



## May 28, 2021 Volume 2, Nr. 21

Summer vacation - or at least the beginnings of it. The traditional summer holiday season kicks off with the Memorial Day three-day weekend. The FTA is planning a summer hiatus as well; taking time off from our rigorous webinar schedule and looking ahead to late summer and early fall opportunities to safely gather together in person once again.

For now, we wish everyone a very relaxing and safe weekend, asking that you take a moment on Monday to remember that the reason for this holiday is never forgetting those who gave their lives in service of America: reflect on the families who mark the day differently than others...

### Links and Stories of Interest:

#### **Sex, Deceit, and Scandal: The Ugly War Over Bob Ross' Ghost**

It is a long read in The Daily Beast, but if you remember him from PBS or know him now because of marketing campaigns, then this enjoy-it-with-your-morning-brew story will captivate and leave you shaking your head.



**KNOWLEDGE...  
EXPERIENCE...  
DEDICATION...**

## Government Actions and Trade

**Crapo Amendment to Renew GSP, MTB Fails**

During a round of votes on amendments on the Senate China package on May 25, Senate Finance Committee ranking member Mike Crapo's amendment, which called for renewing the Generalized System of Preferences benefits program and the Miscellaneous Tariff Bill, failed to pass.

### **Month Passes Since Section 301 Cases Stayed Without Assignment**

Importers filed a daily average of 1.25 new Section 301 cases in the 20 business days since Chief Judge Mark Barnett of the U.S. Court of International Trade signed his April 28 administrative order automatically staying any new complaints without assigning them to the three-judge panel he shares with Judges Claire Kelly and Jennifer Choe-Groves.

### **U.S.-China Trade War: Top Negotiators Hold 'Candid and Constructive' Talks, First of Joe Biden Presidency**

Top trade negotiators from China and the United States held their first telephone call since Joe Biden entered the White House, and stressed the importance of improving their bilateral trade ties.

### **MARAD Announces Nearly \$11 Million in Grants for America's Marine Highways**

The U.S. Department of Transportation's Maritime Administration (MARAD) announced today the availability of grants providing \$10,819,000 in funding for the America's Marine Highway Program (AMHP).

### **Italian Oil Company Pleads Guilty to Skirting Trade Sanctions on Russia**

Italian company GVA International Oil and Gas Services pleaded guilty to violating the Export Control Act after conspiring to obtain a power turbine for use on a Russian Arctic deep water drilling platform.

### **Trump Era Aluminum Tariffs Have Revived U.S. Industry Think Tank**

U.S. tariffs on aluminum imports imposed since the Trump presidency have led to increased output, employment and capital investment by domestic manufacturers, according to a new report from the left-leaning Economic Policy Institute.

### **San Diego Company and Owner Plead Guilty to Importation of Fake COVID Killer**

According to a May 25 press release from the Office of the U.S. Attorney for the Southern District of California, Haj imported the pesticide packaged as small badges from Japan, labeled it as an air purifier and lied on declaration forms, leading to a customs duty underpayment of \$33,919. Further, the product, called EcoAirDoctor, contained the ingredient sodium chlorite, which is illegal to mail because it is flammable.

### **EAGLE Act Would Create a Rebuttable Presumption of Forced Labor for Xinjiang Goods**

House Foreign Affairs Committee Chairman Rep. Gregory Meeks, D-N.Y., introduced a bill that would create a rebuttable presumption that all goods mined, produced or manufactured wholly or in part in Xinjiang, or by organizations working with the Xinjiang Uyghur Autonomous Region's government in the guise of poverty alleviation, were made with forced labor and cannot be admitted into the U.S. If CBP determines "by clear and convincing evidence" that the goods were not produced by indentured, convict

or forced labor, then the goods could enter.

### **U.S. Initiates Dispute Panel With Canada Over Dairy TRQs**

At issue is the fact that Canada has reserved the large majority of TRQs for Canadian processors, which means that consumer goods produced in the U.S. like ice cream, cheese or yogurt face higher tariffs in Canada because very little of the TRQ is available to Canadian retailers.

### **Covid-19 vaccines: Beijing Blocked Taiwan's Deal with BioNTech, Tsai Ing-wen Says**

Beijing was instrumental in preventing Taiwan signing a deal to buy Covid-19 vaccines from German firm BioNTech, the island's President Tsai Ing-wen said on Wednesday.

### **CIT Denies Domestic Steel Producers' Right to Intervene in Section 232 Exclusion Denial Cases**

According to CIT Rule 24(a)(2), to qualify for intervention in a CIT case, the proposed intervenor must either (1) "claim an interest in the property or transaction at issue that is 'legally protectable,'" (2) have a direct relationship with the litigation whereby the intervenor "will either gain or lose by the direct legal operation and effect of the judgment" or (3) demonstrate that its interests are not "adequately addressed by the government's participation."

### **Plaintiffs' Argument for Leave to File Reply in Section 301 Injunction Fight 'Disregards the Law,' DOJ Says**

The plaintiffs originally filed for leave to reply to DOJ's response to the motion for injunctive relief in a May 20 filing, saying that DOJ's response was the first time they got to see the defense's detailed arguments.



**TRADE AND TRANSPORT ATTORNEYS**

**ROBERTS & KEHAGIARAS LLP**  
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## **FTA NEWS**

### **2-Day Virtual Course - Customs Compliance for Import Personnel**

This is a 2-day course intended to cover the subjects and information needed by importer employees responsible for Customs and import compliance.

**FTA**  
Foreign Trade Association

Location:  
Zoom Webinar  
Dates:  
Thursday, August 5, 2021  
Friday, August 6 2021

Program:  
9:00 AM - 12:00 PM PDT  
Credits:  
6 CES Credits


Costs:  
\$150 Early Registration  
\$200 Late Registration


**Foreign Trade Association Presents:**  
**Customs Compliance For Import Personnel**  
2-Day Virtual Course  
**Compliance Summer Camp for Import Personnel**  
This is a 2-day course intended to cover the subjects and information needed by importer employees responsible for Customs and import compliance. These include internal controls, customs broker selection and monitoring, bonds, powers of attorney, managing HTS classifications and assists, post entry claims and compliance issues. The class also covers participation in Customs initiatives, including Trusted Trader and ACE Portal.

**Topics to be Covered:**


- Establishing & utilizing internal controls
- Customs broker selection, powers of attorney & broker monitoring
- Types of entries, customs bonds, paying duty & handling liquidations
- Determining and declaring a Customs value for a company's transactions
- Classifying imported articles, saving and utilizing classification information
- Qualifying for the Customs Trusted Trader program
- Centers of Excellence & Expertise
- ACE Portal benefits
- Qualifying (or not) for duty free exemptions and free trade agreements
- Using TIBs, bonded warehouses, Foreign Trade Zones & drawback
- Dumping and Countervailing duties, 232 and 301 duties
- Dealing with import restrictions and other agency requirements
- Post entry actions - amendments, protests, claims, tenders and disclosures
- Record keeping requirements and complying with the rules
- Responding to Customs requests and actions
- Dealing with liquidated damages, penalties & audits

**Instructor:** Bruce Leeds, Attorney, Braumiller Law Group  
Bruce has decades of experience in international trade law and has successfully served his clients in diverse capacities, from classification and due diligence, to ITAR compliance and drawback. He has significant expertise with importing and exporting high-tech products.

 [REGISTER HERE](#)



Registrations must be received in writing by 5 pm Friday, July 7, 2021 to receive a refund or to avoid being charged. Payment for this event is not deductible as a contribution or gift under federal law, but is most likely deductible as an ordinary and necessary business expense.



**Pricing:**

**\$150 - Early Bird Registration**

**\$200 - Late Registration**

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**Environmental**

**Shipping's Carbon-Cutting Fuel Tanks So Far Remain Empty**

Imagine going to a car dealership for a new vehicle that's climate friendly and being told that it isn't clear what clean fuels will be available to fill it up, or how much those fuels will cost. You probably would walk away or opt for a car that runs on gasoline.

**Scottish Port Seeks to Become Hub for Hydrogen in UK**

Plans are advancing for the development of a hydrogen hub and transshipment port in northern Scotland.

**First Named Storm of 2021 Atlantic Hurricane Season is 10 Days Early**

As summer in the Northern Hemisphere approaches, forecasters begin watching every bout of rainy weather between the Gulf of Mexico and Africa. Each counterclockwise swirl of wind or burst of puffy clouds there has the potential to organize into a life-threatening tropical storm.

**JERA Tests Promising Marine Fuel Source in a Shoreside Coal Plant**

In a sign of potential supply challenges for the maritime industry, Japanese electrical utility JERA has launched a pilot project using one of shipping's most promising future fuels in a shoreside powerplant.

### **UK Declines to Rule Out New Oil Exploration Despite Dire Climate Warning**

The United Kingdom will not commit to halting new oil exploration in the North Sea, a government energy body told Reuters, despite a warning from the world's top energy watchdog to rein in fossil fuels spending to achieve climate goals.

### **Commodity Prices Have Soared, but Miners Aren't Investing**

Limited spending on new projects raises concerns about future supply shortages, particularly for metals used for lower-carbon products.

### **California's Port of Long Beach Is Offering Huge Bonus to Welcome Green Ships**

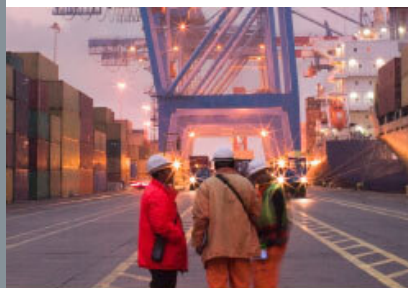
The Port of Long Beach, known for being the second-busiest container port in the U.S., is using one of the best ways to encourage ships even more to switch to green alternatives.



### **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**



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## 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.

Judy Wang, Steptoe & Johnson

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## Maritime

### **Video: Sanctioned North Korean Freighter Sinks Off Japan**

On Saturday, the North Korean freighter *Chong Bong* went down in the Sea of Japan, one day after she reported flooding.

### **Russian Ship Moves to German Waters for Nord Stream 2 Construction**

Russian vessel *Fortuna* has started laying pipes for the Nord Stream 2 gas pipeline in German waters, the gas project said on Sunday, citing Germany's Waterway and Shipping Authority.

### **IMO Calls for Greater Action to Combat Gulf of Guinea Piracy**

The International Maritime Organization (IMO) has called for increased collaboration to tackle piracy in the Gulf of Guinea.

### **Sixteen Global Shipping Companies Slowed Cargo Ships Off California Coast to Protest Blue Whales**

The partners in an initiative to cut air pollution and protect endangered whales announced results from the 2020 program and recognized the shipping companies that successfully participated, reducing speeds to 10 knots or less in the San Francisco Bay Area and the Southern California region.

### **Chemical Fire on 'X-Press Pearl' Under Control Off Colombo, Sri Lanka-Operator**

The Sri Lankan Navy continued its response to the incident over the weekend with three tugs from the Sri Lankan Ports Authority on site conducting cooling operations on containers near the fire.

### **Container Volume at Major Chinese Ports up 15.8% in Early May**

Cargo throughput and container volume at the three major Yangtze river ports, Nanjing, Wuhan and Chongqing, maintained a steady growth with an increase of 18.8% and 24.4%, respectively.



**FIRMs Code: W517**

## **Video of the Week**

### **No shelter at sea.**

We've all sought shelter under an overpass in a rainstorm, but where do you go when you're on board a ship and a waterspout is passing overhead?



## **Port of Rotterdam Suspends Plan for Unmanned Transport of Containers**

The Port of Rotterdam announced that it is suspending the current tender process for the selection of unmanned transports to operate on a dedicated road connecting the container terminals and other operations in the Maasvlakte region of the port.

## **No Break From High Truckload Shop Rates for US Shippers**

US truckload spot rates are hitting new highs in May as continued strong freight demand, coupled with market disruption, pushes up pricing in the South and Southwest.

## **Top US Shippers: Paper, Forest Product Exporters Eye Another Tough Year**

Exports of paper and forest products fell by double-digit percentages in 2020 and volumes could further slide in 2021 because of China's tougher environmental stances on recovered paper from the US.

## **Automation Revs Up ILWU Tensions Ahead of Contract Talks**

Despite contract language allowing automation, the ILWU has increasingly come to see automation as an existential threat and a microcosm of the larger threat of robotics displacing human labor.

## **DOT Plans \$10.8 Million in Grants for Container-On-Barge Service**

The US Department of Transportation is looking to further fund its decade-old bid to bring more container-on-barge services to US waterways with \$10 million in new grants available for 2021.

## **Kansas City Southern to Combine With Canadian National Railway in Roughly \$30 Billion Deal**

The combination would create the first freight-rail network linking the U.S., Mexico and Canada by connecting ports in the three countries.

## **Amazon Policy Punishes Consumers, D.C. Suit Claims**

The lawsuit targets contracts between Amazon and its sellers, which D.C. Attorney General Karl Racine said prevent the sellers from offering lower prices on any other website, including their own.

## Upcoming Events

**June 2 - Informational Webinar: Vaccines and Getting Back to Business - 4:00 PM - 5:00 PM PT** - Join Director Dee Dee Myers from the Governor's Office of Business and Economic Development and the California Department of Public Health for an informational webinar to learn more about the state's new Employer Vaccination Toolkit - Register [here](#)

**June 3 - NITL Webinar: Solutions for the Ocean Shipping Network - 10:00 AM - 11:00 AM PT** - Join NITL for this interactive session that reviews the NITL proposal to revise The Shipping Act of 1984, offering solutions to importers and exporters who continue to face significant fiscal and logistical challenges



in today's maritime shipping sector - Register [here](#)

**June 3 - Port Congestion: How to Navigate a Volatile and Complex Ocean Freight Market - 11:00 PM - 12:00 PM PT** - Join us for an informative webinar where we will take a deep dive into the current, volatile ocean freight market and share tips to minimize the impact of this situation on your transport and shipping operations - Register [here](#)

**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 10 - P.A.E.I. - Virtual Networking Event - 5:00 PM - 6:00 PM PT** - Join us for a fun night of Trade Compliance Trivia & Networking - Register [here](#)

**June 23 - CBFANC - Consumer Product Safety Commission (CPSC) - 11:00 AM - 12:30 PM PT** - New Procedures & Updates from the CPSC - Register [here](#)

**June 29- July 1 – AAEL – 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](#)

**July 25-28 2021 ICPA Summer Conference - Walt Disney World Swan & Dolphin Resort** - Join other international trade compliance professionals for the 2021 ICPA Annual Conference in Orlando, FL - Register [here](#)

**Aug 5- 6 - 2 Day Virtual Course - Customs Compliance For Import Personnel - 9:00 AM - 12: 00 PM PT** - This is a 2-day course intended to cover the subjects and information needed by importer employees responsible for Customs and import compliance - Register [here](#)

**September 12-15 ICPA Fall Conference and Valuation Seminar** -Hilton DFW Lakes Executive Conference Center, Grapevine, TX - Register [here](#)

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

**December 31 - Webinar -LACBFFA APHIS CORE Webinar (Recording + Presentation Materials) - 9:00 AM - 5:00 PM PT** - This workshop provides an overview on how to prepare for the mandatory APHIS Core filing date on 03/15/2021. Available resources and how to obtain admissibility guidance from USDA. Disclaimer tips and APHIS Core message set filing review - Register [here](#)