

# 2022

Volume 4, Issue 1

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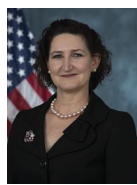
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Another year has come and gone. Here we are in mid-winter, pondering what we can accomplish in the months ahead. With efforts underway to revise and update laws governing international trade, you might say the world is our oyster. The Office of Trade is increasingly active on an international scale while here at home we are leading American's trade-related security, enforcement, and facilitation activities to protect U.S. lives, businesses, and jobs. With two brand new forced labor Findings, a new Withhold Release Order (WRO), Congressional action, such as the Uyghur Forced Labor Prevention Act, we are stepping up our game to combat forced labor, environmental crimes, and fee evasion. Meanwhile, we continue our modernization efforts and proudly released our interactive Intellectual Property Rights (IPR) dashboard with innovative sorting features. We continue to expand our partnerships with the trade community and other agencies — all with the objectives of enhancing scrutiny of U.S.-bound supply chains and leveling the playing field for U.S. businesses. Here's to an exciting beginning to the new year, and I can't wait to see what else we can accomplish together in the months ahead!

-AnnMarie Highsmith, Executive Assistant Commissioner, Office of Trade

### Department of Homeland Security, CBP Issue Two More Forced Labor Findings

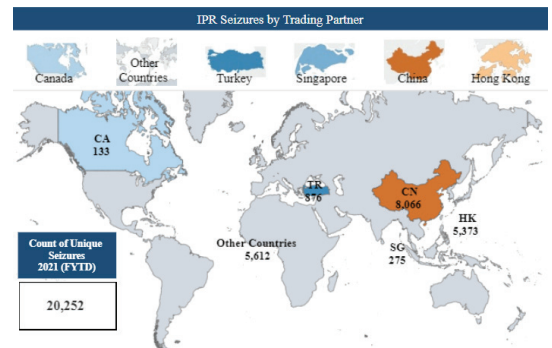
#### CBP to Seize Certain Palm Oil and Seafood Imports at All U.S. Ports of Entry

Based on two new Findings issued Jan. 28, CBP personnel at all U.S. ports of entry will seize palm oil and derivative products produced by the Malaysian company Sime Darby Plantation Berhad (Sime Darby), including its subsidiaries and joint ventures. CBP will also seize seafood harvested by the Vanuatu-flagged fishing vessel, Da Wang, which is owned and operated by the Taiwanese company, Yong Feng Fishery Ltd.

Two new Findings were issued in consultation with the Secretary of Homeland Security and published in the Customs Bulletin and the Federal Register. CBP has determined Sime Darby uses forced labor in the production of the fruit used to produce palm oil and Da Wang uses forced labor to harvest seafood that is being or is likely to be imported into the U.S. These findings relate to WROs issued in the past: CBP issued a WRO on Dec. 30, 2020, on palm oil and products containing palm oil traceable to Sime Darby, and a WRO against seafood harvested by the Da Wang, a Vanuatu-flagged Taiwan-owned distant water fishing vessel. Read the [press release](#).

### CBP Launches New Interactive Intellectual Property Rights Dashboard

CBP launched its new interactive [Intellectual Property Rights \(IPR\) Dashboard](#), a publicly available resource that allows users access to IPR seizure information aggregated by volume and Manufacturer's Suggested Retail Price (MSRP). It includes filters for fiscal year, product category, Centers of Excellence and Expertise, and mode of transportation, and features an interactive world map showing IPR seizures by country of origin. Beginning with the first quarter of fiscal year 2021, CBP will update IPR seizure statistics quarterly. Better visibility into IPR seizure statistics will increase awareness of counterfeit and pirated goods that continues to threaten America's innovation economy, the competitiveness of U.S. businesses, national security, and, in some cases, the health and safety of consumers.



### Popular on @CBPTradeGov

- 1/1: January is National Human Trafficking Prevention Month. Follow us for info on @CBP's efforts to take on #ForcedLabor and learn what you can do to help stop trafficking. <http://go.usa.gov/xt3Cs> #EndTrafficking
- 1/10: Many human trafficking victims are subject to #ForcedLabor. Learn about @CBP's efforts in this area and how you can help: <http://www.cbp.gov/trade/forced-labor> #EndTrafficking
- 1/11: It's #WearBlueDay. #CBPTrade joins @DHSgov and @DHSBlueCampaign in wearing blue to raise awareness of human trafficking. To learn more about this important issue, visit <http://go.usa.gov/xtKj>

### CBPTrade in the News

- CBP Issues Guidance on EU Section 232 Tariff Rate Quotas on Imports of Aluminum and Steel Articles – *NewsEdge* – 1/3/22
- The Uyghur Forced Labor Prevention Act Goes Into Effect in the United States – *GibsonDunn.com* – 1/14/22
- Customs and Border Protection Issues Third Withhold Release Order (WRO) on Disposable Gloves from Malaysia – *Crowell Morning* – 12/22/21

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.

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## CBP Issues WRO for Disposable Gloves Produced by YTY Group in Malaysia

On Jan. 28, CBP issued a WRO for disposable gloves produced by entities comprising YTY Industry Holdings Sdn Bhd, including YTY Industry Sdn Bhd, Green Prospect Sdn Bhd, and GP Lumut. The WRO was issued based on information that reasonably indicates the use of forced labor in the group's manufacturing operations, including 7 of the 11 indicators of forced labor as defined by the International Labour Organization. "I am proud of the meticulous work that our forced labor team puts into investigating cases of forced labor around the world," said CBP Office of Trade Executive Assistant Commissioner, AnnMarie R. Highsmith. "Their dedication in cases such as this helps improve the working conditions of countless individuals across the world." Read the [press release](#) for more information or go to the [Forced Labor WRO/Findings page](#).

## Border Interagency Executive Council Issues First Report Card

The Border Interagency Executive Council (BIEC) first Report Card highlights the interagency working group accomplishments since it was established in February 2014. The BIEC, an executive advisory board and decision-making body, was created to enhance coordination across federal agencies with border management authority, measurably improve supply chain processes, and identify illicit and noncompliant shipments. The BIEC's accomplishments include:

**Automated Commercial Environment (ACE):** Integrated business and regulatory requirements for 49 Partner Government Agencies (PGAs); eliminated 269 PGA paper documents; achieved 69 % ACE user satisfaction in calendar year 2021; and saved the trade industry 61 % more in fiscal year (FY) 2021 than the previous year.

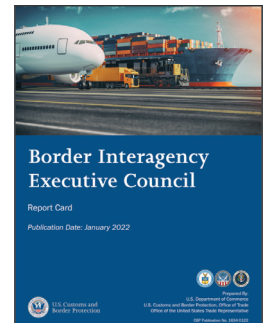
**Global Business Identifier (GBI):** Evaluated eight alternative entity identifiers; received six formal letters of support from BIEC PGAs. Received 17 recommendations from the Commercial Customs Operations Advisory Committee (COAC) one U.S. Government (1USG) Working Group (WG); implemented seven of those recommendations; identified 25 U.S. government entity identification systems that may be streamlined by the GBI based on common data attributes collected.

**Single Window Sustainment:** Conducted 15 Planned Pay-As-You-Go (PAYGO) sessions; received 144 requests for development through the Planned PAYGO process; and completed technical development for 48 development requests.

**General BIEC Initiatives:** Proposed six potential initiatives at the 2014 BIEC priorities table-top exercise, and another 18 recommendations at the 2019 BIEC misclassified table-top exercise; and held 11 BIEC principals meetings and over 100 BIEC working-level meetings.

**1USG International Mail Initiative (IMI):** Total inbound mail volume of items containing goods in FY 2021 was over 148.6 million, a 64.4% decline since FY 2020. IMI kicked off with support from 12 PGAs and documented end-to-end 1USG mail process flow and baselined interagency access to advance electronic mail data.

**Trade Industry Engagement:** The COAC 1USG WG was established in July 2019 and has convened 23 times. It engages the trade community about PGA message sets, entry requirements, and policies, and serves as a conduit to the BIEC, providing regular input on initiatives such as the GBI and ACE enhancement efforts. [Read the entire report.](#)



## Court Victory for Office of Trade

On Dec. 30, 2021, the U.S. Court of International Trade granted the government's motion for summary judgement in favor of the Office of Trade on one count and dismissed another in Porsche Motorsports North America vs. United States. The win is a result of six years of hard work and collaboration by the Office of Trade and the CBP Office of Chief Counsel. The ruling sets a legal precedent for similar cases in the future, ensuring that companies attempting to sell certain types of products abroad (in this case, a trailer full of automotive parts inventory), must pay duties upon re-importation into the U.S. As a result of this win, CBP will recoup approximately \$120,000 in duties, and CBP and DOJ attorneys will be able to use this case to support future legal arguments, ensuring that CBP is able to collect the duties rightfully owed the U.S. government. [Read more.](#)

## National Human Trafficking Prevention Month Wraps Up for 2022

In the final days of National Human Trafficking Prevention Month, the Office of Trade added two forced labor Findings and a WRO to its arsenal. The national public awareness campaign is designed to educate the public, law enforcement, and other industry partners about human trafficking. DHS, CBP's parent agency, announced it is [seeking public input](#) on efforts to prohibit goods being imported into the U.S. that are produced with forced labor in the People's Republic of China, including the Xinjiang Uyghur Autonomous Region. CBP Commissioner Chris Magnus vowed, "We will again dedicate significant resources to rooting out the evil and inhumane practice of forced labor." Get [more information](#) on what CBP is doing to combat forced labor.

### Latest Trade Federal Register Notices

- [Request for Information](#); 86 FR 72612 (Dec. 22, 2021)
- [Automated Commercial Environment \(ACE\) Export Manifest for Air Cargo Test: Extension of Test](#); 86 FR 72610 (Dec. 22, 2021)
- [Argentina Beef Imports Approved for the Electronic Certification System \(eCERT\)](#); 87 FR 2172 (Jan. 13, 2022)
- [New Zealand Beef Imports Approved for the Electronic Certification System](#); 87 FR 1771 (Jan. 12, 2022)
- [Screening Requirements for Carriers](#); 87 FR 2888 (Jan. 19, 2022)

### New Cargo System Messaging Service Updates

- [CSMS #5053627](#) – Guidance: European Union (EUU) Section 232 Tariff Rate Quota on Aluminum and Steel Articles and Exempting EU from Derivative Duties: Dec. 29, 2021
- [CSMS #50666399](#) – FDA to Reject Entry Data When It Contradicts with the Entry Type – Update: Jan. 11, 2022
- [CSMS #50658821](#) – Updated ACE Development and Deployment Schedule Posted to CBP.gov/ACE: Jan. 10, 2022
- [CSMS #50574517](#) – Termination of Ethiopia, Guinea, and Mali from the African Growth Opportunity Act (AGOA) Program: Jan. 3, 2022