



**April 9, 2021**  
**Volume 2, Nr. 14**

This morning we woke to the news that Prince Phillip, the Duke of Edinburgh, passed away at Buckingham Palace. He was 99. The Prince married Queen Elizabeth in 1947 and the couple had four children together, the eldest of whom is next in line for the throne, Prince Charles.

The retrospectives will be coming with increasing velocity and many of us may have gotten an introduction to the early days of their marriage from the first season of the hit Netflix series *The Crown*. The BBC's Royal Correspondent Jonny Dymond [posted one of the first](#), and exhaustive, looks back at his life.

The full pageantry of a royal funeral will likely be on display next week, albeit one tempered by COVID restrictions.

**FTA's 95TH WORLD TRADE WEEK  
VIRTUAL EVENT**

***Registration Now Open!***



**FTA**  
Foreign Trade Association

# 95TH WORLD TRADE WEEK

**Exploring the International Trade Landscape**  
*Mid-Year Update: Customs, PGA's and Other Current  
Issues Affecting Trade*

**VIRTUAL EVENT - MAY 20, 2021-11am - 2 pm PDT**

Tickets: FREE for Metal Members | \$50 Members | \$75 Non-Members

## CELEBRATING WORLD TRADE IN MAY!

World trade significantly contributes to the nation's economy and has developed a vast new horizon for America's businesses. World Trade Week (WTW) celebrates the industry and dedicates itself to informing the public on the benefits and importance of global trade on the overall economy through a series of events and educational programs. Please join us for our 95th Annual World Trade Week event!

### SPEAKERS TO INCLUDE



**DAN SOLIS**  
Assistant Commissioner  
FDA - Import  
Operations, OEIO



**ANNE HILSABECK**  
Founder & President  
AMH CUSTOMS  
CONSULTANTS



**JOHN P. LEONARD**  
Acting Executive Assistant  
Commissioner  
CBP - Trade  
Office of the Commissioner



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## Exploring the International Trade Landscape

*Mid-Year Update: Customs, PGA's and Other Current  
Issues Affecting Trade*

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Presentation of  
Marjorie M. Shostak Distinguished Service Award  
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**Segment 1**  
**U.S. Customs and Border Protection (USCBP)**

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**Segment 2**  
**Participating Government Agencies (PGA's)**  
**U.S. Food and Drug Administration (FDA)**  
**U.S. Consumer Products Safety Commission (CPSC)**  
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**Segment 3**  
**Private Industry Experts**  
**Current Issues Affecting Trade – Insider Perspectives**

**Links and stories of interest:**

**[Saint Vincent volcano: 'Explosive' Soufrière eruption sparks mass evacuation](#)**

**CALL FOR NOMINEES FOR SHOSTAK AWARD**

The FTA has opened nominations for candidates to be considered for the 2021 Marjorie M. Shostak Distinguished Service Award.

Past recipients include: Marjorie M. Shostak, Robert D. Kleist, Sam Orr, Judge R. Kenton Musgrave, Lew Coppersmith, Bruce Leeds, Lanie Denslow, Richard D. Steinke and Anne Hilsabeck.

Click the button below to read a letter from FTA President Cathy Thrasher which links to a nomination submission form.

**DOWNLOAD  
LETTER**



Anne Hilsabeck  
2020 Marjorie M. Shostak  
Distinguished Service Award  
Recipient

**FTA Board Member Susan Kohn  
Ross is awarded the Stanley T.  
Olafson Bronze Plaque Award!**

The FTA is pleased to congratulate Susan Kohn Ross for being awarded the Stanley T. Olafson Bronze Plaque

award this year!

This award is one of Los Angeles Chamber's oldest and most prestigious awards, originally presented in 1933. It honors someone who has made a long-time contribution above and beyond his/her job requirements to assure that expanded global trade enhances opportunities for Southern Californians.

Ms. Ross is the current Regulatory Practice Chair, Cyber Security & Privacy, Reopen Practice Co-Chair at Mitchell Silberberg & Knupp, LLP



Susan Kohn Ross  
2020 STANLEY T. OLAFSON  
BRONZE PLAQUE AWARD  
RECIPIENT

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## Government Actions and Trade

### **China Tests Biden Administration in South China Sea**

The Philippine Foreign Affairs Department on Monday warned China it would issue daily diplomatic protests as long as the "maritime militia" remains in place, using the same language as the U.S. to describe the fleet stationed in an area known as Julian Felipe Reef in the Philippines and Niu'e Jiao in China.

### **Biden Administration Slaps Export Controls on Chinese Firms for Aiding PLA Weapons Development**

The Biden administration placed seven Chinese firms and government labs under U.S. export controls Thursday for their involvement in China's effort to build supercomputers that help develop nuclear and other advanced military weapons.

### **U.S. Trade Deficit Widened to Record \$71.1 Billion in February**

The U.S. trade deficit widened in February to a record high as solid household and business demand kept imports running ahead of shipments to overseas customers.

### **Electronics is Upbeat Signal Amid Data Noise on Trade Tracker**

Strong demand for electronics continues to underpin global trade even as a global container shortage, limited semiconductor stock, a run-up in fuel prices and Covid-related supply chain disruptions threaten to hamper the recovery.

### **U.S. Retailers Signal No Import Let Up Through Summer**

Retailers predict US imports will continue to be at record or near-record levels at least through August as consumers have plenty of cash to spend on merchandise.



## Opinion: Lithuania's Challenge to China is Risky, but Clever

Founded in 2012, the "17 + 1" format, which brings together China with 17 Central European, Balkan and Baltic states, is officially dedicated to developing mutual investment and trade.

## Border Patrol Agents Seize Methamphetamine on Interstate 10

INDIO, Calif. – El Centro Sector Border Patrol agents arrested two men attempting to smuggle methamphetamine early Thursday morning.

## CIT Finds Presidential Proclamation on Section 232 Tariffs on 'Derivatives' was Beyond Authority

The ruling is the result of a challenge from PrimeSource Building Products, which said the presidential proclamation that imposed the tariffs on steel and aluminum "derivatives" was improper because it was issued after the statutory deadline.

# TRADE AND TRANSPORT ATTORNEYS



**ROBERTS & KEHAGIARAS LLP**  
ATTORNEYS AND COUNSELORS AT LAW

[LEARN MORE](#)

## FTA NEWS



**FIRST SALE:**  
It's still available to lower your duty exposure, but is the hurdle now higher from non-market economies

**Ticket Prices**  
FREE for Silver, Gold & Platinum Members  
\$25 for other members  
\$45 for non-members  
\$200 Sponsorships Available

**Date:** April 21, 2021  
**Time:** 1:00 p.m. - 2:00 p.m. PST  
**Location:** Zoom Webinar

[Register Here](#)

First Sale is a valuation program that has successfully mitigated millions of dollars in Customs duty. The hurdle to prove First Sale has always been high, but has the recent decision at the U.S. Court of International Trade made this hurdle a bar too high for importers? Please join us and speaker Erik Smithweiss from Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt LLP for this valuable discussion!



**ERIK SMITHWEISS**  
Partner  
GDSK LLP

Erik Smithweiss is a partner resident in the Los Angeles office. Mr. Smithweiss represents clients on issues before U.S. Customs and Border Protection, Department of Commerce, Office of Foreign Assets Control, Food & Drug Administration, Consumer Product Safety Commission and other agencies that regulate the international trade in goods. His practice involves import restrictions, rules of origin, preferential trade agreements, marking and labeling, valuation, tariff classification, antidumping and countervailing duty compliance, trademark and copyright protection, Fish & Wildlife restrictions, and similar matters.

## First Sale Rule - It's Still Available To Lower Your Duty Exposure

The hurdle to prove First Sale has always been high, but has the recent decision at the U.S. Court of International Trade made this hurdle a bar too high for importers?

April 21, 1:00 P.M. - 2:00 PM PT

Free to Silver, Gold & Platinum Members

Members: \$25.00

Non-members: \$45.00

Sponsorship Available: \$200.00

[REGISTER HERE](#)

Getting the Crew Back Together -

## Navigating Frequent Return to Work COVID-19 Storms

As everyone prepares to get back to the office, we look at:

- Is requiring employees to be vaccinated advisable?
- What about pre-entrance testing and mandatory PPE before being allowed to return to work?
- What to do if an employee gets sick while at work / how to handle contact tracing?
- What is 'good cause' to continue working remotely?

April 28, 1:00 P.M. - 2:00 PM PT



Free to Silver, Gold & Platinum Members

Members: \$25.00

Non-members: \$45.00

Sponsorship Available: \$200.00

**REGISTER HERE**




### Getting the Crew Back Together: Navigating Frequent Return to Work COVID-19 Storms

**Ticket Prices**  
FREE for FTA Metal Members  
\$25 for members  
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**SUSAN KOHN ROSS**  
Regulatory Practice Chair,  
Cyber Security & Privacy,  
Reopen Practice Co-Chair  
Mitchell Silberberg &  
Knupp, LLP



**THEA ROGERS**  
Associate,  
Labor & Employment  
Mitchell Silberberg &  
Knupp, LLP

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## EXP Oceans of Opportunity Sponsorship!

It is with great pleasure to announce that The FTA is proud sponsor of EXP's 21st Annual Oceans of Opportunity Event. The FTA is committed to partner with organizations within our community and EXP is certainly deserving of our support and encouragement.

We encourage you to join us in the challenge to increase the FTA Friends of EXP Sponsorship amount with a contribution of your choice to further our commitment to EXP.

April 29, 6:00 - 9:30 AM PT

Contribution amounts:  
\$25, \$50, \$75 and \$100

**CONTRIBUTE HERE**

exp 21<sup>st</sup> annual

# Oceans of Opportunity

4.29.21  
6 p.m. - 7:30 p.m.

Celebrate Today's Achievements  
for a Brighter Tomorrow

JOIN US FOR AN INTERACTIVE VIRTUAL EVENT HONORING:

**2021 Keeper of the Flame**



Virtual Experience through lunchpool

AND...

- The Bill Stein Memorial Leadership Award
- The Carol Rowen 180 Degree Award
- EXP Student and Alumni Scholars

Contribution amounts :  
\$25, \$50, \$75 and \$100

**CONTRIBUTE HERE!**

It is with great pleasure to announce that The FTA is proud sponsor of EXP's 21st Annual Oceans of Opportunity Event. The FTA is committed to partner with organizations within our community and EXP is certainly deserving of our support and encouragement.

EXP is a Southern California 501(c)(3) nonprofit organization who's programs help schools deliver innovative, career-based curriculum that makes classroom learning relevant and exciting. These programs and services are strategically designed to provide at-risk students exposure and experience needed to prepare them for STEM and other high-skill, high-growth career paths. During the 2019-2020 school year, EXP programs served nearly 6,350 high school students at 10 Southern California high schools across 4 school districts.

We encourage you to join us in the challenge to increase the FTA Friends of EXP Sponsorship amount with a contribution of your choice to further our commitment to EXP.

If you or your company is interested in directly supporting EXP, please use this [link](#)



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## Forced Labor - What it is and how to survive an audit

The social injustice of forced labor when coupled with the risk of substantial penalties and the loss of import privileges, makes a Forced Labor policy an integral part of any robust import compliance program. This webinar will describe the forced labor laws, how they are interpreted, and how to navigate a forced labor audit by CBP

April 29, 1:00 P.M. - 2:00 PM PT

Free to Silver, Gold & Platinum Members

Members: \$25.00

Non-members: \$45.00

Sponsorship Available: \$200.00

**REGISTER HERE**



Foreign Trade Association



1 CCS/CES/MES credit

## FORCED LABOR – What it is and how to survive an audit

Ticket Prices

FREE for Silver, Gold & Platinum Members

\$25 for other members

\$45 for non-members

\$200 Sponsorships Available

Date: April 29, 2021

Time: 1:00 p.m. - 2:00 p.m. PST

Location: Zoom Webinar

[Register Here](#)

CBP's recent emphasis on forced labor violations is driven by a sense of social responsibility, and is mandated by Section 307 of the Tariff Act of 1930 (19 U.S.C. § 1307), which prohibits the importation of merchandise mined, produced or manufactured, wholly or in part, in any foreign country by forced or indentured child labor – including forced child labor. Such merchandise is subject to exclusion and/or seizure, and may lead to penalties, and criminal investigation of the importer. The social injustice of forced labor when coupled with the risk of substantial penalties and the loss of import privileges, makes a Forced Labor policy an integral part of any robust import compliance program. This webinar will describe the forced labor laws, how they are interpreted, and how to navigate a forced labor audit by CBP.



JOSEPH ACAYAN  
Partner  
Givens & Johnston, PLLC

Joseph ("Jay") A. Acayan is a partner of Givens & Johnston, PLLC, and has extensive experience advising clients on a wide range of subjects in international trade law for the last 23 years.

For import related matters, his representation includes preparing clients for Customs audits, drafting and implementation of Customs compliance systems, filing of prior disclosures, and fighting Customs decisions administratively and before the Court of International Trade. He also defends clients in penalty cases, liquidated damages cases, and seizures (both goods and currency).



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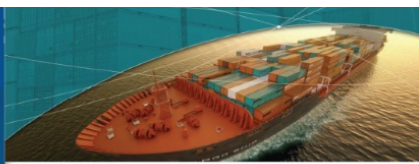
**FTA**  
Foreign Trade Association



**Location:**  
Zoom Webinar  
**Date:**  
Thursday, May 27, 2021  
**Program:**  
10:00 AM - 1:15 PM PDT  
**Credits:**  
3 CES Credits  
**Cost:**  
FREE for FTA Metal Members  
\$65 Members  
\$85 Non-members  
**\$200 Sponsorship**  
- 1 Event Ticket  
- Company Logo on all marketing material  
- Recognition at the seminar  
- Announcement of sponsorship  
**REGISTER NOW**



Cancellations must be received in writing 8 business days prior to the event to receive a refund to avoid being charged. Payment for this event is not deductible as a contribution or gift under federal law, but is more fully deductible as an ordinary and necessary business expense.



### The West Coast's ONLY 2021 Federal Maritime Commission Trade & Compliance Seminar

#### DESCRIPTION

Speakers will include Federal Maritime Commission's ("FMC") Chairman Daniel Maffei, and representatives from the FMC's Bureau of Trade Analysis, Bureau of Certification and Licensing, and the FMC's Los Angeles Area Representative to discuss ocean freight forwarder and non-vessel operating common carrier registration and licensing, tariff publication, CADRS, service contracts, NVOCC negotiated rate arrangements and NVOCC service arrangements and enforcement of the Shipping Act. The seminar will include an update on the FMC's demurrage, detention, per diem investigations, and a panel discussion of insurance, surety, and related risk management issues.

#### CONFIRMED SPEAKERS INCLUDE:



**Daniel B. Maffei**  
Chairman  
Federal Maritime Commission

**John Clausen**  
Area Representative  
Federal Maritime Commission

**Gabriel Padilla**  
Area Representative  
Federal Maritime Commission

**Cameron Roberts**  
Managing Partner Roberts & Kehagiaras, LLP

**Jim Devine**  
President  
Distribution Publications, Inc.

**Patrice Lafayette**  
Director of Sales  
Western Division  
Roanoke Trade

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ATTORNEYS AND COUNSELORS AT LAW

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May 27, 10:00 AM - 3:15 PM PT

Free to Silver, Gold & Platinum Members

Members: \$65.00

Non-members: \$85.00

Sponsorship Available: \$200.00

**REGISTER TODAY**



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## Environmental

### Resolution Asks Administration to Restart Environmental Goods Negotiations at WTO

Four pro-trade House Democrats joined Rep. Suzan DelBene, D-Wash.,



recently in introducing a resolution asking the Biden administration to reopen negotiations in Geneva for an Environmental Goods Agreement at the World Trade Organization.

### **China offers Mongolia helping hand to fight sandstorm challenge**

China has offered to help Mongolia address environmental problems after the two countries were hit by heavy dust storms this spring.

### **High Stakes at Sea in Global Rush for Offshore Wind Power**

Global competition for offshore wind power is so hot that license auctions now resemble the oil and gas competitions of just a few years ago, and some of the names are familiar too as global oil majors move aggressively into renewable energy.

### **Norway's Sovereign Wealth Fund Pushes Into Renewables with \$1.6 Billion Orsted Deal**

Norway's \$1.3 trillion sovereign wealth fund has made its first direct investment in a renewable energy project, a new asset class for the world's largest state-owned investor, it said on Wednesday.



### **Got a story idea?**

The FTA wants to hear from you! Is there a topic or industry that we're not covering that you'd like to see more of? Drop us an email by clicking the button below with your suggestions.

**EMAIL YOUR STORY  
IDEA**



### **FTA New Member Thank You!**

The FTA would like to acknowledge our new members each week in our newsletter. We sincerely appreciate their support and participation. Your FTA leadership continues to focus on delivering value during this time of social distancing and know that as we move back to in-person events that the opportunities will only continue to expand.

## Maritime

### **Federal Maritime Commission Holds Closed-Door Meeting on Ongoing Ocean Supply Chain Investigation**

Federal Maritime Commission held a virtual meeting Wednesday discuss developments in the ongoing fact finding investigation into challenges facing the ocean transportation supply chain system and possible Shipping Act violations by ocean carrier alliances and terminal operators.

### **FMC Seeking Comments on Carrier Automated Tariffs**

The Federal Maritime Commission is seeking public comment to determine if changes are needed to existing regulations on carrier automated tariffs, which are publicly available systems containing common carrier rates, charges, classifications, rules, and practices.

### **'Bad Fuel' Cited as MSC Containership Breaks Down En Route to Los Angeles**

A 366-meter containership belonging to MSC Mediterranean Shipping Company has broken down in the Pacific Ocean after reporting a fuel quality issue and the ship is now under tow to Japan, MSC has confirmed in a customer advisory.

### **Additional Port Capacity Alone Can't Solve Congestion Issues: LA-LB**

Port executives say the Los Angeles-Long Beach port complex has sufficient terminal capacity to handle projected cargo volumes until late in the decade.

### **North Europe Ports Face Four Weeks of 'Critical' Delays**

The impact of the Suez Canal closure on Asia-Europe container supply chains is becoming clearer, with Hapag-Lloyd's CEO providing a grim short-term outlook.

### **Singapore Looks to Tech to Bolster It's Role in Shipping**

The city-state is offering incentives to draw \$15 billion in investment across all aspects of the marine freight business, with an eye on tech

### **Container Shipping had it's Best Quarter in History Last Year. 2021 Could Be Even Better**

Ocean carriers enjoyed their best quarter in container shipping history in the final three months of 2020, but are expected to have significantly topped that record in the first quarter of this year.

### **Dry Bulk Shipping Rates Are Surging and the Rally Isn't Over**

For a glimpse of how quickly and unevenly economies are recovering from the pandemic, look no further than the market for shipping raw materials.



**FIRMs Code: W517**

## Video of the Week

### Pharaoh Parade

As a kid, you probably remembered when an Egyptian Pharaoh or two toured the United States and maybe you went with a school group or with your family to see their remains. This past week, a grand parade was held as they were relocated to a new museum. The convoy transported eighteen kings and four queens from the Egyptian Museum in central Cairo's Tahrir Square to the National Museum of Egyptian Civilization in Fustat.



## Logistics and Trade

### Global Economy's Rebound May Extend Shipping Boom Into 2022

Commodities traded in global markets have been on a tear, which means no rest for the ships needed to transport raw materials.

### Logistics Company Syncreon is Said to Weigh \$1.5 Billion Sale

The owners of supply-chain services company Syncreon Holdings are exploring a sale of the company that could value it at as much as \$1.5 billion, including debt, according to people with knowledge of the matter.

### Why Shipping Was in Trouble Even Before the Suez Clog

Sixty-five years ago, a North Carolina trucker named Malcom McLean pioneered the standardized shipping container, launching a global trading system that lifted millions of people out of poverty and created a generation of discount-minded American shoppers.

### **Intermodal Rail Savings versus Trucking Hit Record Highs**

Shippers can save more money than ever before on intermodal, if they could find equipment and draymen to move their cargo to and from rail terminals amid scarce supply of both.

### **Autonomous Truck Maker TuSimple Launches \$1 Billion IPO**

Technology firms driving autonomous trucking forward are seeking the investment and partnerships they need to expand rapidly, anticipating growing demand.

### **Port NOLA Funds Cold Storage Site to Boost AG Export Capacity**

The Port of New Orleans has become a part investor, along with developer Lineage Logistics and the State of Louisiana, in a nearby cold storage warehouse that will serve the state's poultry exporters.

### **Air Cargo Surges on U.S., European Manufacturing Recovery**

Rising confidence in the US and European manufacturing sectors and continuing growth in e-commerce is generating strong and sustained demand for air cargo.

## **Upcoming Events**

**April 13 - April 15 – ICPA 2021 ITAR CONFERENCE** – Springhill Suites by Marriott, Fort Worth, TX - Join us in Fort Worth, TX for our ITAR Conference – Register [here](#)

**April 15 - WEBINAR - P.A.E.I. - Customs Valuation - 10:00 AM - 11:30 AM PT** - Register [here](#)

**April 15 – WEBINAR – LAACA - Cyber Crisis in the Logistics World – 11:50 AM – 1:30 PM PT** - Who's in your computer – Register [here](#)

**April 21 – WEBINAR - First Sale: It's still available to lower your duty exposure, but is the hurdle now higher from non-market economies - 1:00 PM – 2:00 PM PT** – Discussion on First Sale Rule with Erik Smithweiss from Grunfeld, Desiderio, Lebowitz, Silverman & Klestadt LLP - Register [here](#)

**April 28 - WEBINAR -Getting the Crew Back Together - Navigating Frequent Return to Work COVID-19 Storms - 1:00 PM -2:00 PM PT** - We look at: Is requiring employees to be vaccinated advisable? What about pre-entrance testing and mandatory PPE before being allowed to return to work? What to do if an employee gets sick while at work / how to handle contact tracing? What is 'good cause' to continue working remotely? - Register [here](#)

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**May 2 - May 5 – 48th NCBFFA Annual Conference** -Now in its 48th year, the NCBFAA Annual Conference brings together more than 600 of the



international trade industry's top representatives from around the United States – Register [here](#)

**May 6 – Los Angeles Chamber of Commerce 95th Annual World Trade Week – 8:30 AM - 12:00 PM PT** - This year's program will feature a panel on "The Future of Transportation and Supply Chains," addressing chain infrastructure, transportation challenges, and innovative solutions to increase the region's global competitiveness as we recover from the pandemic – Register [here](#)

**May 11 - May 13 – Virtual Event - TIA 2021 Capital Ideas Conference** - Meet virtually with top industry leaders and solutions providers and take advantage of over morning and afternoon live sessions with more than 12 hours sessions geared solely for 3PLs – Register [here](#)

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**June 9 - WIT-OC – The Bureau of Industry and Security "Complying with US Export Control"** - A live event with BIS specialists on a professionally designed platform - *Details soon to follow!*

**June 29- July 1 – AAEI – 100th Anniversary Conference & Expo** – Save the Date – *Details soon to follow!*

**July 20-22 – CBP Virtual Trade Week** - U.S. Customs and Border Protection (CBP) will host its second Virtual Trade Week. Join CBP Executives and industry experts as they provide updates on CBP trade priorities and policies – Register [here](#)

**October 14-17 – WESCCON 2021 – 9:00 AM – 5:00 PM PT** - WESCCON offers one of the best opportunity to meet people in the global logistics industry – Register [here](#)