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CBP Informed Compliance Letters Cause for Audit Concern (From our friends at Sandler, Travis)

U.S. Customs and Border Protection is increasing its enforcement efforts by targeting importers it suspects may have compliance deficiencies.

For the past several weeks, members of the importing community have been receiving letters from CBP with the subject line, “Distribution of Informed Compliance Publications and Other Informative Documents.” According to high-ranking CBP officials, importers that receive these letters should be concerned that the government believes they are experiencing specific problems with import compliance.

The so-called “informed compliance letters” include a list of CBP informed compliance publications (ICPs), are accompanied by a DVD containing the ICPs listed and review the criteria for submitting prior disclosures to CBP. Further, the letters “strongly encourage” importers to “proactively monitor their transactional data in the ACE Secure Data Portal and evaluate whether there are any significant errors/discrepancies that should be voluntarily reported to CBP.” If you receive such a letter, you should contact us immediately. For more info, please go to

<http://www.strtrade.com/news-publications-informed-compliance-letters-audit-customs-080916.html>

Sanctions on Iran & Cuba are still in place (Reminder)

While the Obama administration has entered into negotiations with both countries to increase trade, most sanctions are still in place, and importing from either country is still prohibited in all but a few cases. Please contact us regarding your specific commodities before attempting any imports from Iran or Cuba.

FDA Amends Food Facility Registration Requirements (From Sandler Travis)

The Food and Drug Administration has made a number of changes to the system through which foreign and domestic food facilities that manufacture,

process, pack or hold food for consumption in the U.S. register with the FDA. These changes include a number of new requirements as well as codification of some requirements already in effect under the Food Safety Modernization Act. The rule is effective Sept. 12 although some of these changes will not enter into force until 2020. For more info, please go to

<http://www.strtrade.com/news-publications-food-facility-registration-071416.html>

FDA Publishes Final Rule for Food Facility US Agent Registrations

(From NCBFAA)

In addition to the above article, and with the biennial food facility registration due later this year, the FDA finalized its rules governing the registrations. The FDA responded favorably to NCBFAA comments about the need to confirm the U.S. Agent for foreign food facilities. Often, foreign food facilities identify a customs broker as their agent on the registration, without the customs broker's knowledge or consent. Since the U.S. agent is now the party responsible for paying the cost of the foreign facility's reinspection costs, this lack of awareness by a potential agent has been a concern. Under FDA's final rule, the FDA will not issue a registration to the foreign facility until the U.S. agent affirmatively responds to an email from FDA that it has agreed to serve in that capacity. The FDA also plans to create a U.S. agent electronic registry, where a U.S. agent can register directly with FDA, providing a list of foreign facilities for which it will serve as the U.S. agent.

The FDA also deferred until October 1, 2020, the requirement for a food facility to include a Unique Facility Identifier, such as a D-U-N-S number on their registration. Further guidance is expected on what identifiers will be acceptable. Please contact us if you have any questions.

Please visit our website at

www.lhcb.com

for additional and updated information and contact us with any questions.

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