



October 8, 2021  
Volume 2, Nr. 40

Last night, the FTA held our first in-person event in a pandemic (and has it been a **pandemic**): it was sold out. Thank you to our sponsors (below) and thank you to our attendees. Next week, the PCC is back in-person at WESCCON and we'll have some reporting from there during the conference. For our readers headed to WESCCON, we look forward to seeing you again in person.

Number of the Day:

4.1%

Vacancy rate for U.S. industrial properties, the lowest level in data going back to 1995, according to Cushman & Wakefield.



FIRMs Code: W517

**DISCLAIMER:** The weekly FTA Newsletter includes content from recognized and respected national and worldwide sources. Some of these sources may link a paywall, requiring a subscription.

**SoCal Infrastructure Coalition  
WE WANT TO HEAR FROM YOU**

Infrastructure is one of the words on everyone's lips these days given the amount of money associated with the bills being discussed in Congress as we go to press. The FTA is part of a SoCal coalition that is discussing possible uses of the money once approved by Congress. Bearing in mind the pressing port congestion issue, one broad topic the coalition is trying to tackle is how

possible infrastructure funding could be used to at least partially address the congestion challenges currently being faced. The goal of the coalition is to find a handful of priorities on which everyone can agree and raise those topics with Members and Senators as these bills work their way through the legislative process.

FTA wants to hear from its members about possible infrastructure projects in the SoCal area, whether designed to help impact port congestion or otherwise. Send your suggestion to [ac@tradeandcargoconsulting.com](mailto:ac@tradeandcargoconsulting.com)



## Outside the Box

Innovation, sustainability and vision make Long Beach the Port of Choice.



Port of **LONG BEACH**  
THE PORT OF CHOICE

## Government Actions and Trade

### **Freight Projects Fall Victim to Capitol Hill Stalemate**

After House Speaker Nancy Pelosi, D-Calif., failed on Friday to secure the support necessary to pass the \$1.2 trillion bipartisan “roads and bridges” infrastructure package, lawmakers were forced instead to approve a 30-day extension of surface transportation programs authorized under the FAST Act that fund state-level highway projects.

### **AAFA: Forced Labor Dragnet Captured 1,000+ Textile/Apparel Shipments**

One measure of how much more common detentions over forced labor have become is that the withhold release order affecting cotton grown in Xinjiang has led to either the detention or diversion of more than 1,000 shipments, said Nate Herman, American Apparel and Footwear Association vice president for policy. Herman said the value of the garments or textiles in those shipments added up to hundreds of millions of dollars, “probably over a billion dollars at this point and only a handful of them have been released, maybe a dozen, maybe a little bit more.”

### **Non-Vessel Carrier Cleared of Direct Trademark Infringement Liability by Federal District Court**

Shine Shipping and Shine International (Shine), companies that arrange for the shipment of goods with vessel operating carriers, were found not to be directly liable for the shipment of counterfeit Nike footwear by the U.S. District Court for the Southern District of New York, in a Sept. 30 opinion (*Nike, Inc. v. B&H Customs Services, Inc., et al.*, S.D.N.Y. #20-01214).

### **Few Specifics in China Policy in Tai Speech, Other Than Exclusion Applications Will Return**

The rollout of the new China trade policy looks a lot like the old China policy, with a new chance at Section 301 exclusions and all the tariffs remaining for now. U.S. Trade Representative Katherine Tai suggested during the speech on the results of the China policy review that she doesn't have much hope for getting more structural reform that the phase one China agreement did not secure.

### **White House Plans Biden-Xi Call in Coming Weeks**

White House officials are planning to schedule a virtual meeting between President Biden and Chinese President Xi Jinping in coming weeks, a senior administration official said.

### **U.S. Wants New Trade Talks With China, but Will Keep Tariffs**

The Biden administration began defining its China trade policy Monday, saying it aims to launch new talks with Beijing but will keep existing tariffs in place, while also restoring the ability of U.S. importers to seek exemptions from those levies.

### **Remarks As Prepared for Delivery of Ambassador Katherine Tai Outlining the Biden-Harris Administration's "New Approach to the U.S.-China Trade Relationship"**

United States Trade Representative Katherine Tai today delivered remarks at the Center for Strategic and International Studies (CSIS) outlining the Biden-Harris Administration's new approach to the U.S.-China bilateral trade relationship.

### **Japan Making Moves to Deter Chinese Aggression, Panel Says**

Japan's view that its security is "inextricable tied" to Taiwan's has gone from words to actions, as Tokyo for the first time is participating in exercises to deter Chinese aggression, an expert in Asia-Pacific affairs said Monday.

### **What They Are Saying: Ambassador Katherine Tai Outlines the Biden-Harris Administration's New Approach to the U.S.-China Trade Relationship**

United States Trade Representative Katherine Tai today delivered remarks at the Center for Strategic and International Studies (CSIS) outlining the Biden-Harris Administration's new approach to the U.S.-China bilateral trade relationship. In her remarks, Ambassador Tai explained the importance of realigning our trade policies towards China in order to defend the interests of America's workers, businesses, farmers, and producers, and to strengthen our middle class.

### **USTR Announces Agreement Between the United States and Vietnam to Resolve Timber Section 301 Investigation**

United States Trade Representative Katherine Tai today announced an agreement with the Socialist Republic of Vietnam that addresses U.S. concerns in the Vietnam Timber Section 301 investigation. This is the first 301 investigation to address environmental concerns.

### **Fact Sheet: The Biden-Harris Administration's New Approach to the U.S. – China Trade Relationship**

President Biden and his Administration are clear-eyed that Beijing is resistant to making meaningful reforms to address concerns shared by the U.S. and many other countries about the distortions to the global market from its state-centered economic system.

### **CBP: Gluten-Free Soybean Pasta Classifiable as Pasta of Heading 1902**

The ruling is HQ H316296, dated Aug. 3 and added to CBP's CROSS database on Oct. 4. Ethical Brands had entered the soybean flour pasta under subheading 1902.19.2090 as uncooked, non-egg pasta not from a European Union country. CBP, after issuing a request for information to the importer inquiring about the composition of the pasta, liquidated it under subheading 2008.99.61 as a soybean preparation. Ethical Brands protested, then requested further review.

# **TRADE AND TRANSPORT ATTORNEYS**



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## **FTA NEWS**

**Thank You to our event sponsors from last night!**



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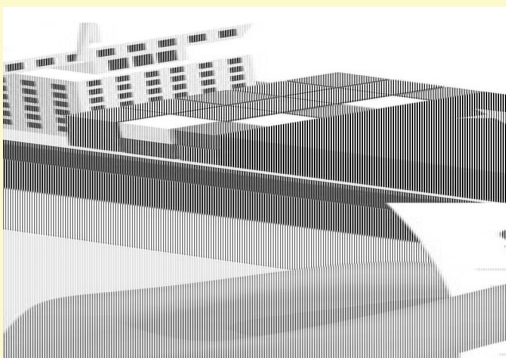


Port of  
**LONG BEACH**  
THE PORT OF CHOICE



Photography Sponsor : Norman Harris III

## FTA AND UPCOMING SECTION 301 PROGRAM



The Foreign Trade Association is closely monitoring the Section 301 Action filed with the Court of International Trade and Section 301 updates provided by the USTR. We are pleased to announce that we will be preparing a program that will shed light on the recent changes. Details on this program are soon to follow!

# FTA Webinar



**FTA**  
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**Financial resources for building your export markets**

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

**Date:** October 12, 2021  
**Time:** 11:00 p.m. - 12:00 p.m.  
**PST Location:** Zoom Webinar

[Register Here](#)

Join FTA to learn from EXIM Bank, GBC International Bank, and LA SBDC Global how to grow your export business using EXIM export finance tools. You will learn:

- How to offer value to capital equipment sales with 5-year buyer-financing
- How to access EXIM guaranteed loans
- How LA SBDC Global Initiative could assist your business access global trade opportunities
- Background on EXIM Bank, its policies and restrictions;
- How to sell on open account payment terms up to 180 days, safely and profitably
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October 12, 2021

## Financial Resources for Building Your Export Markets

Join the FTA to learn from EMIN bank, GBC International Bank and LA SBDC Global on how to grow your export business using EXIM export finance tools.

Time: 11:00 AM - 12:00 PM PT

Pricing:

\$25 - Members

\$45 - Non-Members

\$200 - Sponsorships

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## Environmental

### Officials Looking Into Whether A Ship's Anchor May Have Caused Pipeline Leak Off Southern California

Amplify Energy Corp. is getting close to "a source and a cause" of the incident, which may have been caused by a ship's anchor, Chief Executive Officer Martyn Willsher said at a press conference Monday. The spill that began on Saturday dumped about 3,000 barrels (126,000 gallons) of crude into the Pacific Ocean near the seaside community of Huntington Beach, which hosted the U.S. Open of Surfing last week.

### Google Rolls Out Emission-Curbing Tools for Nest Thermostat

Tech company says changing people's behavior around energy use will become crucial as more power comes from intermittent renewable energy sources.

## **It Certainly Sounds Like It Was a Ship's Anchor That Caused the California Oil Spill**

Officials responding to the oil spill off the coast of Orange County, California said Tuesday that a long stretch of the pipeline being investigated as the source of the spill had been displaced laterally on the seafloor and had a 13-inch split, further pointing to a dragging anchor as being the cause of the leak even though officials are yet to confirm these details.

## **A Coast Crowded With Ships, Port Gridlock and an Anchor May Have Caused Orange County Oil Spill**

With Los Angeles and Long Beach harbors at near capacity, container ships and oil tankers have had to drop massive anchors in designated sites that place them near oil platforms and an undersea infrastructure of oil lines, sewage treatment pipes and communications equipment.

## **ICS Injects More Urgency into Maritime Climate Change Ambitions**

The International Chamber of Shipping (ICS) has recognised the extent of the climate crisis with its latest proposal to update to the industry's climate change ambitions to net zero emissions by 2050, effectively doubling the maritime targets.

## **Ocean Delays Turn Desperate Retailers to the Skies, Increasing Emissions**

Congestion at ports in the United States as well as Asia is causing major shipping delays and leaving retailers "desperate to get their goods to physical and virtual store shelves for the holiday season," according to Eric Kulisch, FreightWaves' air cargo editor.



### **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.

Iver Baum, Custom Goods Specialized Services





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New York | Portland | San Francisco | Seattle

## Maritime

### **Despite Exodus of Empty Containers, US Exports are Hitting New Highs**

“Our largest export commodity continues to be air” is a frequent saying of Gene Seroka, executive director of the Port of Los Angeles. That’s certainly true at his port, where exports are containerized. Far more empty boxes leave than full ones, so they can be reloaded quickly in Asia.

### **Coca-Cola Turns to Bulkers Amid Container Shipping’s Chaos**

The chaos in container shipping has forced some brands like Home Depot, Ikea and Costco to get creative with their supply chains. We can now add The Coca-Cola Company to the list.

### **Cost of Shipping Between China and U.S. Plunges**

The cost of shipping between China and the U.S. plunged this week after hitting record highs in September as the off-season approaches, a power crunch slows Chinese manufacturing and speculators rush to sell their hoarded shipping spots.

### **Venezuela Expands Deceptive Shipping Practices to Bolster Asian Crude Exports**

Increased spoofing of tanker locations and a rise in ship-to-ship transfer hubs, as Turkey, Cyprus, Hong Kong and China consolidate as key operational bases for tankers deployed solely on Venezuelan trades, analysis shows.

### **Greek Parliament Hands Extra Stake in Port of Piraeus to China Cosco**

Greece’s parliament has approved a new contract that allows Chinese state-owned shipping giant Cosco to buy an additional 16 percent stake in the Piraeus Port Authority (PPA), taking its total share of ownership to 67 percent.

### **Scan Global Strikes Again, Scooping Up Horizon to Gain a Footprint in the UK**

Scan Global Logistics (SGL) is following up its growth pledge with an acquisition that will give it a presence in the UK. From today, Horizon International Cargo, a “traditional air and ocean forwarder”, is part of SGL and, it said, was “a strategic move pivotal to the company’s long-term strategy and the continued development and expansion of the European part of the organization”.

### **California Port’s 24-Hour Operation Is Going Unused**

A pilot program offering 24-hour container operations at Total Terminals

International LLC — among the largest terminals at Long Beach — is an effort to cope with the flood of imports that has swamped the neighboring Los Angeles and Long Beach ports and snarled inland supply chains.

### **Maritime, Blood of National, Global Economy— NIMASA Boss**

The Director-General of Nigerian Maritime Administration and Safety Agency, NIMASA, Basir Jamoh has described maritime as the blood of the nation and global economy without which there would not be global trade as it is known today.

### **US Trade Chief Tai Seeks Talks with China, Won't Rule Out New Tariff Actions**

Tai said the United States would keep all options open as it continues to push China to stop pouring billions of dollars of state subsidies into its semiconductor, steel and other industries that Washington says harm U.S. companies.



## **Video of the Week**

### **USTR Tai's Remarks on China at the CSIS**

It's been the story of the week for US / China watchers and the first deep explanation of the Biden Administration's planned trade policy and intended negotiations with China. The whole video runs an hour and her prepared remarks are [here on their site](#).



## Logistics and Trade

### **Tidal Wave of Chaos Engulfs Global Supply Chains**

When the BF Cartagena lifts anchor in Amsterdam today, few will be watching the progress of the cargo ship as closely as Jason Parnell. His order of 600 paddleboards is scheduled to be on the 100-metre-long ship, which is due to berth tomorrow in Tilbury.

### **California Port's 24-Hour Operation Is Going Unused**

Extended hours at the Port of Long Beach have gone unused by truckers for more than two weeks as dozens of container ships idle offshore, The Wall Street Journal reported.

### **Commerce Establishes Semiconductor Supply Chain Alert System**

The Microelectronics Early Alert System, which will be administered by the International Trade Administration, will pull from information voluntarily submitted by companies about ongoing supply chain issues, including COVID-19-related plant closures, which will help the government coordinate resources to address those problems.

### **China's Power Shortfalls Begin to Ripple Around the World**

China is struggling with widespread power shortfalls, dealing a blow to the recovery of the second-largest economy and risking disruption to global supply chains and heightened inflationary pressure around the world.

### **Power Crunch Looms in India as Coal Stocks Reach Crisis Point**

India's electricity plants are down to an average four days' of coal stocks.

### **Evergrande: Could it be the End of the Road for the World's Most Indebted Property Developer, as US\$37 Billion Bill Comes Due?**

China Evergrande Group, the world's most indebted property developer, is facing a final notice after engaging in a years-long spending spree to construct a sprawling empire spanning everything from theme parks to electric vehicles (EVs).

### **Coal Shortages Push Up Prices, Weigh on Economies**

Ahead of Glasgow climate summit, resurgent economies, Chinese demand highlight challenges to weaning the world off a polluting fossil fuel.

## **Upcoming Events**

**October 12 - EXIM Webinar - Financial resources for building your export markets - 11:00 AM - 12:00 PM PT** - Join the FTA to learn from EMIN bank, GBC International Bank and LA SBDC Global on how to grow your export business using EXIM export finance tools - Register [here](#)

**October 13 - CalAsian's California Resiliency & Recovery Summit - 8:30 AM - 2:00 PM PT** - 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](#)

**October 27 - FREE EVENT - LACBFFA Town Hall - Cargo Release Update vs. Replace and Cancellation - 3:00 PM - 4:00 PM PT** - Town Hall to discuss best practices, tips, and challenges of Cargo Release Update vs. Replace and Cancellation. Understanding Trade vs CBP control status, Action ID's, Entry Summary under CBP Review, and Post Summary Corrections. Ways CBP / PGA communicate with the trade - Register [here](#)

**December 9 - LACBFFA Holiday Party 2021 - 6:00 PM - 10:00 PM PT** - The Grand in Long Beach - Register [here](#)

**December 14 - FTA Holiday Luncheon - 11:30 AM - 1:30 PM PT - Parker's Lighthouse - *Details soon to follow!***

**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](#)