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CBPTRADE



We had a busy summer at the Office of Trade. Our Forced Labor Division continues to investigate forced labor violations in U.S. supply chains and has issued five Withhold Release Orders this month, preventing these goods from entering U.S. commerce. I also had the pleasure of being a keynote speaker during U.S. Customs and Border Protection's (CBP) first Virtual Trade Week, proof of our resilience as a community and that even a pandemic can't keep us apart. I am always amazed at what we can accomplish by leveraging new technology. The pandemic continues, but our dedication to the trade mission remains steadfast and we will continue to find new, innovative solutions to adapt to our current circumstances.

-Brenda Smith, Executive Assistant Commissioner, Office of Trade

CBP's First Virtual Trade Week

Thousands of participants from the trade community and various members of government agencies attended CBP's first Virtual Trade Week, comprised of five separate panel discussions. Beginning September 8, CBP proved the agency's commitment to ongoing and open communication, despite the challenges presented by the COVID-19 pandemic. The five interactive panels, including subject matter experts in both the public and private sector, provided varying perspectives and critical information on some of the most important topics and trends facing the trade community today.

These topics included implementation of and compliance with the new U.S.-Mexico-Canada Agreement (USMCA), CBP enforcement efforts combating forced labor, the Customs Trade Partnership Against Terrorism, e-Commerce, and the 21st Century Customs Framework. Keynote speakers included CBP's Acting Commissioner Mark Morgan, Deputy Commissioner Robert Perez, and Executive Assistant Commissioners Brenda Smith and William Ferrara.

Kicking off the event, Acting Commissioner Morgan addressed more than 2,500 members of the trade community, highlighting the current state of trade at CBP and emphasizing the agency's various collaborative partnerships. Deputy Executive Assistant Commissioner Cynthia Whittenburg facilitated the week's first panel on USMCA. Panelists, including representatives from the governments of Mexico and Canada, provided an overview of resources in all three partnering countries meant to facilitate compliance of the new agreement.

Discussions on forced labor included individuals from both the private and public sector, including a congressional staff member, Ambassador-at-Large John Cotton Richmond, and representatives from non-profit and for-profit entities. Panelists highlighted the complexity and scope of forced labor as a pervasive practice that takes place around the world, sharing their own experience, challenges, and recommendations for a path forward to upholding the dignity and rights of workers around the world. CBP's Executive Director of the Trade Remedy and Law Enforcement Directorate, Ana Hinojosa, provided key insight into CBP's unique governing authorities to combat forced labor, and information on how the agency works with interagency and private partners to enforce forced labor laws to protect the American economy from these inhumane and unfair business practices. Panelists emphasized the necessity to eliminate forced labor not only from a humanitarian perspective, but also to safeguard American businesses from having to compete against below-market prices produced using these practices.

Other panel discussions centered on the Customs Trade Partnership Against Terrorism and e-Commerce. The latter panel included representatives from the CBP trade mission, a congressional advisor, and a customs broker and provided an in-depth account of the Entry Type 86 and Section 321 pilot programs and the agency's predictions of future development in the e-Commerce arena.

CBP ended the conference with a look towards the future, with the 21st Century Customs Framework panel moderated by Director Travis Skinner. During this session, participants discussed how the future of trade is in information and how information collection will affect the future of customs and trade practices.

Missed any of the sessions? One pagers on the sessions and additional resources are available on CBP.gov.

New on @CBPTradeGov

9/9: "CBP cannot combat the importation of goods made with forced labor alone... we also need U.S. businesses to proactively monitor their supply chains to mitigate and address the risk of importing goods produced with forced labor." EAC Smith, Virtual Trade Week Keynote #2020CBPTW

9/14: .@CBP announced five Withhold Release Orders on products from China due to evidence of #ForcedLabor: <http://bit.ly/3mZE6g>



CBPTrade in the News

- U.S. halts imports linked to Taiwan-based fishing vessel – *Washington Post* – 8/20
- HSToday Executive Leadership Interview: CBP's Brenda Brockman Smith on Trade and Security – *HS Today* – 8/28
- New USMCA trade deal could increase demand for nearshoring in Mexico – *Freightwaves* – 9/8

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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U.S. Customs and Border Protection

NEW CHINA WITHHOLD RELEASE ORDERS

- 1 - **Hair Products** from Lop County Industrial Park Xinjiang, China
- 2 - **All Products** from Lop County No. 4 Vocational Skills Education and Training Center in Xinjiang, China
- 3 - **Apparel** from Yili Zhuowan Garment Manufacturing Co Ltd and Baoding LYSZD Trade and Business Co Ltd Xinjiang, China
- 4 - **Computer parts** from Hefei Bitland Anhui, China
- 5 - **Cotton & Textiles** from Junggar Cotton and Linen Co. Ltd. Xinjiang, China

DHS Cracks Down on Goods Produced by Forced Labor in China

CBP issued five Withhold Release Orders (WRO) on September 14 on products from the People's Republic of China. The products subject to the WROs are produced with forced labor in the Xinjiang Uyghur Autonomous Region, where the Chinese government is engaged in systemic human rights abuses against the Uyghur people and other ethnic and religious minorities.

"By taking this action, DHS is combating illegal and inhumane forced labor, a type of modern slavery, used to make goods that the Chinese government then tries to import into the United States. When China attempts to import these goods into our supply chains, it also

disadvantages American workers and businesses," said Acting DHS Deputy Secretary Ken Cuccinelli.

In Fiscal Year 2020, CBP has issued an unprecedented 12 WROs in a single fiscal year, including 8 WROs on products from China. All WROs are publicly available and listed by country on [CBP's Forced Labor Withhold Release Orders and Findings webpage](#).

Read more [here](#).

CBP Collects \$575,000 from Pure Circle U.S.A. for Stevia Imports Made with Forced Labor

This is the first penalty issued by CBP for imports made with forced labor since the passage of the Trade Facilitation and Trade Enforcement Act of 2015. The action demonstrates another enforcement tool in CBP's ongoing effort to prevent goods made with forced labor from entering the United States. [Read more here](#).

EAC Smith on the Women in Trade Podcast

EAC Smith shared her insight on the field of international trade in an interview with the Women in Trade podcast, a podcast for up and coming professionals in the trade community. The 45 minute discussion with the podcast's host, Kellie Kemock, covered EAC Smith's career progression, education, experience, and the advice she leads with and lives by. [Listen to the episode here](#).

Certification of Origin Template

Most free trade agreements can be supported by a certification attesting to the imported product's originating status, known as a Certification of Origin. CBP posted a new PDF that demonstrates how such a Certification of Origin can be structured. The use of this template is not mandatory; however it does provide all of the data elements that must be provided upon request to CBP in connection with a claim for preferential tariff treatment. [Access it here](#).

CBP Enhances Accountability in E-Commerce through Ruling on Duty Exemptions for Low-Value Shipments

CBP issued an administrative ruling to clarify the duty-free exemption status of certain low-value shipments sent to U.S. fulfillment centers and domestic warehouses. The ruling enhances accountability in the e-Commerce environment while strengthening CBP's ability to identify counterfeit goods, consumer safety violations, and other threats to U.S. consumers and commerce.

CBP Issues Detention Order on Seafood Harvested with Forced Labor

Effective August 18 at all U.S. ports of entry, CBP will detain seafood harvested by the Da Wang, a Vanuatu-flagged, Taiwan-owned distant water fishing vessel. Brenda Smith, the Executive Assistant Commissioner of the Office of Trade directed the issuance of a Withhold Release Order against seafood harvested by the Da Wang based on information that reasonably indicates the use of forced labor, including physical violence, debt bondage, withholding of wages, and abusive living and working conditions. [Read more here](#).

Latest Trade Federal Register Notices

- 85 FR 50830 - Entry and Manifest of Merchandise Free of Duty, Carrier's Certificate of Release
- 85 FR 53013 - Customs Regulations Pertaining to Customhouse Brokers
- 85 FR 54588 - Request for Applicants for Appointment to the Commercial Customs Operations Advisory Committee
- 85 FR 55469 - Bonded Warehouse Regulations

New Cargo System Messaging Service Updates

- CSMS #44016918 - Section 301 Tranche 4A - \$300B Product Exclusion Extensions
- CSMS #43956557 - CBP 2020 Q4 Absolute Quota Section 232 Quota Limits
- CSMS #43956709 - Information on Enhancements to ITRAC Data
- CSMS #43826143 - Information on Deployment of Updates to ACE Truck Manifest Functionality