



This is NOT a Newsletter, but [Trade Intelligence](#) that every customs and global trade professional should read to stay compliant & save money.

Customs & Trade Updates

Week 11/2023

Period Covered: 13 February – 19 March 2023

Published: 20 March 2023

Topic Coverage	Customs processes & procedures (including AEO) Trade Agreements Biosecurity & Veterinary Border Controls (including news or changes relating to seafood trade or Regulation) Indirect Taxes (Customs Duty, Excise, Import VAT) Export Controls, Sanctions Green Customs and Global Trade
Something missing?	Are we missing a topic you are interested in? Get in touch at info@customsmanager.org
Country Coverage	European Union + selected Member States United Kingdom (with an additional focus on Northern Ireland) United States of America
Something missing?	Are we missing a country or region that you are interested in? Get in touch at info@customsmanager.org
International Institution Coverage	WCO WTO UN (Sanctions, CITES) Other as appropriate

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Merci, Paris

My fellow Customs & Global Trade Professionals,

J'aime Paris, J'aime la France, and I must applaud Paris for welcoming us this week with open arms, and close to zero delays, congestion and other nasties despite the significant strikes and disruptions announced. We had the perfect time discussing customs, excise, VAT and sanctions matters, networking, and relaxing aboard a River Seine vessel with the perfect backdrop. So if you have taken a "cruise" on the Seine at night, go do it.



This week, we have three major highlights for you:

- **Harley Davidson vs The EU Commission** belongs to the mandatory reading list of every customs and global trade professional -> download our summary and explainer.
- The **UK announced sweeping customs simplifications** in this week's Spring Budget. We summarised your critical initiatives – freedom to simplify due to Brexit!?!
- A briefing for Download: We share our top 5 tips to consider **fighting US Section 301 Tariffs legally**

As regards update, in the EU, we must more and more look beyond customs and **into green and sustainability issues**. For example, this week, the **EU Critical Raw Material Act** was presented (we have a detailed briefing in this edition of the Update), affecting EU trade agreements and resulting in import /export shifts. In parallel, the **EU's Net Zero Industry Act** was presented, which aims to scale up the EU manufacture of critical carbon neutral or "net-zero" technologies to ensure secure, sustainable and competitive supply chains for clean energy because of reaching the EU's climate and energy ambitions. Again, this will change our import and export needs, impacting customs professionals. *So, please read all about it here.*

As regards the UK, besides the **Spring Budget**, the key focus is on the new - **Advance Valuation Rulings** - written decisions made by customs authorities at the request of a trader that is legally binding on both parties. They are trade facilitation and are not mandatory. They will provide particular traders' requests to arrive at the customs value for their goods. The customs value impacts the amount of duty that may be due.

A lot is going on in the US as well, from a new **Forced Labor CBP** Dashboard that offers transparency to penalties on "**Made In USA**" disqualifications, the **US-EU strategic mineral trade talks**, a recent **study by ITC on Section 232 tariffs and Section 301 tariffs**, an **ITC changes USMCA Trade Remedies Rules** and the "**Made in China 2025**" **Industrial Policies: Issues for the US Congress Report**.

You can also keep up with what we're doing on Twitter, LinkedIn and YouTube.

A handwritten signature in black ink that reads "Arne Mielken". The signature is written in a cursive, flowing style.

Arne Mielken
Customs Manager Ltd.

P.S. Don't miss the start of– in April, a one-of-a-kind! True customs professionals really must sit the 15 courses and two exams – including a case study. Will you?

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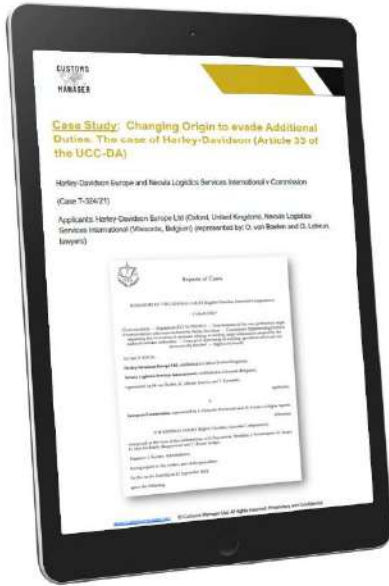
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HIGHLIGHT 1: EU CASE STUDY ON ORIGIN

Case Study For Every Customs Professional: Changing Origin to Avoid Additional Duties – The case of Harley Davidson



In 2018, the Trump administration levied 25% and 10% additional customs charges on EU steel and aluminium imports, while the EU Commission retaliated to tax US-made goods, including motorcycles.

However, Harley-Davidson acted swiftly by moving production from the US to Thailand, thereby changing the origin and avoiding the customs duty increase. But the EU saw through this and considered this an attempt to circumvent duty payments.

At the beginning of March, the European Court of Justice ruled on the legality of this move of production of motorbikes and the subsequent change of origin.

In our case study report, please read our complete summary, an analysis of the EU law related to the non-preferential origin and our five top takeaways in our exclusive note to subscribers.

A must-read for any customs professional that deals with economic, non-preferential origin.

Are you a subscriber to the FULL plan?

→ Case study: [Download it here](#)

→ Access the Ruling with one click: [Download it here](#)

HIGHLIGHT 2: UK Customs

UK Spring Budget: What Customs measures were announced?

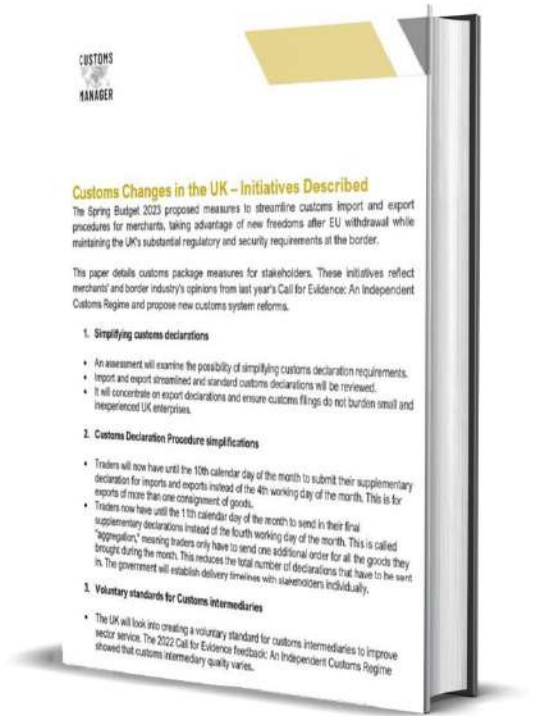
The government has launched initiatives to expedite and simplify customs operations for companies.

The recommendations include

- providing businesses additional time after crossing the border to submit customs declarations,
- expediting customs and excise authorisations, and
- consulting on voluntary norms for the customs intermediary industry.

Are you a subscriber to the FULL plan?

➔ We have created a multi-page guide to break down what the UK has announced. [Download it here](#)



HIGHLIGHT 3: USA ADD & CVD extra duty reductions strategies

Briefing for Download: Top 5 tips to consider fighting Section 301 Tariffs legally

The Biden administration has not yet said whether it intends to lower or eliminate the Section 301 additional tariffs that the United States continues to impose on China goods worth hundreds of billions of dollars.

Nevertheless, importers, exporters, and manufacturers have several legal and recognised options for avoiding or mitigating the consequences of these fees.

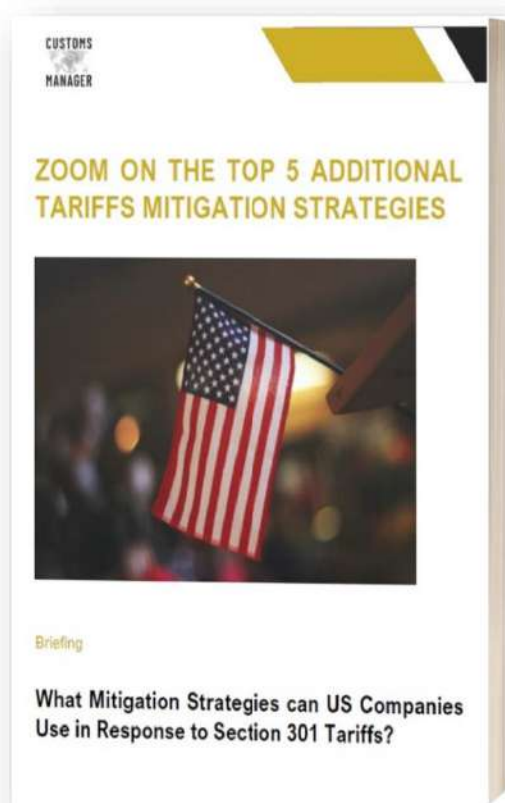
Flexibility and ingenuity may significantly impact a company's bottom line when confronted with high-duty exposure.

Don't forget that you can renew all previously authorised exclusions and establish a mechanism for new exclusion requests (for more information, email info@customsmanger.org).

In addition, there are a variety of proven and legal techniques to avoid or mitigate the effects of tariffs. We have summarised them here in a note for your to download.

Are you a subscriber to the FULL plan?

→ [Download The Briefing With The Top 5 Tips Right Here](#)



European Union Updates

That Every Customs & Global Trade Professional Needs To Know About

EU OJ reviewed this week

17/03/2023	L079	C101 C101A C102
16/03/2023	L077 L078	C098 C098I C099 C100
15/03/2023	L076	C096 C097
14/03/2023	L075 L075I	C095
13/03/2023	L074	C093 C094

Our Debrief on the Crucial Raw Materials Strategy of the EU

This initiative comprises [Regulation](#) and [Communication](#). The Regulation sets a regulatory framework to support the development of domestic capacities and strengthen the sustainability and circularity of the EU's critical raw material supply chains. The Communication proposes measures to support the diversification of supply chains through new international mutually supportive partnerships. The focus is also on maximising the contribution of EU trade agreements in complete complementarity with the Global Gateway strategy.

Why a new strategy?

- The EU Commission says the EU needs secure, varied, economical, and long-term critical raw material supplies: Net-zero, digital, aerospace, and defence sectors need crucial raw materials.
- Europe imports a lot of raw commodities, frequently from monopolistic third nations, despite the predicted growth in demand.
- The EU must **decrease key supply chain risks to stabilise its economy**. The energy situation when Russia invaded Ukraine and Covid-19 shortages demonstrate this. This may hinder the EU climate and digital ambitions.
- The approved Regulation and Communication on Critical Raw **Materials diversify and improve the EU's key raw material supply chains** using the Single Market and EU

partnerships. The Critical Raw Materials Act helps the EU monitor and mitigate disruption risks. Circularity and sustainability improve.

- These actions on crucial raw materials support the competitiveness of net-zero sectors and the European industry.
- The **Critical Raw Materials Act** will equip the EU to supply vital raw materials continuously.

What are the actions taken?



To become a net-zero economy, the EU needs Critical Raw Materials (CRMs). The EU will never be self-sufficient in CRMs and will continue to rely largely on imports. Therefore, in addition to making the most of its own CRM reserves and enhancing circularity, the EU needs to strengthen its global engagement to develop win-win partnerships with reliable partners. Here's how:

- CRM Club**
Establish a raw materials alliance with partners to strengthen supply chains and diversify sourcing.
- Strategic Partnerships on Raw Materials**
Expand our network of strategic raw materials partnerships.
- Trade and Investment Agreements**
Leverage and expand our trade agreements as regards raw materials extraction, processing and trade.
- Global Gateway**
Support critical raw material supply projects, including on infrastructure, connectivity and sustainability.
- Enforcing Trade Rules**
Continue to combat unfair trade practices, especially when they concern trade investment in or access to critical raw materials.

1. The Act lists updated "essential raw materials" and "strategic raw materials." These elements are crucial to Europe's green, digital, defence, and space aspirations, but their supply may be jeopardised. The Regulation makes vital and strategic raw materials listings EU legislation.

2. The Regulation defines domestic capacity throughout the critical raw material supply chain. It intends to diversify EU supply by 2030: At least 10% of the EU's annual consumption for extraction, 40% for processing, 15% for recycling, and no more than 65% for any key raw material at any relevant processing stage from a single third nation.

3. Securing EU vital raw materials supply chains: The Act will simplify EU key raw material project approvals and minimise bureaucracy. For example, specific Strategic Projects will acquire funding and licences faster (24 months for extraction permits and 12 months for processing and recycling permits). Member nations must also plan geological resource exploration.

4. Protecting the EU from supply risks: The Act requires Member States to monitor crucial raw material supply chains and coordinate strategic raw material reserves. Several large organisations must stress that they test their critical raw material supply lines.
5. Funding research, new ideas, and skills: The Commission will help implement breakthrough technologies in vital raw materials. A large-scale strong raw materials skills collaboration and a Raw Materials Academy will also train workers for supply chains. In addition, the Global Gateway will aid partner nations in extracting and processing by teaching them new skills.
6. Helping reuse and recycle vital raw materials: Further action to prevent adverse impacts on labour rights, human rights, and environmental protection in the EU and third countries must

accompany improved security and affordability of vital raw material supply. Sustainable development of crucial raw materials value chains will increase third-country economic growth, governance, human rights, conflict resolution, and regional stability.

7. Member states must develop and execute strategies to enhance trash collection and recycle essential raw materials into secondary critical raw materials. Member states and commercial operators must investigate the possibilities of recovering vital raw materials from current and historical mining waste. Items containing permanent magnets must fulfil circularity criteria and indicate how much they are recycled.
8. World involvement: The EU will always import most of its raw resources because it cannot produce enough. Hence, global production and supply diversification need international commerce. In addition, the EU will need more trusted partners to increase and diversify investment, stabilise the international business, and provide investors with legal certainty. As part of its Global Gateway policy, the EU will seek win-win ties with emerging markets and developing economies.
9. The EU will strengthen the WTO, expand its network of Sustainable Investment Facilitation Agreements and Free Trade Agreements, create the Critical Raw Materials Club for countries that want to work together to improve global supply chains and put more pressure on enforcement to stop unfair trade practices.
10. It strengthens strategic partnerships: By building value chains in their nations, the EU will assist trusted partners in expanding their economies sustainably. The EU will also make its value chains secure, robust, inexpensive, and diverse.

EU TRADE ACTIONS FOR CRITICAL RAW MATERIALS SUPPLY

Material	Net-zero use includes	Projected increase in global demand	Foreseen EU trade action
Rare Earths	wind turbines	x5.5 by 2050	<ul style="list-style-type: none"> Strategic raw materials partnerships with countries with important reserves Pursue predictable legal frameworks for trade and investment in rare earths with Australia Support investment in rare earth mining/processing in Ukraine
Nickel	batteries	x15 by 2040	<ul style="list-style-type: none"> Boost trade and investment through trade agreements with Australia and Indonesia Support creation of sustainable processing capacities in Indonesia Support regional environmental infrastructure
Lithium	electrical vehicles	x57 in 2050	<ul style="list-style-type: none"> Special focus on raw materials in trade agreements in Latin America Strategic raw materials partnerships with countries with important reserves
Platinum Group Metals	hydrogen fuel cells	x970 in 2050	<ul style="list-style-type: none"> Work with South Africa for more predictable legal environment for trade and investment Strategic raw materials partnership with countries with important reserves Support investments in South African energy infrastructure

*Source: JRC Science for Policy report Supply chain security and material criticality towards net-zero technologies and actions in the EU – A thought story

Logos: European Commission, @Trade_EU, EE Trade

Before passing and taking effect, the European Parliament and Council will discuss and agree on the proposed Regulation.

For More Information

- [European Critical Raw Materials Regulation](#)
- [Communication](#)
- [Questions & Answers](#)
- [Factsheet](#)
- [Critical Raw Materials and Trade – Infographic](#)
- [Actions on Four Critical Raw Materials - Infographic](#)
- [Raw Materials Information System](#)
- [JRC Foresight report](#)
- The Critical Raw Materials Act – [video animation](#)

Our Debrief on the EU Net-Zero Industry Act for Customs Professionals

The EU Commission proposed the Net-Zero Industry Act to increase the production of clean technologies in the EU and ensure that the EU is ready to transition to clean energy. The Act will make **net-zero technologies made in the EU more reliable and competitive**. It will also make the energy system safer and last longer. In addition, it will make it easier to start net-zero projects in Europe and get investors interested in them. The goal is for the Union's strategic net-zero technologies manufacturing capacity to be close to or at least 40% of the Union's deployment needs by 2030. This will speed up the EU's progress towards its 2030 climate and energy goals and the transition to climate neutrality. It will also make EU industries more competitive, create good jobs, and help the EU in its efforts to become energy independent.

The Net-Zero Industry Act, the European Critical Raw Materials Act proposal, and the electricity market design reform **create a clear European framework to reduce the EU's reliance on highly concentrated imports**. In addition, it will help make Europe's clean energy supply chains more reliable by learning from the Covid-19 pandemic and the energy crisis caused by Russia's invasion of Ukraine.

The proposed law talks about **technologies that will make a big difference in reducing carbon emissions**. These include

- solar photovoltaic and solar thermal,
- onshore wind and offshore renewable energy,
- batteries and storage,
- heat pumps and geothermal energy,
- electrolysers and fuel cells,
- biogas/biomethane,
- carbon capture, use, and storage,
- and grid technologies,

as sustainable alternative fuel technologies.

Keys to net-zero technology manufacturing investment

The Net-Zero Industry Act has three parts:

1. **Creating the proper conditions:** The Act will make it simpler for individuals to invest in net-zero technology by providing more information, making projects easier to set up, and simplifying permissions. The Act also prioritises Net-Zero Strategic Projects that make the EU industry more robust and competitive, such as CO2 storage sites. Shorter permit wait times and streamlined procedures will benefit them.
2. **Increasing CO2 capture:** By 2030, the EU must attain an annual injection capacity of 50Mt in key CO2 storage sites, with oil and gas companies contributing proportionally. This will remove a significant barrier to CO2 capture and storage as an economically feasible climate solution, particularly for energy-intensive businesses that are hard to curb.
3. **Enabling market access:** The Act mandates public procurement and auctions of net-zero technology to include sustainability and resilience factors. To diversify net-zero technology supply.

Skills

The Act creates new opportunities to train EU workers to manufacture net-zero technology. The Net-Zero Europe Platform oversees Net-Zero Industry Academies. This will provide decent employment in critical places.

Sandboxes

The Act allows Member States to create regulatory sandboxes to test net-zero technology and innovate.

Partnerships

The Commission and Member States will collaborate on Net-Zero Industry Partnerships via a Net-Zero Europe Platform. The Commission and Member States will also share statistics to monitor Net-Zero Industry Act progress. In addition, the Net-Zero Europe Portal will assist investors in identifying funding, barriers, and best practices for EU initiatives. It will also connect Europe's net-zero industries via industrial partnerships.

European Hydrogen Bank

Today, the Commission is also proposing a new European Hydrogen Bank to assist the EU in consuming more renewable hydrogen and importing more from other nations. Again, this proves that Europe is the top hydrogen producer.

Customs Updates

Commission closes infringement procedure after UK pays up

The European Commission has decided today to close the infringement procedure against **the United Kingdom** ([INFR\(2018\)2008](#)) after the United Kingdom made its traditional resources and interest available due to the EU budget. The Commission opened the case on 8 March 2018, after an OLAF (the European anti-fraud office) report had found that importers in the United Kingdom evaded customs duties. In close cooperation, OLAF and the Directorate-General for Budget (DG BUDG) confirmed the undervaluation fraud scheme's scale through the UK hub operating between 2011 and 2017. After several exchanges between the Commission and the UK, the case was brought before the Court of Justice of the European Union. The Court handed down its judgment ([case C-213/19](#)) on 8 March 2022. As a result, the Commission re-calculated the amounts due, and the United Kingdom paid the respective parts in total.

EU ADD, CVD Updates

ADD Appeal mixtures of urea and ammonium nitrate

Appeal brought on 24 November 2022 by AO Nevinnomysskiy Azot, AO Novomoskovskaya Aktsionernaya Kompania NAK 'Azot' against the judgment of the General Court of 14 September 2022 in Case T-865/19, Nevinnomysskiy Azot and NAK 'Azot' Vs. Commission - Case C-725/22 P
Re: annulment of Commission Implementing Regulation (EU) 2019/1688; definitive anti-dumping duty; mixtures of urea and ammonium nitrate

[Access This Appeal Directly](#)

ADD Judgement on Imports of crystalline silicon photovoltaic modules

Judgment of the Court of 16 March 2023 in Joined Cases C-439/20 P and C-441/20 P, European Commission Vs. Jiangsu Seraphim Solar System Co. Ltd, Council of the European Union and Council of the European Union Vs Jiangsu Seraphim Solar System Co. Ltd, European Commission. Re: Appeal - Dumping - Imports of crystalline silicon photovoltaic modules and critical components (i.e. cells) originating in or consigned from China - Implementing Regulation (EU) 2016/2146 withdrawing the acceptance of the undertaking for two exporting producers under Implementing Decision 2013/707/EU - Admissibility of the action at first instance - Fourth paragraph of Article 263 TFEU - Criterion of direct concern - Article 277 TFEU - Plea of illegality - Admissibility - Interest in bringing proceedings against the acts which served as the legal basis for the contested measure – Regulation (EU) 2016/1036 - Article 8(9) - Regulation (EU) 2016/1037 - Article 13(9) - Consequences of the withdrawal by the European Commission of acceptance of an undertaking - Implementing Regulation (EU) No 1238/2013 - Article 3 - Implementing Regulation (EU) No 1239/2013 - Article 2 - Loss of entitlement to exemption from duties - Implementing Regulation (EU) 2016/2146 - Article 2 - Invalidation of the undertaking invoices – Chargeability of responsibilities on all the transactions concerned - Lack of retroactivity

[Access This Judgement Directly](#)

New EU Law Amendment on ADD of Chinese citric acid

Commission Implementing Regulation (EU) 2023/583 of 15 March 2023 amending Implementing Regulation (EU) 2021/607 imposing a definitive anti-dumping duty on imports of citric acid originating in the People's Republic of China as extended to imports of citric acid consigned from Malaysia, whether declared as originating in Malaysia or not, following an expiry review according to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and the Council

[Access This New Law Amendment Directly](#)

Eight New (Draft) Laws on EU ADD– Direct Links Here

1. Commission Implementing [Regulation](#) (EU) /... amending Regulation (EC) No 88/97 on the authorisation of the exemption of imports of certain bicycle parts originating in the People's Republic of China from the extension by Council Regulation (EC) No 71/97 of the anti-dumping duty imposed by Council Regulation (EEC) No 2474/93
2. Commission Implementing [Regulation](#) (EU) /... reimposing a definitive anti-dumping duty on imports of electric bicycles originating in the People's Republic of China as regards Giant Electric Vehicle (Kunshan) Co., Ltd following the judgment of the General Court in Case [T-242/19](#)
3. Commission Implementing [Regulation](#) (EU) /... reimposing a definitive countervailing duty on imports of electric bicycles originating in the People's Republic of China as regards Giant Electric Vehicle (Kunshan) Co., Ltd following the judgment of the General Court in Case [T-243/19](#)
4. Commission Implementing [Decision](#) (EU) / terminating the anti-subsidy proceeding concerning imports of fatty acid originating in Indonesia
5. [Commission Implementing Regulation \(EU\) 2023/591 of 16 March 2023 accepting a request for new exporting producer treatment concerning the definitive anti-dumping measures imposed on imports of electric bicycles originating in the People's Republic of China and amending Implementing Regulation \(EU\) 2019/73](#)
6. [Commission Implementing Regulation \(EU\) 2023/592 of 16 March 2023 amending Implementing Regulation \(EU\) 2019/244 imposing a definitive countervailing duty on imports of biodiesel originating in Argentina](#)
7. Commission Implementing [Decision](#) (EU) [2023/602](#) of 16 March 2023 amending Implementing Decision (EU) 2019/245 accepting undertaking offers following the imposition of definitive countervailing duties on imports of biodiesel originating in Argentina
8. Commission Implementing [Regulation](#) (EU) [2023/593](#) of 16 March 2023 reimposing a definitive anti-dumping duty on imports of particular lightweight thermal paper originating in the Republic of Korea as regards the Hansol Group and amending the residual duty

EU Trade Agreements

EU – Thailand FTA discussions re-launched

The EU and Thailand have resumed discussing a modern, sustainable free trade agreement (FTA). The FTA aims to boost trade and investment by addressing a wide range of issues, including market access for goods, services, investment, and government procurement, swift and effective Sanitary and Phyto-Sanitary procedures, the protection of intellectual property rights, including Geographical Indications, and the removal of barriers to digital trade and energy and raw material trade. With strict Trade and Sustainable Development rules, this agreement will prioritise sustainability (TSD). In addition, Thailand's economic growth plan prioritises infrastructure and a tech-driven economy, offering EU investors and enterprises more opportunities. The EU and Thailand want to start meaningful FTA discussions soon. After the first round, the EU will publish text recommendations and commission a Sustainability Impact Assessment to evaluate the agreement's economic, environmental, human rights, and social implications.

[Download The Press Release And Further Information](#)

EU Trade Policy Updates

EU praises Japan's dispute settlement arrangement

The European Commission is pleased that Japan joined the MPIA, which is available to all WTO members. The MPIA resolves WTO disputes. The EU and central partners created it based on the WTO Agreement until a revised dispute resolution mechanism can be implemented. Japan is one of 26 MPIA WTO members. WTO regulations, which still regulate much of our commerce, are our most robust defence against global economic collapse. So, a powerful and reformed WTO is crucial for the EU, and we must continue leading reform efforts. Japan's and other MPIA members' decisions demonstrate their support for the WTO's dispute settlement system and norms. It also supports WTO members' 2024 goal of re-establishing a fully functional dispute resolution mechanism. The EU reiterates that all members may join MPIA. To resolve conflicts until the WTO's dispute resolution mechanism is rectified. Colombia's anti-dumping taxes on Belgian, German, and Dutch frozen fries were the MPIA's first "lawsuit".

[Read the Press Release To Find Out More](#)

NI: Union tariff rate quotas applicability report

Draft Report by MEP Seán Kelly (INTA Committee) on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU) 2020/2170 as regards the application of Union tariff rate quotas and other import quotas to certain products transferred to Northern Ireland.

[Download The Draft Report Immediately](#)

EU Biosecurity, SPS and Official Controls

Upcoming Meetings (agenda)

- [27 March 2023: Expert group on food hygiene and control of food of animal origin](#)

What does the new special disease control measures for African swine fever law say?

The EU has repealed old legislation and replaced it with a new law to combat African swine fever. But the old Implementing Regulation (EU) 2021/605 applies until 20 April 2028. ASF is a virus that can spread to both domestic and wild pigs. It can hurt both animals and crops. In addition to this new law, there are:

- Regulation (EU) 2016/429 sets up a framework for preventing and controlling diseases that can be passed from people to animals and back again. Articles 166 and 167 of Regulation (EU) 2016/429 say that animal health certificates must be sent with shipments of items of animal origin from terrestrial animals that were produced or processed in premises, food enterprises, or zones where emergency measures or movement restrictions are in place.
- Regulation (EU) No. 1069/2009 limits the use of animal by-products so that they pose less of a risk to animal health.

To understand this legislation, readers need to know that Commission Delegated Regulation 2020/687 introduces categories A, B, and C, while Commission Implementing Regulation 2021/605 focuses on African swine fever. As part of Delegated Regulation (EU) 2020/687, it should allow for regionalisation and disease control measures. Restricted zone III should show where diseases are most likely to spread and where disease conditions in confined pigs change the most quickly. The I, II, and III restricted zones in Annex I of the new Regulation will be adjusted based on the same standards used for listing and international standards. All shipments of pigs and pig products from restricted zones I, II, and III must follow these rules.

The restricted zones should be listed in Annex I instead of Annex II to ensure that the rules are the same everywhere. In addition to Articles 63 to 66 of Delegated Regulation (EU) 2020/687, the affected zones in Annex II must take other steps to prevent disease. For example, a stock-proof fence should be built for six months to control diseases.

This new will Implementing Regulation will also be based on Chapter 15.1 of the International Organization for Animal Health's Terrestrial Animal Health Code, called "Infection with the African swine fever virus" (WOAH Code).

Article 19 of Implementing Regulation 2021/605 lists the shipments for which the health or identity mark can replace the animal health certificate. These shipments include fresh meat and meat products from pigs in restricted zones I, II, and III, like casings.

The WOAH Code says pigs kept in licenced companies that make germinal products must be regularly tested for African swine fever. In Article 14 of Implementing Regulation (EU) 2021/605, the

main requirements for exceptions to certain limits on shipments from restricted zones I, II, and III that travel outside those zones are laid out. In addition, article 35 of the same Regulation says how determined zone II materials can be processed outside of those restricted zones within the same Member State.

Article 44 of Implementing Regulation (EU) 2021/605 says that things that come from animals must have signs for health or identification. Harmonised special marks should have a transitional phase to help authorities and food industry workers in Member States where African swine fever is a problem. To stop the disease from spreading in pig farms, there must be less risk and more biosecurity. African swine fever epidemiology has changed in a few Member States, especially in populations of wild pigs. This has helped the virus spread and stay around in the whole Union. African swine fever could spread to Member States if wild pigs move or if people apply it.

To stop African swine fever, member states should work together. This Regulation should force Member States to make National Action Plans so that the Union has a coordinated and consistent strategy. National action plans should include scientific guidelines from the EFSA, passive monitoring, biosecurity rules for hunting wild pigs, and EU environmental standards.

[Access The New Legislation Right Away](#)

EU Sanctions

EU Sanctions Law for Ukraine sees additions and deletions

The EU law for restrictive measures regarding actions undermining or threatening Ukraine's territorial integrity, sovereignty and independence have changed.

[Access the Legal Text Now](#)

EU Sanctions Law on Iraq changes

Annex IV to Regulation (EC) No 1210/2003 lists natural and legal persons, bodies or entities associated with the regime of former President Saddam Hussein covered by the freezing of funds and economic resources and by a prohibition to make funds or financial resources available. On 9 March 2023, the Sanctions Committee of the United Nations Security Council decided to remove two natural persons from the list of persons and entities to whom the assets freeze should apply.

[Access the Legal Text Now](#)

Course: Prohibitions, Restrictions & Licences (includes Export Controls & Sanctions)

Thu, 06 Apr | Virtual Training Event

This course develops the competencies that professionals need to identify and manage, prohibitions & restrictions (incl. export controls and sanctions) (Course ID: OC08+22)

Book here: <https://www.customsmanager.org/events>

Or [click here](#) (FULL subscribers save 10% automatically after the booking)

United Kingdom Updates in Customs & Global Trade

Spring Budget 2023: All customs & tax-related documents

All HMRC tax-related documents and other announcements for Spring Budget 2023.

The Chancellor of the Exchequer, the Rt Hon. Jeremy Hunt MP, delivered Spring Budget 2023 to Parliament on 15 March 2023. Full details of all announcements, supporting documents and information are available.

Access

- [Spring Budget 2023](#) for full details of the announcements
- [an overview of tax legislation and rates \(OOTLAR\)](#) for a list of the announced tax policy measures
- [the impact definitions](#)
- [Spring Finance Bill 2023](#) for supporting documents

UK Customs Updates

Special Focus on Advance Valuation Rulings

The new legislation will enable HMRC to grant Advance Valuation Rulings to customers importing goods into the UK. Advance Valuation Rulings are written decisions made by customs authorities at a trader's request that are legally binding on both parties. They are trade facilitation and are not mandatory. They will give customers certainty on arriving at the customs value for their goods. The customs value impacts the amount of duty that may be due. Advance Valuation Rulings will, in turn, assist customers in completing customs declarations.

The government has thought about new customs regulations to aid merchants and pave the way for new trade deals after the UK exited the EU. This action is being taken in time for the UK to join the CPTPP. With this measure, HMRC can provide Advance Valuation Rulings (AVRs) to clients bringing goods into the UK.

AVRs are written judgements issued by customs officials at a merchant's request that are legally binding on both sides. They are optional and serve to facilitate commerce. Thanks to them, customers will have confidence in how the customs value for their products will be calculated. The potential duty payment depends on the customs value. In turn, AVRs will help clients complete customs declarations.

With advance rulings, businesses may get a legally binding judgement from customs officials before shipping, assuring how their products will be handled and the potential impact of any duty assessed.

The UK now provides advanced judgements on tariff classification and the country of origin of products but not on customs value. This is due to the EU's lack of support for customs value judgements. But customs officials all across the globe supply them liberally.

The new AVR service will further the government's goal of providing UK merchants with a cutting-edge digital customs service.

AVRs will also help the UK support its accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and fulfil the conditions of future Free Trade Agreements (FTAs) (CPTPP).

Section 24 of the TCTA 2018 will be amended by legislation in the Spring Budget Bill 2023 to incorporate customs value. Like present rules, Section 24 would provide the procedure by which a customer may request an Advance Valuation Ruling for certain items imported into the UK by Notice having the force of law. Once issued, the ruling decision will legally bind the customer and HMRC for the stated items and scenario for three years, subject to cancellation or a withdrawal of the judgement.

Contact us for all matters ATR, AOR and AVR. We can help!

New Customs Announced: Ask for a Review or Repeal Of A HMRC Decision

In cases where the amount of duty payable is unclear after HMRC confirms a customs declaration, a new policy enables businesses to seek a review of, or appeal against, a decision by HMRC to impose a financial guarantee as a condition of releasing imported goods from customs control. In addition, requirements about these assurances will be included in the law governing other customs guarantees.

[Download Details](#)

Infobox: How We Can Support You with UK Customs

Consulting & Advice

Come to us for thorough import, export, transit and customs guidance across all regions worldwide and industry sectors. Use our Hotline service for easy questions or schedule a bespoke call.

Analysis, Audit & Health Checks

We provide analysis and audits of supply chains and your customs operations, verify customs compliance, and cost savings opportunities and provide recommendations.

Customs Management

Hire us to act as your customs manager. We can run your customs operations and department – except you don't have to employ us. We work with brokers, suppliers, and other third parties employing leading industry practices.

Customs Filing & Authorisations

We have software to file your customs declarations or we can instruct and monitor your customs agents. We also apply for and implement your customs authorisations and permits, including becoming AEO.

Training & Education

Public, In-House or Online Training Courses. For a certified education, join our unique and unparalleled **Diploma in Customs Competencies**.

E-mail: Info@customsmanager.org

www.customsmanager.org

UK CDS Update

CDS stands for Customs Declaration Service. It is the e-customs system of the UK. We can help you file customs declarations in the UK and offer extensive brokerage services with built-in customs compliance. We are there if you want a new partner for filing customs declarations.

CDS changes this week

Here are the changes for CDS this week announced by Gov. uk

- The supervising office (SPOFF) codes for **Data Element 5/27** when declaring to the Customs Declaration Service (Appendix 17) have Code IMDGS001 for Douglas, Isle of Man, which has now been added to the list of supervising office codes.
- Understand the completion rules instructions for each 3-digit Union and National Additional Procedure Code that can be used in **Data Element (DE) 1/11** for Imports. In addition, an additional text was added to import APC 3HG guidance in Additional Procedure Code 3-Series (Appendix 2B) as follows: 'Additional Procedure Code 2CG must also be declared in DE 1/11 when using 3HG with additional Declaration Types C, F or Y.'
- Regarding each 4-digit Requested and Previous Procedure Code that can be used in **Data Element (DE) 1/10 for Imports**, procedure code 5100 has been updated for imported goods subject to Anti-Dumping Duty in 'Requested Procedure 51: Entry to Inward Processing' guidance. Out-of-date page names and links have also been replaced in other guidance.
- Codes to use in the **Customs Declaration Service (Appendix 13)** have changed. Table 1 and Table 2 have been updated as follows: the name of North Macedonia was added to reflect the name change from Macedonia (no change to country code), the name of Eswatini was added to remember the name change from Swaziland (no change to country code) and Campione D'Italia switched from being covered by the country code for Switzerland (CH) to using the country code for Italy (IT). This reflects Campione D'Italia becoming part of the EU Customs Territory.
- There are codes to provide additional information in **Data Element (DE) 2/2** of the customs declaration or clearance request (Appendix 4). 'Appendix 4B: National Codes which may be declared on customs declarations or customs clearance requests' to remove Additional Information Codes 'CCLFC' and 'CCLFL' to reflect their earlier withdrawal from use.

UK Classification & Tariff

Guidance Change: How would you customs classify ceramics for import and export?

The help classifying ceramic articles for import and export has changed. Reference to heading 6808 deleted. Ceramics descriptions are updated in line with the amended text of Note 1 of Chapter 69. In addition, a helpful guide to identifying different types of ceramics has been added.

[Download this Revised Guidance](#)

Guidance Change: How do you classify rice for import and export after HS 2022?

If you classify rice and related products for direct human consumption for import and export, you must know that guidance has changed. Commodity codes have been added or deleted under heading 1006 for paddy, husked, semi-milled, and parboiled rice.

[Download this Revised Guidance](#)

Training Offer on Customs Classification – 10 April 2023

Mon, 10 Apr | Virtual Training Event

Course: Tariff and Customs Classification

This course develops the competencies professionals need to deal with all aspects of tariff and classification of goods, including HS code determination, application, validation, and usage of tariffs and online databases, GIRs and ATR (BTIs). (Course ID: OC03).

Book on www.customsmanager.org -> Events

Or [click here](#) (FULL subscribers save 10% automatically after the booking)

UK Excise Update

Minimum Excise Tax Changed

Section 8 Tobacco Products has been updated to include details for the Minimum Excise Tax of £393.45 per 1,000 cigarettes.

UK Biosecurity & Veterinary Affairs (incl. trade in fish) Update

Updated Poultry meat model health certificates

Veterinary Officers in the country of export need to use the uploaded updated versions of certificates 74E and 74X as a template to create a version exporters can apply for to export poultry meat to Great Britain, the Channel Islands or the Isle of Man.

[Download This Updated Certificate Now](#)

Meat products: model health certificates

Veterinary Officers in a country of the export need to use the updated versions of certificates 115E, 115E/SM, 115X, 127E, 127E/SM and 127X 74E and 74X as a template to create a version exporters can apply to export meat to Great Britain, the Channel Islands or the Isle of Man.

[Download This Updated Certificate Now](#)

What are the UK businesses that are allowed to export to the EU?

Download the updated lists to check if your business is approved for export to the EU and find out your TRACES numbers.

[Download The List And Check Now](#)

Update to Epizootic haemorrhagic disease (EHD) in Europe

Epizootic haemorrhagic disease (EHD) has been reported in Europe. Read how to prevent, spot and report epizootic haemorrhagic disease for information on the latest situation and advice on measures to protect against the disease. Find out how to:

- import live animals or animal products
- export live animals or animal products

Find out more about current EHD import restrictions in place for:

- live cattle, sheep, goats, deer and other ruminants
- germinal products (semen, ova and embryos) of cattle, sheep, goats, deer and other ruminants

[Download the Update Guidance Now](#)

Model health certificate for certain meat products and treated stomachs, bladders and intestines from EU countries
GBHC127E v4.0 March2023

Part I. Details of dispatched consignment							
I.1 Consignor Name: Address: Tel:		I.2 Certificate reference no. I.2.a UNN		I.3 Central competent authority I.4 Local competent authority			
I.5 Consignee Name: Address: Tel:			I.6 Not in use				
I.7 Country of origin	ISO code	I.8 Region of origin	Code	I.9 Country of destination	ISO code	I.10 Region of destination	Code
I.11 Place of origin Name: Approval number: Address:			I.12 Not in use				
I.13 Place of loading Address:			Approval number		I.14 Date of departure		
I.15 Means of transport <input type="checkbox"/> Aeroplane <input type="checkbox"/> Ship <input type="checkbox"/> Railway wagon <input type="checkbox"/> Road vehicle <input type="checkbox"/> Other			I.16 Entry BCP				
Identification: Documentation references:			I.17 Not in use				

Version 4.0 March2023 1 / 10

Highly pathogenic avian influenza (HPAI) import restrictions: Chile

The following restrictions apply to imports into Great Britain (England, Scotland and Wales) from Chile for animals slaughtered on or after 13 March 2023:

- imports of live poultry and ratites and hatching eggs of poultry and ratites are suspended
- imports of fresh poultry, ratite and wild game bird meat are suspended
- meat products of poultry, farmed feathered game, and wild game birds must be heat treated to 70°C throughout the meat (heat treatment 'D')

This is due to the confirmation of an HPAI outbreak on 13 March 2023 at a broiler poultry farm in Chile. These restrictions will remain in place until the UK recognises Chile as disease-free for HPAI.

[Read the Details](#)

New UK border control post for animal and animal product imports

Harwich International Port Ltd is an approved UK Border Control Post (BCP) to check the animals, animal products or high-risk food and feed of non-animal origin in your consignment.

[Find All The BCPs](#)

Do you know about extended producer responsibility (EPR) for packaging?

This must be complied with by UK organisations which provide or import packaging. Read about the guidance from the officials on

- Activities related to packaging;
- what you would need to do;
- PRNs and PERNs;
- determine if you must submit national data;
- gather and report your packaging data;
- and information on fees.
- when to collect and submit your data for 2023 is now included in a new section that we've included.

[Find Out Much More](#)

Find a professional to certify export health certificates

A list of organisations in England, Scotland and Wales that inspect and certify animals and animal products for export. The list does not include every certifier.

[Access the list](#)

UK Export Control Update

Open general export licence export after repair/replacement under warranty: military goods

Licence for the export of military goods imported into the UK for repair or replacement under warranty. The open general export licence has been revised to consider changes to the military list. In addition, the revoked version has been updated.

[Open general export licence \(export after exhibition or demonstration: military goods\)](#)

Licences for exporting military goods temporarily imported into the UK for exhibition or demonstration. The open general export licence has been revised to consider changes to the military list. In addition, the revoked version has been updated.

Course: Prohibitions, Restrictions & Licences (includes Export Controls & Sanctions)

Thu, 06 Apr | Virtual Training Event

This course develops the competencies that professionals need to identify and manage, prohibitions & restrictions (incl. export controls and sanctions) (Course ID: OC08+22)

Book here: <https://www.customsmanager.org/events>

Or [click here](#) (FULL subscribers save 10% automatically after the booking)

United States

US Customs

Customs Bulletin Weekly, Vol. 57, March 15, 2023, No. 10

[Download it here](#)

CBP Delays Cargo Declarations

The deadline for filling CBP form 1302A (Cargo Declaration – Outbound with Commercial Forms) in the Document Image System has been extended from April 1 to October 1. Since March 2012, CBP has authorized this document to be submitted to the DIS as a preliminary to an electronic export ocean manifest. The Automated Commercial Environment has permitted carriers to submit export manifest data items online since October 2015. Due to increased participation in this pilot by vessel-operating carriers, non-vessel-operating common carriers, and software providers, CBP is providing trade partners more time to submit form 1302A in the DIS to create and test with their CBP client representatives adequately. CBP urges trade participants' programming and testing to transition to 100% electronic export manifest submission by Oct. 1, 2023. That form 1302A will no longer be required on paper or via DIS once the carrier(s) submit 100% EEM.

Forced Labor: New CBP Dashboard offers transparency

CBP's new dashboard shows how the Uyghur Forced Labor Prevention Act is applied differently and how the UFLPA has impacted exports, industries, and nations. For example, in Q1 FY 2023, 940 shipments were cancelled. This compares to 1,491 blocked shipments in the fourth quarter of FY 2022. Since UFLPA implementation, CBP has stopped 3,237 cargo. 1,090 (33.7%) have been released, 424 (13.1%) rejected, and 1,723 (53.2%) evaluated. 1,627 electronics shipments were stopped. Industrial and manufacturing goods ranked third with 422, followed by clothes, shoes, and textiles with 631. So far, in 2023, CBP halted 282 industrial and manufacturing commodities, 204 electronics, and 135 clothes, shoes, and textiles. The UFLPA makes imports from China's Xinjiang Uyghur Autonomous Region less likely. China goods importers would need to follow CBP importer standards and enforcement. Even if a company doesn't import from China, its products may be confiscated if they include XUAR or Chinese forced labour components. CBP claims it targets the most dangerous companies based on shifting data. These include

- (1) entities involved in the production and export of goods, wares, articles, and merchandise mined, produced, or manufactured in whole or in part in the XUAR;
- (2) entities affiliated with the Xinjiang Production & Construction Corps;
- (3) entities on the UFLPA Entity List; and
- (4) goods made in or shipped through third countries that contain XUAR inputs.

CBP adds that enterprises with complex supplier chains and safety concerns may be more at risk of UFLPA regulation.

US Classification

Fake Ice Panels

HTSUS 9506.99.2580 (duty-free) synthetic ice panels are classified as sports equipment rather than plastic floor tiles under HTSUS 3918.90.1000. (5.3 per cent duty). Accordingly, rule HQ H313937 will revoke ruling NY N278463 to reflect this change. The tiles in question are interlocking tiles made of high-density polyethylene plastic specifically engineered to imitate the friction coefficient and glide properties of actual ice-skating rinks. They are designed to be fitted together to create an artificial ice-skating surface and may be utilised in any climate, inside or outdoors. According to CBP, the panels were designed and built for ice hockey practice while wearing skates, meeting the Federal Circuit Court of Appeals' "necessary, useful, or acceptable" standards for sports equipment. This re-classification will apply for goods entered or withdrawn from the warehouse for consumption on or after May 14, 2023.

Window Blinds Components

CBP is reclassifying finished wood slats and wood bottom rails with UV coatings used in the manufacture of window blinds as other articles of wood under HTSUS 4421.99.9880 (3.3 per cent duty) instead of continuously shaped wood under HTSUS 4409.29.9000 (3.3 per cent duty) (duty-free). Rule HQ H310648 will reflect this change and rule NY N041645. In addition, CBP prohibits the classification of continuously shaped wood coated with UV coatings, lacquer, polyurethane, aluminium oxide, acrylic, and the like in heading 4409 because these coatings fall under the EN 44.09 exclusion of wood surface worked beyond planning or sanding other than painting, staining, or varnishing.

US Origin

Made In USA penalties

The FTC penalised a company for falsely claiming its products were made in the US. The FTC's "Made in USA" rule, which took effect in August 2021, prohibits marketers from labelling products as "Made in USA" unless (1) the final assembly or processing and all significant processing occur in the US and (2) all or virtually all ingredients or components are made and sourced in the US. The legislation also requires truthful mail-order catalogue "Made in USA" labelling. The FTC said that the company's glass measuring cups were in high demand during the COVID-19 pandemic when home baking was popular. By early 2021, the company could not meet the demand for U.S.-made measuring cups and moved some of its production to China.

Nevertheless, the company sold Chinese-made goods as "Made in America." The corporation also sent generic advertising brochures stating that all its products were created in the US. As a result, the FTC has finalised a consent order that:

- Imposes a \$129,416 penalty on the company;
- prohibits it from making unqualified U.S.-origin claims for any product that is not in compliance with the "Made in USA" rule;
- requires the company to include in any qualified "Made in USA" claims a clear and conspicuous disclosure about the extent to which the product contains foreign parts, ingredients, components, or processing; and

- When claiming a product is assembled in the U.S., the company must ensure that it is last substantially transformed in the U.S., its principal assembly takes place in the U.S., and U.S. assembly operations are substantial.

The order also requires the corporation to provide a compliance report within one year, produce (for ten years) and preserve (for five years following record creation) various records, including those that indicate compliance, and submit subsequent compliance reports as requested by the FTC. Any violation of this consent order may result in a \$50,120 civil penalty.

US Trade Policy & FTA

US-EU strategic mineral trade talks

On March 13, the US and EU announced their willingness to agree to avert trade retaliation against the US for subsidising electric automobiles. The U.S. Inflation Reduction Act of 2022 includes commercial fleet and consumer electric vehicle tax credits. However, several programmes require batteries from the US or free trade agreement materials (or recycled in North America). Japan and South Korea have also criticised the provision, and the EU has threatened reprisal if it is not changed. "Strengthening and preserving supply networks, manufacturing, and innovation on both sides of the Atlantic" is the goal of the IRA and the EU's Green Deal Industrial Plan's working group. Vice President Joe Biden and EU President Ursula von der Leyen pledged to work together on this problem this week "A focused essential minerals deal should start immediately to satisfy Section 30D of the Inflation Reduction Act's clean car criteria. This would count EU-grown or processed critical minerals towards these requirements. "They contain lithium, nickel, and cobalt. The New York Times reported "similar discussions" involving the US, Japan, and the UK. According to the two presidents, the US and EU "would achieve our mutual objectives of increasing our mineral production and processing and expanding access to sources of essential minerals that are sustainable, dependable, and free of labour abuses" by collaborating to reduce strategic dependencies and ensure reliable supply chains. The parties should also "avoid any delays in transatlantic trade and investment flows that may emerge from their differing agendas." The EU-U.S. Trade and Technology Council created the Clean Energy Incentives Forum to assist with this project. This dialogue will allow the US and EU to coordinate their mutually reinforcing incentive programmes and share information on third parties' non-market policies and practises, such as China, laying the groundwork for joint or parallel action and coordinated advocacy on these issues in multilateral and other forums.

A new study by ITC on Section 232 tariffs and Section 301 tariffs

According to a recent International Trade Commission study, U.S. importers have borne virtually the entire cost of Section 232 tariffs on steel and aluminium imports and Section 301 taxes on Chinese imports. According to the research, taxes resulted in a roughly one-to-one rise in the pricing of US imports. The ITC also estimates that for every 1% rise in these duties, imports of impacted items from China have declined by around 2% in value. Tariffs under Section 232 lowered overall Chinese imports by 13%, raised the value of US manufacturing by 0.4 per cent and increased the price of US goods by 0.2 per cent. Industrial machinery manufacturing, cutlery and hand tool manufacturing, motor vehicle steering, suspension components, brake systems; other general-purpose machinery;

agriculture, mining, and construction manufacturing; and other fabricated metal products were the most negatively impacted industries. Attempts to mitigate the effects of these tariffs are ongoing.

[Access the Study By Clicking Here](#)

ITC changes USMCA Trade Remedies Rules

As of April 10, the International Trade Commission has finalised the following technical adjustments to its safeguard actions, anti-dumping damage processes, and countervailing injury proceedings regulations. First, it maintains the global safeguard procedures established by NAFTA, including the requirement that the ITC determine if imports from Canada and Mexico "account for a substantial share of imports" and "contribute significantly to the serious injury caused by U.S. imports" when imports are seriously hurting or threatening to hurt a domestic industry seriously. It keeps the NAFTA mechanism for setting up binational panels to settle disputes in anti-dumping and countervailing duty cases, mostly keeps the NAFTA rules of practice and procedure for protecting proprietary business information, and updates some provisions to match how the ITC handles electronic filing. It also removes all references to the USMCA-revised bilateral safeguard agreements between the US, Canada, and Mexico.

[Download the Federal Register Entry](#)

“Made in China 2025” Industrial Policies: Issues for the US Congress

According to a Congressional Research Service study, *Made in China 2025* is a broad set of industrial goals established by China's State Council in 2015 to strengthen the country's position in the global manufacturing value chain, "leapfrog" into new technologies, and reduce dependence on foreign enterprises. Its key industries are energy-efficient cars, new materials, high-tech medical equipment, computerised manufacturing, and next-generation information technology. By 2025, increase manufacturing quality, innovation, and labour productivity, develop globally competitive firms and industrial centres, reach an intermediate level of development on par with global industry, make significant technological breakthroughs, and set international standards by 2035. By 2049, lead worldwide manufacturing and innovation with a competitive position in advanced technology and industrial systems.

According to the report, China intends to achieve these goals through a variety of state-led industrial and related science and technology policies that include a heavy government role in directing and funding Chinese firms to acquire foreign technology and associated capabilities in areas where the US has long been a global leader and has substantial comparative advantages. Tax breaks to attract foreign production and R&D to China; standards, intellectual property, competition, and procurement policies to transfer foreign know-how to Chinese entities and use Chinese suppliers for critical components; requiring foreign firms to partner with Chinese entities; and acquisitions of strategic foreign companies to capitalise on their expertise, IP, and technology.

The analysis found that the US has prioritised Made in China 2025, leading to Section 301 tariffs, the 2020 Phase One trade deal, and increased law enforcement. The US has also established an agreement with the EU to restrict aeronautical technology transfers to China, implemented laws to enhance foreign investment review and export control agencies, and supported U.S. semiconductor and other technical capabilities.

The paper adds that Congress may take other actions to prevent China's initiatives from undermining American technological dominance and national and economic security. For example, lawmakers may examine the future of US-China technical relations and how trade, investment, and technology transfer may hurt American competitiveness. Congress might also assess whether current U.S. instruments and policies (export restrictions, foreign investment, etc.) have helped fight China's industrial policies and how China's dependence on particular U.S. capabilities improves U.S. power and provides choices for countering them.

[Download The Paper Right Now](#)

Combatting Bribery Efforts in the US

Sanctions for Foreign Bribery: \$15 Million

The Securities and Exchange Commission imposed a \$15 million civil penalty for a global corporation that violated the Foreign Corrupt Practices Act in a Guinea consultant bribery scam. According to an SEC press release, the company hired a close associate of a former senior Guinean government official as a consultant in 2011 without doing due diligence. The consultant represented the company without a contract. The SEC discovered that the consultant, acting as the firm's agent, promised and attempted to pay at least \$822,000 to a Guinean government official to help the company retain its mining rights in that country. According to the SEC, the company maintained its mining rights and paid the consultant \$10.5 million. The company lacked adequate internal accounting controls to detect or prevent wrongdoing, and none of the payments was adequately recorded in its books and records.

WTO

Plastics Pollution Dialogue to deliver MC13 results

Next year, the 13th Ministerial Conference (MC13) presents an opportunity for the WTO to deliver concrete, pragmatic, and practical results to reduce plastics pollution and address environmental concerns, according to participants at a March 13 meeting on the Dialogue Plastics Pollution and Environmentally Sustainable Plastics Trade. The Plastics Dialogue aims to find ways to improve trade cooperation within the WTO to reduce plastic pollution and help other groups' efforts. It will focus on making plastic trade flows, supply chains, and trade policies more transparent, improving regulatory cooperation with other international bodies, finding good trade policies and environmental mechanisms, and improving trade-related technical assistance for weak economies. Three workstreams will be made to move technical work forward: cross-cutting issues (like transparency and technical help), promoting trade to reduce plastic pollution, and lowering plastics to create a circular economy for plastics.

[Find Out More](#)

This Week's Supportive Documents

Subscribers to the FULL Edition will also get extra materials and instructions to aid their tasks and upgrades. Moreover, you may learn more about the topics covered in this week's Update by reviewing the factsheets, Q&As, PowerPoint presentations, Excel spreadsheets, reports, and notes. They are easily accessible through the email attachment and our secure website. In addition, you will get the following this week:

The Ireland/Northern Ireland Protocol Explainer Document for Customs Professionals

Minutes of the 10th EU-Korea Trade Committee

Overview of EU economic partnership agreements as of 01 March 2023

Overview FTA negotiations as of 01 March 2023

Helpline & Subscribers' Questions

Have you got a question and got a concern? Then, ADD ON the Helpline with your FULL subscription.

Did you know we offer a cost-effective helpline to answer all your customs questions with no time limits or restrictions?

Here is a question we answered this week:

"We are considering applying for IP as we import goods we process in the EU and then re-export – is this the best way to save customs duty?"

Our answer:

"IP is a good option if you are importing again and again. However, we recommend assessing the duty savings option for your company outside the IP structure.

This is advisable as the application and authorisation process of IP, plus the day-to-day running of the scheme is potentially labour- and time-intensive. We should explore, therefore, if there is an easier way to secure customs duty savings than these should be explored first. Only where any other (easier) method fails should IP be considered.

If you have any questions regarding our Helpline or our customs compliance services or would like to learn more about how they may benefit your company, please get in touch with us at info@customsmanager.org.

**CUSTOMS & GLOBAL TRADE
HELPLINE**

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No Timelimits
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<https://www.customsmanager.org/helpline>

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Provide Feedback and WIN!

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Our service offering in other languages

- Serviceangebot auf Deutsch: <https://www.customsmanager.org/zollexpertise>
- Informations sur l'offre de services: <https://www.customsmanager.org/expertiseendouane>

Job Postings & Send CV

You got a job you wish to advertise? Send your job posting here for free.

Email info@customsmanager.org to advertise a job.

Both current and aspiring customs professionals have our full support regarding their next professional step. Please get in touch with us if you are looking to change careers or if you have any openings. We will do everything in our power to connect you to the vast network of contacts to assist you in finding the next job or filling your open positions.

Email info@customsmanager.org with your CV to be listed here.

Events

3 April 2023 - Start of Diploma in Customs Competencies

The next cohort of students will start on 3 April 2023, and this is not a joke! The Diploma in Customs Competencies is Your Pathway to Becoming A Customs Professional (or an Expert if already experienced). This Diploma turns you into a custom professional ready to carry out all import and export processes and procedures in a compliant, efficient and effective way. It was developed based on the kitemark in customs competence, the EU Customs Competency Framework. Get 60 hours of Live Tutor Training + exam. To find out more and to ask for a course guide ->

<https://www.customsmanager.org/diploma-in-customs-competencies>

7 April 2023 – Intensive 1/2 Day Online Course: Origin of Goods & FTA

This course develops the competencies that professionals need to carry out activities required to determine the economic nationality of goods. Complete Competency Levels 1 and 2 of the EU Customs Competency Framework. (Course ID: OC07) -> [Find out more](#)

6 April 2023 – Intensive 1/2 Day Online Course: Course: Prohibitions, Restrictions & Licences (includes Export Controls & Sanctions)

This course develops the competencies professionals need to identify and manage prohibitions & restrictions (incl. export controls and sanctions). Complete Competency Levels 1 and 2 of the EU Customs Competency Framework. (Course ID: OC08+22) -> [Find out more](#)

25-26 May 2023 - European Customs Practitioners' Conference, Vilnius, Lithuania

Law. Technologies. EU-UK TCA. Green cross-border trade. From the big picture to daily practice - for European importers, exporters and everyone involved in cross-border Trade. Let's meet in **Vilnius, Lithuania, on May 25-26, 2023!** Online attendance is also possible. Registration will start on January 20, 2023. The registration form and all the related information will be available on the LCPA website. The conference, including all materials, will be held in English. Simultaneous translation into Lithuanian and Russian (the working language in Central Asia) will be provided on the first day of the conference. The second day will be held in English only.

How to Empower Yourself and Your Team

Part of our suite of solutions to empower customs managers, our Trade Intelligence update allows global trade professionals to save time and free up skilled staff to carry out more strategic tasks. Subscribers or current clients receive a professionally curated compilation of legislative changes that occurred in the prior week, created by experienced trade specialists and quality assessed before release.

Readers can rest assured that they have not missed any updates. In addition, subscribers can save time by forgiving to scan through floods of marketing emails and blog entries and instead focusing on operational performance and long-term profitability.

Step 1: Trail the Free Version + Share it with You Team and Collect feedback

Following or visiting our Linked in Page means you get to download the accessible version of this Update every week –to thank you for following us. However, this version does not include live links or supportive documents. Please review <https://www.customsmanager.org/trade-intelligence> for details

Step 2: Upgrade to the Full Version for You and Your Team

To empower yourself, get the FULL version to receive this Update with live links and additional supporting documentation. Also, get all your team members on their FULL plan to benefit from live links and other documentation. Please visit <https://www.customsmanager.org/trade-intelligence-upgrade> for details and get in touch for a bespoke quote.

Step 3: Add Helpline for You and Your Team

A phone call or chat is a helping hand to support you with any question. Add “Helpline\$” to your entire subscription and allow your customs and global team to tap into expert knowledge whenever you need. Please email info@customsmanager.org for details.

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