

2021

Volume 3, Issue 4

TRADE NEWS SNAPSHOT



P1

EAC's Corner

WRO - Silica-Based Products

USMCA Environmental Provisions

New on @CBPTradeGov

CBP Trade in the News

P2

CBP Trade Director UL Interview

COAC

CBP-Chamber of Commerce MOU

Latest Trade Federal Register Notices

New CSMS Messages



CBP.gov/Trade
@CBPTradeGov



Greetings all! I am truly honored to be the new Executive Assistant Commissioner for the U.S. Customs and Border Protection (CBP) Office of Trade. I have always had a passion for our trade mission, and I am thrilled to be able to work in this portfolio full time. I'm no stranger to CBP. I'm originally from California, which is where I started my U.S. Customs career as a staff attorney. I've been privileged to grow and evolve with CBP across the entire span of my career, and in 2020 I had the opportunity to serve as the Acting Chief Counsel for U.S. Citizenship and Immigration Services. I can assure you that while I am new to the Office of Trade, I am very familiar with Customs Law, and eager to help shape the direction of CBP's trade mission going forward. I know how extremely crucial our partnerships with the private sector are to ensuring our mission's success, and I am grateful to all of you for your commitment to working with us.

-Executive Assistant Commissioner AnnMarie Highsmith

New Withhold Release Order on Silica-Based Products Made by Forced Labor in Xinjiang

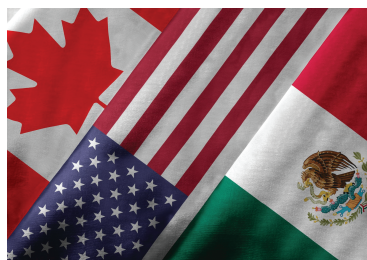
Secretary of Homeland Security Alejandro N. Mayorkas announced that DHS's CBP issued Withhold Release Order against Hoshine Silicon Industry Co. Ltd., a company located in China's Xinjiang Uyghur Autonomous Region. The Withhold Release Order instructs CBP personnel at all U.S. ports of entry to immediately begin to detain shipments containing silica-based products made by Hoshine and its subsidiaries.

"As President Biden made clear at the recent G7 summit, the United States will not tolerate modern-day slavery in our supply chains," said Secretary Mayorkas. "This Withhold Release Order demonstrates we continue to protect human rights and international labor standards and promote a more fair and competitive global marketplace by fulfilling the Biden-Harris Administration's commitment to ending forced labor."

The Withhold Release Order applies to silica-based products made by Hoshine and its subsidiaries as well as to materials and goods (such as polysilicon) derived from or produced using those silica-based products. Silica is a raw material that is used to make components for solar panels, electronics, and other goods. [Learn more.](#)



USMCA Environmental Provisions



Wildlife and timber trafficking, air quality, and illegal fishing – these aren't topics that typically come to mind when thinking of CBP's mission to keep dangerous goods from entering the U.S. commerce. But they should. Chapter 24 of the U.S.-Mexico-Canada Agreement (USMCA) strengthens the agency's ability to investigate and prosecute environmental crimes alongside its international partners by providing a comprehensive set of enforceable environmental obligations, which combat trafficking in wildlife, timber, and fish. In support of the USMCA environmental provisions, CBP is a part of the Interagency Environment Committee for Monitoring and Enforcement, an interagency body that facilitates a coordinated and strategic implementation approach of Chapter 24

across U.S. government entities. CBP looks forward to collaborating with the agency's international, private, and public partners to help protect the environment while ensuring against the entry of illegal goods that pose a threat to legitimate American businesses. [Learn more.](#)

Popular on @CBPTradeGov

- 6/3: #CBPTrade would like to warmly welcome our new Executive Assistant Commissioner, AnnMarie Highsmith and our new Deputy Executive Assistant Commissioner, John Leonard. Both have extensive trade experience and will work to advance our important trade mission at @CBP. #TradeMatters
- 6/15: If it seems too good to be true, it probably is! Don't purchase counterfeits, which are often harmful to consumers. <https://go.usa.gov/x6kHb> #CBPTrade #FakeGoodsRealDangers #TheTruthBehindCounterfeits
- 7/8: #DYK that on a typical day at @CBP, we will seize \$3.6 million worth of products with Intellectual Property Rights violations? Learn more about how we enforce IPR at <http://go.usa.gov/x6G5W>. #CBPTrade #TradeMatters

CBPTrade in the News

- [How the U.S. uses trade to deter forced labor – US Embassy Italy – 6/16](#)
- [Borderlands: Trade experts take stock on USMCA's first anniversary – FreightWaves – 6/27](#)
- [U.S. adds 14 Chinese companies, to economic blacklist over Xinjiang – CNBC – 7/10](#)

The Trade News Snapshot is a monthly newsletter from the Office of Trade highlighting important programs, information, and updates for our trade partners and the public.

CBP Publication No. 1508-0721



Office of Trade's Laurie Dempsey Interviewed by Underwriters Laboratories

As part of Underwriters Laboratories' (UL) 2021 World Anti-Counterfeiting Campaign, *BeSafeBuyReal*, UL's Director of Education and Outreach, Monica Mena interviewed CBP's Director of Intellectual Property Rights (IPR) and E-commerce Division Laurie Dempsey on how counterfeiters have been taking advantage of the pandemic to spread fraudulent goods.

Monica Mena: Thanks for finding the time in your, I'm sure, very busy schedule to talk to us today. The BeSafeBuyReal awareness campaign is focusing on the topic of Human Health this spring and I'd love to get your view on this based on your work for CBP. So can you start by telling us about your position within CBP and how that fits into the agency at large?

Laurie Dempsey: Thank you Monica! And thank you for giving me this chance to talk to you today. I am the Director for IPR and E-commerce Division at the Office of Trade within CBP. CBP is the main federal agency responsible for securing America's borders. We have an extensive mission set with everything from counterterrorism to facilitating lawful travel and trade, and protecting the revenue. One key area of focus when it comes to international trade is protecting against harm to the U.S. economy, and protecting American consumers' health and safety. So this makes enforcing laws on intellectual property one of CBP's key priorities, or put more simply: making sure we keep counterfeit goods out of our country.

Monica Mena: Great. So the number one health issue right now on people's minds is the pandemic. People are scared or unsure, and the counterfeiters are really exploiting that right now. So what products have you seen counterfeited the most? And can you give us some current numbers?

Laurie Dempsey: You make a really good point Monica. We understood from the beginning of the pandemic that bad actors would exploit consumer demand for things like personal protective equipment, or PPE, pharmaceuticals and household cleaners, to sell unauthorized or counterfeit versions of these items to Americans. Above is a small portion of the interview and the full version is [available here](#).

CBP Acting Commissioner Miller Hosts Last COAC 15th Term COAC Meeting

Members of the 15th term Commercial Customs Operations Advisory Committee, known as COAC, convened virtually for their last public meeting on June 23, signaling a time of endings and new beginnings.

"This is the final meeting of the 15th COAC and there are 12 of us who will be jumping off and handing the baton to the next team for the 16th term," said Lenny Feldman, one of the COAC trade co-chairs and a senior member of the Sandler, Travis, & Rosenberg law firm. "We've been at this for six years, which really is unprecedented. The Trade Facilitation and Trade Enforcement Act gave the option of extending the terms for COAC members from two to three years, and we were blessed to have the opportunity to serve since April 2015."

Miller also welcomed AnnMarie Highsmith as the new Executive Assistant Commissioner of CBP's Office of Trade. Highsmith joined the U.S. Customs Service as a staff attorney in 1992, at the start of her legal career. She later served as CBP's Associate Chief Counsel for Trade and Finance, and was the principal legal advisor for CBP on all matters involving Customs laws and their impact on trade. Highsmith was then promoted to the position of Deputy Chief Counsel for CBP. "We are lucky to have someone of your expertise leading our trade efforts," said Miller. "It's safe to say, the Office of Trade continues to be in good hands." [Learn more](#).

CBP and U.S. Chamber of Commerce Partner to Combat Counterfeit Goods



CBP and the U.S. Chamber of Commerce announced a joint initiative on May 27 to prevent the importation of counterfeit and pirated goods.

CBP Executive Assistant Commissioner William A.

Ferrara and U.S. Chamber of Commerce President and Chief Executive Officer Suzanne Clark signed a Memorandum of Understanding (MOU) on information sharing to enhance intellectual property rights enforcement.

"This Memorandum of Understanding establishes a first-of-its-kind framework for public-private collaboration on combating counterfeit and pirated goods," said William A. Ferrara, CBP Executive Assistant Commissioner for the Office of Field Operations.

In the memorandum, CBP and the U.S. Chamber of Commerce express their intent to enhance the exchange of information concerning known or suspected intellectual property rights violations. The partners also intend to conduct joint training and outreach events to improve public awareness of efforts to disrupt the trade in counterfeit and pirated goods. [Learn more](#).

Latest Trade Federal Register Notices

- 86 FR 35422: [Non-Preferential Origin Determinations for Merchandise Imported From Canada or Mexico for Implementation of USMCA](#)
- 86 FR 35566: [USMCA Implementing Regulations Related to the Marking Rules, Tariff-Rate Quotas, and Other USMCA Provisions](#)
- 86 FR 34029: [Application To Use Automated Commercial Environment \(ACE\)](#)

New Cargo System Messaging Service Updates

- [CSMS #48726565 - Updated ACE Development and Deployment Schedule Posted to CBP.gov/ACE](#)
- [CSMS #48668266 - Updated Cargo Release Error Codes Document is Available on CBP.gov](#)
- [CSMS #48656070 - Sporadic MQ Connection for Limited Number of Trade Partners](#)
- [CSMS #48706843 - CBP 2021 Virtual Trade Week – July 20-22](#)