



October 2023 - Info Expeditor

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CBFANC Social Media

Please connect with us!

Twitter - [@cbfunc](#)

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 \(MBITA\)](#) -

CBFANC President's Report: WESCCON Update

Sung Wook (John) Lee, CBFANC President



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

On Friday, 10/27/23 WESCCON kicked off with keynote breakfast presentation by Commissioner Troy Miller. The rest of the day was filled with other CBP priorities concerning ACE portal, CBP Trade Policy & Programs and broker audits.

On Saturday 10/28/23, it was all about AI and how artificial intelligence is augmenting our industry. I was scared going in, but what I got out of it was that it would be as helpful as your iPhone and it will improve our work processes, and I think that is a good thing to look forward to. Rest of the afternoon was about ports and FMC.

By the way, as your CBFANC President and Export Co-Chair, I am always available to the membership but will try to reach out to our individual membership with concerns about FF/NVOCC regulations. FF/NVOCC and I am talking about small businesses here sometimes operate in a solitary environment and I have found over the years that CBFANC is the only venue that you can come and talk to like minded people in the industry. If you have some concerns, please email me at ocean@cbfunc.org or swlee@swlogisticsinc.com

If there was a overarching take from WESCCON 2023, it's national security. CBP and FMC are both focused on the fentanyl epidemic and our southern border. Perhaps it is because it is election year or the wars far away but the federal government was singular in their message this year which was shocking if you haven't been paying attention.

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

**REGISTRATION NOW
OPEN: CBFANC HOLIDAY
PARTY DEC 06, 2023**

**CBFANC Annual Meeting &
Holiday Party
Dec 06, 2023, 4 - 7 p.m.
Kincaid's Fish, Chop
& Steakhouse
60 Bay View Place,
Burlingame.**
[See story for registration link](#)



Hello from WESCCON 2023. In attendance was from left to right, **Peter Gong, Evey Hwang, Chris Kammer, Liz Chapman, and Sung (John) Lee**. Friday night dinner theme was western, can you tell?

[President's Lee's report continues here...](#)

San Francisco Broker Management Visits CBFANC

Chris Garcez, CBFANC Treasurer and Board Member



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

Some call outs from the excellent information given by local Broker Management during the October 19th in person seminar. Brokers should demand that their software providers send them Rejects in a way these can be monitored and addressed, as per 111.28(a)(4) for Responsible Supervision and Control. For instance, large companies have the rejects sent directly to their Compliance Department. Dealing with remote workers also came up regarding 111.28(a)(7), "supervisory visits." This need not be in person; how do you normally address corrective action, whether via Teams, Zoom or other electronic means? The issue of assuring confidentiality was mentioned here. Nothing prescriptive was suggested, but clearly brokers who have remote workers will want to address this, document it, test it, and document that too.

For the upcoming triennial status report in 2024, a couple points. First, if you are the qualifier, you will be making two payments and submitting two reports – one set for yourself, and one set for the company. Second, if you are a licensed broker and your company will be paying the fee for you, you need to submit your triennial report before your company makes the payment since the payment completes the process.

For continuing education for licensed brokers, in the 2027

triennial, you will be submitting all the items listed in 111.102(d)(1) and be prepared to present documentation upon request. You cannot get a head start on this requirement. Once the Federal Register Notice is published with the new implementation date for qualified coursework, you will want to keep your list of events and hours in the format specified in 111.102(d)(1) which you can find here: [eCFR :: 19 CFR 111.102 -- Obligations of individual brokers in conjunction with continuing broker education requirement.](#)

CBFANC Board Member Liz Chapman Receives WESCCON Scholarship Award



Liz Chapman was presented the Avalon WESCCON Scholarship award by Andrea Lanouette of Avalon Risk Management.

Liz Chapman (center), CBFANC Board Member, Clearfrieght is pictured above with CBFANC President Sung Wook (John) Lee, SW Logistics, and Andrea Lanouette of Avalon Risk Management. Many thanks to Avalon for funding this award every year!

CBFANC notes from NCBFAA Transportation Committee Meeting

Chris Kammer, CBFANC Board Member



**Chris Kammer, CBFANC Board Member, Access Supply Solutions
NCBFAA Transportation Committee Meeting Agenda - NOTES**

Attended by 32 people from around the country.
October 10, 2023

Antitrust policy was read **Reminder of Antitrust policy:** *It is the unqualified policy of the NCBFAA and all its operating committees to conduct their operations in strict compliance*

with the antitrust laws of the U.S., and that no discussions shall be held that may infer or lead to violations.

Reputation – Education – Facilitation – Compliant

1. Transportation Committee & Export Compliance Subcommittee pages on NCBFAA Website
2. **Terms & Conditions – Venable Recommendations – B/L T&C – Jan/Ashley – FF as Merchant**

Geoff sent out email on October 18th with Venable's recommended changes to Forwarding POA and Combined Transport Bill of Lading, requesting any feedback or questions by October 25th.

1. Export Compliance Subcommittee

- a. Comment on Census FRN? - [Agency Information Collection Activities; Submission to the Office of Management and Budget \(OMB\) for Review and Approval; Comment Request; Automated Export System \(AES\)](#). Will have get formalized soon, due 10/19.
- b. Update on ACE Reports Working Group Add commodity description to report which is mainly issued by filer. Another recommendation – add PGA to the field name too. 2 new reports USPPi and Filer reports. Census has worked to unsuppress some details and routed transaction report. Won't see anything until after 10/14.
- c. Other Export Compliance Subcommittee updates E5 Counties (NZ AU US UK CA) to strengthen Export controls related to Russia, 6 digit HTS codes where they are sent to certain countries. BIS is doing export controls and sensitivity of certain HTS with a recommendation have some type of flagging that they are controlling / restricting. To those countries where there is possibility of diversions.

[The story continues here..](#)

Happy Halloween!



FDA Videos Available on The FDA YouTube Channel

Courtesy: Chris Garcez, CBFANC Treasurer and Board Member



FDA has a YouTube Channel!

Per CSMS # 58071JBHU 235193580 - FDA publishes YouTube video "Importing FDA-Regulated Products: Human Foods," there are a few new videos posted to their channel. Click on the channel icon, and you can scroll through an enormous selection. "[Importing FDA-Regulated Products: Human Foods](#)" is a basic introduction to what FDA regulates, and can be useful for the updated URLs posted throughout the video. For example, you will see how to get information on various FSMA programs (like FSVP, VQIP), Prior Notice and HACCP among many others. Several of the videos posted to the channel are also in Spanish.

FDA posts updated FAQ on Prior Notice

[Prior Notice of Imported Food \(Question and Answers \(Ed 4\). Guidance for Industry \(fda.gov\).](#)

Judge Rules Oakland Officials at Fault in Stalled Port Project

Sung Wook (John) Lee, CBFANC President

Oakland officials at fault in stalled port project, judge rules



<https://www.courthousenews.com/oakland-officials-at-fault-in-stalled-port-project-judge-rules/>

In another legal blow to Oakland, a judge found the city acted in bad faith and breached a deal to complete a bulk shipping terminal at its port.

10/30/2023 by Sung Wook Lee

When you read this article, please keep in mind that this deal was between a real estate developer Phil Tagami, a former Port of Oakland port commissioner and the City of Oakland. City of Oakland dealt directly with the real estate developer to lease the 'CITY' portion of the property on the old Oakland Army Base. The Port and the employees of the port had nothing to do with the deal.

Wikipedia entry states "In 2009, Tagami and the California Capital Group were endorsed by a committee chosen by Oakland Mayor [Ron Dellums](#) to redevelop 135 acres (0.55 km²) of the former [Oakland Army Base](#).^[5] The base was divided in 2002, with 135 acres (0.55 km²) given to the city of Oakland and 168 to the [Port of Oakland](#). Tagami, in conjunction with the [San Francisco](#) maritime developer AMB, is also a front-runner for the port's renovation project." [Phil Tagami - Wikipedia](#)

CBFANC Annual Holiday Party, December 6, 2023

CBFANC cordially invites you to our 2023

Holiday Happy Hour and Annual Membership Meeting



Please join us in-person for our annual meeting with the current CBFANC Board of Directors.

We're excited to announce the winners for the 2024 elections and see members and colleagues of our community to celebrate the holidays!

Remember your business cards for a chance to win some awesome raffle prizes.

We look forward to seeing and celebrating with you!

Bring an unwrapped toy to benefit Toys for Tots and get a free raffle ticket!

**Wednesday, December 6, 2023
4:00pm-7:00pm**

**Kincaid's Fish, Chop & Steakhouse
60 Bay View Place
Burlingame, CA 94010**

Tickets:

Members: \$45.00

Guests: \$65.00

Register Here:

[Holiday Happy Hour/Annual Membership Meeting Registration](#)
[Click Here!](#)

EPA Issues Final Rule on "Forever Chemicals" Reporting Requirements

NCBFAA



Importers/Manufacturers Face Unprecedented EPA Reporting of 'Forever Chemicals'

Courtesy of NCBFAA

The Environmental Protection Agency (EPA) published a [final rule](#) to require manufacturers and importers to report on per- and polyfluoroalkyl substances (PFAs), or so-called "forever chemicals." While it does not directly impact customs brokers or the import process, it will have a significant impact on many importers in a wide range of industries not typically

accustomed to EPA regulation.

The rule requires a one-time reporting by importers for each year since 2011 that a product containing PFAs was imported. This includes importers of machinery and equipment containing gaskets, tubing, electrical wiring, composite materials, printed circuit boards, and other components made with fluoropolymers.

The rule is unprecedented in its scope and compliance challenges. The definition of PFAs covers more than 9,000 unique chemical substances. Imports of any product that incorporates one or more of these PFAs during the past 12 years must be reported by importers through EPA's Central Data Exchange (CDX) web portal by May 8, 2025.
[Federal Register :: Toxic Substances Control Act Reporting and Recordkeeping Requirements for Perfluoroalkyl and Polyfluoroalkyl Substances](#)

USDA to Require Import Certificate Data for Organic Products



Mandatory filing of import certificate data for Strengthening Organic Enforcement is fast approaching!

The effective date to file in ACE is March 19, 2024. If this is new to you or your company, whether you are a broker, importer, warehouse or trucker, please take a look at USDA's webpage and webinar slides here:

[Strengthening Organic Enforcement | Agricultural Marketing Service \(usda.gov\)](#)

[Strengthening Organic Enforcement Final Rule - Informational Webinar 02-21-2023 \(usda.gov\)](#)

You can also learn more by following the coursework for Certifiers and Inspectors here:

[Organic Training | Agricultural Marketing Service \(usda.gov\)](#)

Once you create an account, you can register for the free coursework, and review the videos at your leisure. Not all will pertain to brokers, but our importer clients will have questions, and the videos are extremely well done, pointing to the regulations when appropriate, but mainly filling out a structure and timeline of how the process happens and who is accomplishing certain tasks in the process. The coursework is arranged in hour-long chunks.

Happy Thanksgiving!



CBFANC Newsletter - October 2023 - Info Expeditor