for June

2023: https://www.cbp.gov/sites/default/files/assets/documents/2023-Feb/OHBOL_Trade_Information%20Notice_508_2.15.23.pdf

We hope our CBFANC Seaport Townhall was informative. Save the date: We have requested, and CBP have agreed, for an in-person Airport Townhall for tentative May 17, 2023 time/venue tbd.

Labor Tensions Rise in Stalled West Coast Ports Contract Talks

Paul Berger, Wall Street Journal



Employers blame dockworkers for cargo delays at the Los Angeles and Long Beach ports as coastwide negotiations move into their 10th month. Cargo diversions due to labor uncertainty contribute to 38% drop in container volumes.

Tensions in long-running contract talks at West Coast ports are worsening, with employers accusing unionized dockworkers of slowing cargo handling at the ports of Los Angeles and Long Beach, the nation's busiest gateway for imported consumer goods.

The sharp rhetoric marks a shift from a longstanding agreement to maintain public silence on issues around the negotiations, which began last spring. The two sides appear to be no closer to bridging the gap on their disagreements, pointing to the possibility of deeper disruptions to U.S. trade flows.

The Pacific Maritime Association, which represents ocean carriers and port employers, said Monday that dockworkers at

the ports of Los Angeles and Long Beach had stopped staggering work shifts during mealtimes starting last Wednesday. The PMA said that has forced terminals to shut down every day for an hour in the afternoon and another hour at night, interruptions that have triggered "significant delays" in cargo operations and long backups of trucks at terminal gates.

Willie Adams, the president of the International Longshore and Warehouse Union representing dockworkers, said his members are allowed "to take a lunch break just like everyone else."

[The story continues here..](#)

PCC (Including CBFANC) Urge President Biden to Break Impasse Between ILWU-PMA in Labor

Peter Friedmann, Our Man In DC



Peter Friedmann, Our Man In DC

PCC and all our local associations (including CBFANC) were among the 238 associations listed on Friday's letter to President Biden urging intervention in the ongoing PMA-ILWU West Coast longshore labor contract negotiations.

Click here to read the letter and list of signatories:

[letter to President Biden](#)

Peter

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April 27th CARB Public Hearing to Consider Proposed Advanced Clean Fleets Regulation

Info courtesy Lori Azzopardi, CBFANC Board member



Lori Azzopardi, CBFANC Board Member, EFI Logistics

*Preface written by **Evey Hwang**. CARB Meeting info written by **Best Drayage**.*

Preface:

During March's Trade Facilitation Committee meeting, PMSA President John McLaurin expressed concerns that California state green mandates on ports and trucking have not just restricted maritime growth but have pushed carriers to routes eastward. In 2019 in a letter that CBFANC joined with other associations and port stakeholders, PMSA warned Sacramento current and projected losses to East Coast ports.

Following text provided by Best Drayage:

The California Air Resources Board (CARB) will hold what likely will be their final public hearing on their proposed Advanced Clean Fleets Regulation on April 27th.

CARB has spent the past few months revising this regulation after hearing from public comment. Unfortunately, none of those revisions change the fact this **regulation will be devastating to the trucking industry and the economy of California**. The regulation is hundreds of pages long and contains many requirements which simply are not feasible. CARB does not care about this regulation being impossible to comply with and is pushing forward.

While many of these new regulations will take effect over the next 13 years, for the Drayage industry, these regulations start immediately. Here are some concerns for Drayage, all which have been ignored by CARB despite hundreds of letters and public testimony:

January 1, 2024:

- No truck can enter a port or rail terminal for the first time unless it is Zero-Emission
- No truck can enter a port or rail terminal if it has over 800,000 miles
- No truck can enter a port or rail terminal if it is over 18 years old

The problem with this is there is currently no Zero-Emission truck on the market that can move between the ports and California's Central Valley on a regular basis. There is also no charging infrastructure near the ports if one wanted to just shuttle loads in/out of the terminals.



[Read here for more details and what YOU can do to help](#)

Port of Oakland Truck Working Group Assesses Port Developments

Evey Hwang, CBFANC Board Chair



During the recent Truck Working Group meeting on March 20, 2023, discussion focused on the major construction projects in and around the port in 2023 and 2024.

Below to be noted for possible traffic restrictions and delays.

- 7th Street UP underpass starting in July-August –

30 months

- FITS with RFID and infrastructure
- Power to Outer Harbor
- Eagle Rock (16 acres) in July – 18 months project
- Turning Basin –
bids review in 2023 for possible 2027 construction

In other news, upcoming projects to benefit truck parking and electrification:

- DrayPark.com – 2 truck park lots
 - May 2023: 1239 5th Street for 50 Truck/tractor parking
 - September 2023: 698 High Street for 150 Truck/tractor parking
- Forum Mobility offering electric truck charging by subscription. Projected for fall 2024, two options proposed for state-mandated electric drayage at California ports.
 - TAAS – Trucking as a Service (truck leasing)
 - CAAS –
Charging as a Service (truck charging subscription)

Customs Business Fairness Act Pending in Congress

NCBFAA



H.R. 1453 specifically requests a technical change in the bankruptcy laws to protect customs brokers who have paid duties to CBP on behalf of importers that subsequently file for bankruptcy. NCBFAA seeks "subrogation" rights for customs brokers who have received money or paid duties to the U.S. government on behalf of a bankrupt importer. If a customs broker could be subrogated to the priority rights of CBP, any payments from the importer to CBP via the customs broker during the 90-day period would likewise no longer be subject to a preference payment recovery action.

CBFA was first included in the December 2020 stimulus package which gave customs brokers much needed relief from the 90-day claw back when an importer files bankruptcy. However, the legislation included a one-year sunset which occurred on Dec. 31, 2021. Legislation to make the tenets of CBFA permanent in the bankruptcy laws was introduced in early 2022 and had to be subsequently reintroduced with the start of the 118th Congress.

While your NCBFAA Legislative Committee Leadership and Counsel continue making inroads for CBFA on Capitol Hill, **NCBFAA members are urged to continue reaching out to their local congressional offices via email or even telephone.** A list of U.S. Congressional Representatives, along with their office contact details, is available [here](#).

Oakland A's Must Commit to a New Ballpark at the Coliseum

East Oakland Stadium Alliance

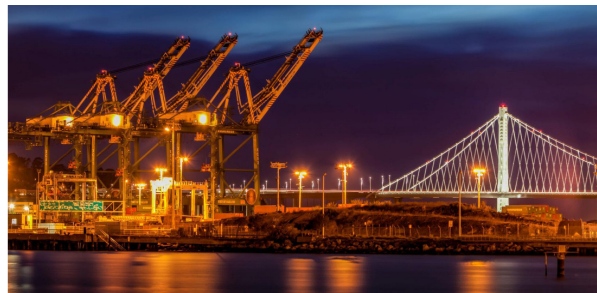


Ron Leuty of the San Francisco Business Times recently interviewed Andy Dolich, a widely respected former sports executive who spent 15 years with the A's, to get his take on the Oakland franchise and their future home. When asked about the A's ongoing stadium dilemma, Dolich immediately pointed to "a complete lack of teamwork, leadership and trust between John Fisher, Commissioner Rob Manfred, Oakland/Alameda County elected officials, which has caused tens of thousands of A's fans to turn their back on current ownership." Meanwhile, the ownership continues to portray the Coliseum as completely unfeasible in the long term while not spending a dime on any renovations that would both improve the fan experience and demonstrate to the fanbase that Fisher is invested in a winning baseball team. "Become an imaginatively operated, community-focused sports franchise. Stop ripping the Coliseum," said Dolich. "Commit to and begin building a new ballpark at the Coliseum."

[The story continues here..](#)

Port of Oakland Night Gates At Risk Due to Lack of Demand

Evey Hwang, CBFANC Board Chair



Recent reduced volumes have impacted night gate activity at Oakland terminals. Please check terminal for changes or updates. As below message from Everport, it is important for use of night gates in order to maintain night gate options.

Based on use of the Friday night gate of April 7 and given the very light use of it for the past Friday nights, ETS Oakland may return to operating gates Monday through Thursday nights. If you prefer we continue to be closed Wednesday nights and open Friday nights, please demonstrate your preference by doing business with us Friday night, April 7.

Increased Russian Duties with Aluminum Smelt and Cast Reporting Training

NCBFAA; Courtesy Chris Garcez



Customs and Border Protection (CBP) will hold a webinar on **Thursday, April 6th, from 3 pm - 4 pm ET** regarding recently issued guidance on Section 232 duties for Russian aluminum products, Column 2 duties on Russian products, and Aluminum Smelt and Cast requirements for all countries.

The training is for general information purposes and is intended to provide guidance and promote the understanding of and compliance with importing laws and regulations.

Continuing Education

Attendance to this webinar is worth 1 CCS/CES credit. Attendees will receive directions on how to claim their credit after the webinar has concluded.

For information and to register, click on the link below:

[Registration \(gotowebinar.com\)](https://gotowebinar.com)

[List of Presenters are listed here...](#)

CES Must Be Designated on CF3461 to Facilitate Efficiencies

CBP



U.S. Customs and Border Protection

Per CBP Info Notice 728-22-07, effective March 15, 2023 Port of San Francisco Customs Border Protection finalized selection for two Customs Exam Sites:

- Custom Specialized Services LLC (Firms Code: WBW4) is authorized for CES services for Trade and Agriculture examinations.
- PCC Logistics (Firms Code: Z910) is authorized CES for Trade, Agriculture Exams and A-TCET examinations.

With two CES sites, CBP reminds importers and brokers to nominate an exam site at time of entry filing. If no CES selected, Oakland CBP will randomly assign exam to either CES. CBP Officer will notate in ACE cargo release for CES site and PT#. CBP reminds importers and brokers to transmit and, if needed, upload DIS documents timely.

Please note that if a CES is not designated on the form 3461, CBP will decide which CES will be used.

Thank you.

Irene Nix
 Watch Commander
 U.S. Customs and Border Protection
 San Francisco, CA
 (650)989-2586

Info Notice 728-22 Final Selection of CES withing Port of
 SF/Oakland

<https://mail.google.com/mail/u/0?ui=2&ik=4aedc42999&attid=0.1&permmsgid=msg-f:1760471065693000293&th=186e731b5bfc1265&view=att&isp=safe>

Congress Presses Biden Administration for

Courtesy: Chris Garcez, CBFANC Board Member and Treasurer



Chris Garcez, CBFANC Board Member and Treasurer, TLR-Total Logistics Resource.

(Editor's note: Chris brought to our attention the following excerpt from an essay published by the law firm

STR/Sandler, Travis, & Rosenberg, P.A.)

U.S. Trade Representative Katherine Tai said the administration is "writing a new story on trade ... one that puts working families first and addresses today's pressing issues." She highlighted multilateral initiatives like the Indo-Pacific Economic Framework and the America's Partnership for Economic Prosperity, as well as bilateral efforts like the U.S.-European Union Trade and Technology Council and trade talks with Taiwan and Kenya.

However, Tai is under increasing pressure to pursue more traditional free trade agreements, which supporters say are more durable and enforceable than the initiatives the administration is pursuing because they are subject to congressional approval and codified into law. (Ital: Editor) In a March 23 letter, nearly two dozen House Ways and Means Republicans said that "not pursuing new tariff-reducing enforceable trade agreements breaks a four decade long bipartisan approach to trade policy and means we are missing out on opportunities" to advance U.S. economic interests."

ST&R | Sandler, Travis & Rosenberg, P.A.

[The story continues here..](#)

U.S. Court Upholds Trump's China Tariffs

Peter Friedmann, Our Man In DC



Popular with politicians in DC and general Public, the tariffs are extended.

Background thoughts from Peter Friedmann

The China tariffs have proven over the last 4.5 years to be immensely popular on Capitol Hill with both Democrats and Republicans. Tariffs have now been Installed and extended by 2 very different presidents: Trump and Biden. Sentiment in the general population as well as on Capitol Hill is that China is a threat, and we need to be tougher on China not easier.

A liberal Democrat in the House and a conservative Republican in the Senate are both proposing limitations on deminimis which they see as benefiting exports from China to the detriment of the US - reduced revenue and security. They hope to be seen as punishing or at least restricting China, but the proposed limitations would have a detrimental impact on US trade, something which the customs brokers and freight forwarders can see but is **not** visible to the general public, to Congress or the White House.

As such, the tariffs will remain.

AgTC 35th Annual Meeting June 13 - 16, Tacoma WA

Peter Friedmann, OurManInDC, AgTC Executive Director



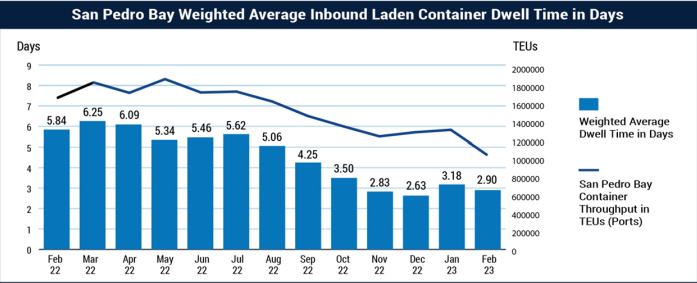
**AgTC 35th Annual Meeting
June 13-16, 2023
Tacoma, WA**

Ocean shipping and domestic transport challenges continue, constantly changing, the future uncertain. At the 35th Annual AgTC Meeting, we'll build relationships, pursue solutions. *In Person.*

Updated event outline below. [Click here](#) for full preliminary agenda.

Container Dwell Times Shorten in L.A. Port

PMSA



KEEP CALM, GET VACCINATED



[read more...](#)