



The American Companies

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CBP Webinar on CPSC Detention Notices on June 2

U.S. Customs and Border Protection has updated its "Trade Outreach via Webinar" schedule to add a new [webinar](#) on Consumer Product Safety Commission detention notices. The webinar will take place on June 2, 2010 from 2:00-3:00.

CBP explains in a recent [CSMS message](#) that it has worked with CPSC over the past several months to develop revised interagency procedures for interdicting imports of products suspected of being in violation of health and safety standards established by authorities enforced by CPSC. CPSC will be implementing procedures for shipments subject to admissibility determination which will result in CPSC issuing notices of detentions to importers. Copies of these CPSC notices will also be sent to the importer's agents/brokers and CBP. These notices will provide the applicable CPSC law and regulation. Importers will be given the opportunity to introduce testimony, evidence and arguments relevant to the admissibility of the product including evidence that the product is not in violation of or is not covered by a CPSC regulation. In May 2010, CPSC officials explained that the agency was in final negotiations with CBP concerning detention notices, and that it could begin issuing its own such notices as early as June 2010.

Revised FDA Import Alerts

The Food and Drug Administration has posted revised versions of the following Import Alerts on the detention without physical examination of:

- [16-129](#): Seafood Products Due to Nitrofurans
- [16-81](#): Seafood Products Due to the Presence of Salmonella
- [16-120](#): Fish/Fishery Products from Foreign Processors (Mfrs.) Not in Compliance with Seafood HACCP
- [16-119](#): Fish and Fishery Products for Importer and Foreign Processor (Manuf) Combinations
- [16-22](#): Canned Shrimp from Thailand for Decomposition
- [16-18](#): Shrimp
- [99-04](#): Manufacturers of Low Acid Canned Foods and Acidified Foods
- [99-08](#): Processed Foods for Pesticides
- [45-02](#): Foods Containing Illegal and/or Undeclared Colors

CBP Update Confirms Metric Units for Electronic and Paper Lacey Decs

CBP has issued a revised [CSMS message](#) on the Animal and Plant Health Inspection Service's requirement that plant materials be reported on the Lacey Act declaration using standardized metric units of measure (such as kg, m, m², and m³), effective May 1, 2010. (However, APHIS has granted a grace period for its enforcement of this requirement until approximately July 1, 2010.)

CBP's new message is similar to the one issued on May 18, 2010, but the second and third sentences have been replaced with new text that states this metric requirement will not impact the ability of an entity to file Lacey declarations electronically via ABI. The CATAIR already allows for Lacey Act reporting in standardized metric units.

While the 60-day grace period was granted to give the trade time to adjust to the new requirement, APHIS has stated it would like the trade to change to metric quantities and units as soon as possible.

APHIS has also stated that the metric quantity values should reflect the actual plant content in the product and not necessarily the product as a whole.

Once this grace period ends, APHIS has stated that it will be contacting filers if their Lacey declarations are in non-metric quantities and units of measure, and will be asking that the declaration be resubmitted using metric units of measure and quantities. As the programming for electronic declarations does not support resubmissions or corrections, resubmissions for declarations originally submitted electronically must be on paper.

APHIS Animal Product PPQ Manual Updated

On May 10, 2010, APHIS updated its Plant Protection and Quarantine (PPQ) Animal Product Manual. This Manual provides the background, procedures, and regulatory actions to enforce the regulations governing the import and export of animals, animal products, and animal by-products. Contact your American Companies representative for details.

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CBP Reviews Decorative Glassware ICP, No Changes Made

CBP has posted an April 2010 [version](#) of its informed compliance publication entitled "What Every Member of the Trade Community Should Know About: Decorative Glassware." The ICP has been reviewed with no changes.

CN Holding of U.S. Debt Rises, Yuan May Not Appreciate

The news service Xinhuanet.com reports that China increased its holdings of U.S. Treasury debt for the first time in six months - a trend analysts said could last as the dollar is expected to continue its strong rise. Xinhua, another press source, stated that chances of an early revaluation of the [renminbi](#) look unlikely and could happen much later than expected, experts state.

Revised ICP on Footwear Lists Exclusions, Definitions

CBP has issued a revised [version](#) of its informed compliance publication entitled, What Every Member of the Trade Community Should Know About: Footwear. According to CBP sources, the following substantive changes have been made: (1) revised information on footwear chapter 64 exclusions; and (2) footwear definitions added.

TSA Wants to Complete 75% of its 100% Screening Mandate by May 1st for Domestic Air Cargo on Passenger Aircraft

During a February 17, 2010 webinar, Transportation Security Administration officials provided an update on the August 2010 deadline for 100% screening of air cargo shipments on passenger airlines, as well as the Certified Cargo Screening Program (CCSP).

TSA officials noted that the industry met the mandate to screen 50% of cargo (both inbound and domestic) on passenger aircraft by the February 2009 deadline. The officials stated that TSA is working with the industry towards meeting the goal of 100% screening of domestic cargo by August 2010. TSA officials added that cargo that has not been screened by the August deadline will not be loaded on domestic passenger aircraft. TSA officials stated they would not meet the 100% screening mandate of inbound (foreign) cargo by the August 2010 deadline.

The TSA has posted a [notice](#) to its website instructing passenger air carriers that they must ensure that at least 75% of cargo uplifted in the U.S. has been screened by May 1, 2010.

CAFC Overturns AD Regulation, China Wooden Bedroom Furniture and Other NME Rates Could Decline

The Court of Appeals for the Federal Circuit has [invalidated](#) the International Trade Administration's use of labor rate data from high-income countries in valuing merchandise imported from less developed non-market economies (NMEs), overturning an ITA regulation that increased dumping rates.

The ITA will now have to find a new way to value wages for Chinese wooden bedroom furniture, which could result in lower AD rates. Other pending AD investigations involving NME countries (e.g. China, Vietnam), as well as new cases involving NMEs, are also expected to be affected by this decision.

EPA Strengthens Requirements for Energy Star® Labeled TVs

The Environmental Protection Agency has issued a [press release](#) announcing that effective May 1, 2010, it has strengthened the requirements televisions must meet to earn the Energy Star® label. EPA notes that the new requirements represent its most stringent Energy Star TV specification to date. As a result of the new requirements (1) TVs must use less energy when turned on, curb download power; and (2) new specifications also offer savings in larger size TVs.

FMC Commissioner Discusses Capacity/Equipment Shortages

The Federal Maritime Commission has posted Commissioner Khouri's [speech](#) from the recent Virginia Maritime Association International Trade Symposium. Among other things, he said that a major issue that is currently under investigation at the Commission is the capacity and equipment shortages that are being experienced in the U.S., especially in interior areas that are not close to large metropolitan areas.

BIS Export Control and Compliance Training Schedule for May – October 2010

The Bureau of Industry and Security has posted its [schedule](#) for export control and compliance training outreach events.

EPA Adds Thousands of TSCA Chemicals, Facilities To Public Database

The EPA has issued a [press release](#) announcing that it has added more than 6,300 chemicals and 3,800 chemical facilities regulated under the Toxic Substances Control Act to its public database called Envirofacts.

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