



January 2018 - Info Expedito r

**What's New?**

- [CSMS# 18-000013 - in-bond Regulation Enforcement Dates](#)
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**Calendar of Events Import**

[Navigating the ADD/CVD Maze](#)  
02/21/2018

[Customs Broker Triennial Status Report](#)  
02/28/2018

**Events Around the Bay**

- [P.A.E.I - Professional Association of Exporters and Importers](#)  
[www.paei.org](http://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](#)

**CBFANC Social Media**

Please connect with us!

Twitter - [@cbfanc](#)LinkedIn - [CBFANC](#)Facebook - [CBFANC](#)**CSMS# 18-000013 - in-bond Regulation Enforcement Dates****[Extension of In-bond Regulation Enforcement Dates](#)****CSMS# 18-000013**

01/04/2018 05:30 PM EST

**Automated Broker Interface**

CBP will extend the time frame for initial implementation of these regulatory changes for all participants for six months. CBP Officers will continue to accept paper CBP Form 7512 and input the data on the trade's behalf until July 2, 2018. On that date, paper forms will no longer be accepted for input into the ACE system by CBP Officers.

The new implementation schedule will be as follows:

- July 2, 2018 – Paper CBP Form 7512 will no longer be accepted by CBP for input into ACE. Electronic filing of new in-bond transactions will be the responsibility of the trade. Paper forms or other paper alternatives (screen prints or plain paper documents etc.) will be accepted as part of enforcement processes at the border or verification/audit operations such as warehouse withdrawals, FTZ exports and transfers or vessel/aircraft supply operations where additional information is required on paper forms that is not provided for electronically.
- August 6, 2018 - Electronic reporting of all transactions will be mandatory; CBP will no longer accept paper copies of the CBPF 7512 to perform arrival and export functionality. These functions will be the requirement of the carrier. Electronic reporting will be mandatory. In addition, electronic reporting of diversion to a port other than reported on the original in-bond will be required. An ACE edit will reject arrival if not performed. Electronic reporting of bonded cargo location (FIRMS code) will be required. An ACE edit will reject arrival if not provided.
- At this time, no date is set for implementation of the provision requiring the 6 -digit Harmonized Tariff Schedule number requirement for Immediate Transportation movements.

[CSMS# 18-000013](#)**CBP Reviewing Information Collections on Duty Allowance, Duty Free Entry, Penalties**Courtesy: *Sandler, Travis & Rosenberg Trade Report*

Monday, January 08, 2018

Sandler, Travis &amp; Rosenberg Trade Report

U.S. Customs and Border Protection is accepting comments on the proposed extension without change of the following information collections.

- Application for Allowance in Duties (Form 4315): This form is submitted in instances of claims of damaged or defective imported goods on which an allowance in duty is made in the liquidation of the entry (comments due by March 9).

- Declaration for Free Entry of Returned American Products (Form 3311): This form serves as a declaration that goods are U.S.-made and have not been advanced in value or improved in condition while abroad, the goods were not previously entered under a temporary importation under bond provision, and drawback was never claimed and/or paid (comments due by Feb. 8).

- Petition for Remission or Mitigation of Forfeitures and

Penalties Incurred (Form 4609): This form is completed and filed with the Fines, Penalties, and Forfeitures officer designated in the notice of claim by individuals who have been found to be in violation of one or more provisions of the Tariff Act of 1930 or other laws administered by CBP and are seeking mitigation of any statutory penalty imposed or remission of a statutory forfeiture incurred (comments due by March 9).

#### CSMS# 18-000068 - TFTEA Drawback Testing Data in ACE Certification

##### [TFTEA Drawback Testing Data in ACE Certification](#)

**CSMS# 18-000068**

01/18/2018 04:01 PM EST

#### Automated Broker Interface

All members of the Trade will now have access to testing specific types of import "dummy" entry summaries that have been prepared by members of the Trade and loaded in the certification environment by CBP for TFTEA Drawback. These summaries should be used as the underlying imports on your drawback claim. These entries have been loaded in addition to the original entry submitted to the certification environment. In your request for specific entries, we ask the Trade to follow these guidelines:

1. Each filer will be initially given a maximum of 25 entries to use for a specific entry type requested.
2. Claim amounts and quantity amounts should not exceed the total amounts/quantities on the summary; exceeding the totals will exhaust the summary.
3. Each summary is and will remain in CBP control status.
4. Make an official request for 25 entries for any of the following entry types, using the categories listed below:

- Air certification
- Bed-in-a-bag
- Compound duty
- Generic for unused or manufacturing
- Petroleum derivatives
- Puerto Rico
- Sought element
- Vessel

To obtain your initial 25 entries for the different entry types, contact Dawn Olesky at [dolesky@sttas.com](mailto:dolesky@sttas.com) or Dave Corn at [dcorn@dutydrawback.com](mailto:dcorn@dutydrawback.com).

#### CBFANC Educational Series - Navigating the ADD/CVD Maze

### CBFANC Educational Series

**February 21, 2018**

### Navigating the ADD/CVD Maze

[Click Here to Register – ADD/CVD Seminar](#)

Join us for this informative seminar concerning Antidumping and Countervailing Duty issues.

When the Department of Commerce finds that imported merchandise was sold in the U.S. at an unfairly low or subsidized price, to level the playing field for U.S. companies injured by these unfair trade practices, antidumping and/or countervailing duty is imposed. When that happens, CBP is responsible for collecting the Antidumping and Countervailing Duties (AD/CVD) in a timely manner.

As a Priority Trade Issue, CBP's goal is collect the proper amounts, which includes to detect and deter circumvention of the AD/CVD law, and to liquidate final duties timely and accurately, while at the same time facilitating legitimate trade.

**Agenda:**

- General overview about ADD and CVD
- ADD/CVD Issues from a CBP Standpoint
- ADD/CVD Underwriting Concerns - A Brief Refresher
- ADD/CVD Complicating the Importer/Broker/Surety Equation
- The "Collateral Curse"
- ADD/CVD and Customs Broker Errors & Omissions

**Speakers:**

- **Susan Kohn Ross**, Partner, Mitchell Silberberg & Knupp LLP
- **David F. Jordan**, CHB, CPCU, Regional Vice President, Roanoke Trade Services

**Wednesday, February 21, 2018**  
**8:00 am - registration; 8:30 am to 12:00 pm - seminar**

**Park Pointe Hotel (formerly CitiGarden Hotel)**  
245 S. Airport Blvd., South San Francisco 94080  
\$65.00 Members; \$80.00 Non-Members; \$30 Students  
CCS Credit Approved

[Click Here to Register – ADD/CVD Seminar](#)

**Importer Compliance with FSMA Requirements is Aim of New FDA Guidance**

*Courtesy: Sandler, Travis & Rosenberg Trade Report*

Monday, January 29, 2018

Sandler, Travis & Rosenberg Trade Report

The Food and Drug Administration has issued five guidance documents to help importers and food producers meet key food safety provisions mandated by the Food Safety Modernization Act.

The FDA states that two of these documents, a [draft guidance](#) and a [Small Entity Compliance Guide](#), are meant to help industry meet the requirements of the Foreign Supplier Verification Programs regulation. Under the FSVP importers are responsible for ensuring that their foreign suppliers use processes and procedures that provide at least the same level of public health protection as the FDA's preventive controls or produce safety regulations, if applicable, and that the suppliers' food is not adulterated or misbranded with respect to allergen labeling. The draft guidance provides the FDA's current thinking on how best to comply with these requirements, while the SECG offers specific guidance on the modified procedures allowed for very small importers or importers of food from certain small foreign suppliers.

The third [draft guidance](#) addresses the term "same level of public health protection" used in both the FSVP regulation and the produce safety regulation by providing a framework for determining the adequacy of a process, procedure, or other action intended to provide the same level of protection as those required under the FSMA regulations for produce and human or animal food. The [fourth draft guidance](#) is designed to help food facilities comply with the supply chain program requirements of the regulation implementing FSMA requirements for hazard analysis and risk-based preventive controls for human food.

Finally, FDA has issued a [guidance](#) announcing its intention to exercise enforcement discretion with regard to the application of the FSVP regulation for (a) importers of grain raw agricultural commodities that are solely engaged in the storage of grain intended for further distribution or processing and (b) grain importers that do not take physical possession of the grain they import but instead arrange for its delivery to others for storage, packing, or manufacturing/processing (such as certain commodity brokers with respect to the FSVP regulation). Grain RACs imported into the U.S. include barley, dent- and flint-corn, sorghum, oats, rice, rye, wheat, amaranth, quinoa, buckwheat, and oilseeds for oil extraction (e.g., cotton seed, flax seed, rapeseed, soybean, sunflower seed).