



The American Companies

Supply Chain Logistics Gazette

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Occupy Movement Calls for Dec 12 Shutdown of W. Coast Ports

According to an Occupy Wall Street [press release](#), Occupy Oakland has called for a coordinated shutdown of ports on the entire West Coast on December 12, 2011. Occupy Oakland is calling on each West Coast occupation to organize a mass mobilization to shut down its local port. The press release notes that Occupy Los Angeles has passed a resolution to carry out a port action on the Port Of Los Angeles on December 12, 2011, to shut down SSA terminals. Occupy Wall Street states that in the event of police repression of any of the mobilizations, shutdown actions may be extended to multiple days.

The ILWU has issued a [clarification](#) of its position in which it says it rejects third-party calls for job actions that have not been sanctioned by the ILWU. In addition, various press reports indicate that West Coast ports are preparing for any shutdown attempt.

APHIS Sends OMB Rule on Wooden Handicrafts from China

The Animal and Plant Health Inspection Service has [submitted](#) to the Office of Management and Budget a final rule entitled: "Importation of Wooden Handicrafts from China." APHIS had issued a supplemental proposed rule in 2010 in order to make several technical changes to its 2009 proposed rule that would provide for the resumption of the importation of certain wooden handicrafts from China under specified conditions. APHIS' rulemaking, once in place by the final rule, is expected to allow trade in affected Chinese wooden handicrafts to resume, under certain conditions, which could include treatment, phytosanitary certificates, and identification tags. (On April 1, 2005, APHIS suspended the importation of certain wooden handicrafts from China due to invasive insect pest risks.)

CBP Makes Permanent CEEs for Electronics, Pharma

U.S. Customs and Border Protection has [announced](#) the permanent establishment of the Center of Excellence and Expertise (CEE) for Electronics in Los Angeles and the CEE for Pharmaceuticals in New York, which previously functioned as pilot programs. CBP states that the centers will continue efforts to increase uniformity of practices, facilitate resolution of compliance issues, and strengthen CBP knowledge of industry practices.

Port of Long Beach to Ban Old Drayage Trucks on Jan 1 When Fee Stops

The Port of Long Beach has announced that it will permanently bar the oldest, most polluting drayage trucks from Port terminals starting January 1, 2012 as the last phase of the Port's progressive ban through its Clean Trucks Program. PierPASS recently [announced](#) that beginning January 1 both the Ports of Los Angeles and Long Beach will no longer be assessing a Clean Truck Fee on trucks with an engine year of 2006 and older. Instead, these trucks will be banned from the Ports' marine terminals. The final ban will take 280 older container trucks off the Port of Long Beach and another 800 older non-container trucks will also be purged from the Port's drayage registry and barred from doing business at the Port.

WCO-Recommended HTS Changes Scheduled for Jan 1

A Proclamation that will amend the Harmonized Tariff Schedule to implement hundreds of WCO-recommended tariff changes is currently pending Presidential signature. Once signed, it will be published in the Federal Register and will take effect on January 1, 2012 or 30 days after publication, whichever date is later. Even if a late November signing deadline is not met, and the Proclamation takes effect after January 1, affected government and trade members will still have 30 days after publication to implement the changes.

These tariff changes are needed to conform the U.S. Harmonized Tariff Schedule to the World Customs Organization's International Convention on the Harmonized Commodity Description and Coding System and HS Committee decisions. In addition, certain changes may be due to U.S. Customs and Border Protection requests for additional tariff numbers to continue existing duty treatment for particular goods once the WCO changes are implemented. According to the International Trade Commission, as required by law, these changes are required to be "substantially rate neutral." As a result, any modification that would change a rate of duty must be consequent to, or necessitated by, the WCO-recommended nomenclature changes. For the U.S. HTS, the following chapters are affected by the 2012 WCO-recommended changes: 1, 2, 3, 4, 6, 7, 8, 9,10, 11, 27, 28, 29, 30, 37, 38, 41, 42, 44, 47, 48, 56, 58, 61, 62, 63, 64, 65, 68, 71, 73, 74, 76, 82, 84, 85, 87, 90, 91, 92, 93, 94, 95, 96, 98, and 99. ITC's final report on the proposed changes available [here](#).

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CPSC Seeks Comments on Cost of 3rd-Party Testing for Kid's Products

The Consumer Product Safety Commission has issued a [notice](#) seeking comments on ways to reduce the cost of the Consumer Product Safety Improvement Act (CPSIA) third party testing requirements for children's products that are consistent with assuring compliance with any applicable consumer product safety rule, ban, standard, or regulation. Based on the comments received, CPSC may prescribe new or revised third-party testing regulations if it determines that such regulations would reduce costs consistent with ensuring compliance. Comments are due by January 23, 2012.

Russia's WTO Accession Package Advances, Membership Expected Soon

The World Trade Organization [reports](#) that after 18 years of negotiation, Russia's accession to the WTO cleared a major hurdle on November 10, 2011 when the WTO Working Party on its accession approved the package spelling out Russia's terms of entry to the organization. The Working Party will now send its accession recommendation to the December 15-17, 2011 Ministerial Conference, where Ministers are expected to approve the documents and accept Russia as a WTO Member. Russia would then have until June 15, 2012 to ratify its accession package. Thirty days after the notification to the WTO of the ratification, the Russian Federation would become a fully-fledged WTO member.

CPSC Final Rule Allows Other Certs/Tests as Basis for Importer CPSIA Certifications

The Consumer Product Safety Commission has issued a [final rule](#), effective December 8, 2011, that provides a voluntary certification option for domestic manufacturers and importers who must certify finished consumer products as complying with CPSC requirements to base their certificates on one or more of the following: component part testing or certification or another party's finished product testing or certification - as long as certain conditions are met.

Reliance on one of more of these tests or certifications may be used to demonstrate, in whole or in part, compliance of a consumer product with all applicable rules, bans, standards, and regulations to support a children's product certificate; as part of the standards and protocols for continued testing of children's products; or to meet the requirements of any other rule, ban, standard, guidance, policy, or protocol regarding consumer product testing that does not already directly address component part testing.

USTR and Other Ministers Announce Broad Outlines of TPP Agreement

According to the Trans-Pacific Partnership Trade Ministers' [Report](#) to Leaders, TPP negotiating teams have held nine rounds of negotiations and report that they have established the broad outlines of a TPP agreement to further elevate trade and investment relationships, create the foundation of a Free Trade Area of the Asia Pacific, and support jobs, economic growth, and higher living standards in the TPP countries. According to the report, the features which would define the TPP agreement include simultaneous duty-free access and lifting of restrictions on services, a regional agreement with a single tariff schedule and common rules of origin, etc.

AMS Corrects its List of HTS Nos for the Cotton Import Tax

The Agricultural Marketing Service is [correcting](#) its August 2011 final rule that amended the Cotton Board Rules and Regulations to increase the supplemental assessment rate for imported cotton by approximately 14%. The final rule also revised the textile trade conversion factors used to determine the raw fiber equivalents of imported cotton-containing products and tripled the number of HTS numbers subject to assessment. These changes took effect on September 30, 2011. In this correction, AMS has corrected and reprinted the list of affected tariff numbers in order to i) remove 11 expired numbers & 129 numbers for ensembles (ensemble codes are not used for assessment purposes), ii) add two omitted tariff numbers, and iii) correct clerical errors associated with three tariff numbers.

HTS Changes for "Textile-Bottomed Footwear" Take Effect Dec 3

The tariff changes made by [Presidential Proclamation 8742](#) for certain rubber- or plastic-soled footwear to which a layer of textile materials has been added are effective for goods entered or withdrawn from warehouse for consumption on or after December 3, 2011. The Proclamation creates a new Additional Note 5 to Chapter 64 that will require the layer of textile materials on rubber- or plastic-soled footwear to be ignored unless it possesses the characteristics usually required for normal use of an outer sole (strength, durability, etc.).

The Proclamation also adds/deletes tariff numbers in HTS 6402 and 6404 in order to retain the lower HTS 6405 duty rates for most of the textile-bottomed footwear affected by the new note, which will no longer be classified in HTS 6405. Footwear not classifiable under one of the new low-duty tariff numbers will therefore be classified under the existing (usually higher duty) tariff numbers in HTS 6402/6404.

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