

Jul 2016

Certified weights (VGM) requirements under SOLAS now in effect
(Reminder)

Effective July 1, 2016, shippers were required to provide carriers with certified weight documentation in the form of weight tickets or other types of documentation that is generated by state certified, calibrated weight scales. Shippers must weigh their containers in one of two ways:

- Weigh the loaded container; or
- Weigh the individual pieces of cargo and add container tare weight.

In either case, the weights must be obtained on appropriately certified scales. Also, the shipper of the container must ensure that the verified gross mass is declared on the accompanying shipping document. In order for the document to be validated and accepted, it must be:

- Signed by a person duly authorized by the shipper; and
- Submitted to the carrier sufficiently in advance, as required by the carrier, to be used in the preparation of the stowage plan.

Please make note that in the event the container is tendered without the required weight certificate, it is likely that the carrier will reject it or send it out for weighing, and any noncompliance will likely result in significant additional costs to the shipper.

The NCBFAA has made public its SOLAS/VGM information accumulated to date, and shippers may access it at on the NCBFAA website at

http://www.ncbfaa.org/Scripts/4Disapi.dll/4DCGI/cms/review.html?Action=CMS_Document&DocID=19025&MenuKey=about

PLEASE REMEMBER, however, that this information is posted without any representation that it is timely, accurate or complete. The NCBFAA is only able to post whatever information it receives so that it is possible that the carriers, vendors, logistics companies, or ports will have more current information.

Brexit will affect YOU! Sandler Travis has current information

After the somewhat unexpected results of the June 23 referendum, the United Kingdom voted to terminate its more than 40-year membership in the European Union. However, Brexit itself will not take effect for at least two years and possibly longer. GREAT uncertainty looms in the meantime. Much work lies ahead, during which time it will be important for companies to conduct thoughtful analyses and make reasoned decisions concerning potential impacts, future business operations and continued trade compliance. To help assess how Brexit will impact your business, Sandler Travis has EXCELLENT current information at

<http://www.strtrade.com/f-brexit-info-hub.html>

This will also affect Customs decisions on commodities from the UK. For more info on this, please go to

<http://www.strtrade.com/news-publications-Brexit-customs-decisions-071116.html>

HTSUS updates and PGA changes

The International Trade Commission is responsible for updating the Harmonized Tariff Schedule (HTSUS) periodically, usually twice a year though it can be more frequently. These changes historically have been minimal, numbering in the dozens, and major changes are usually known well in advance. This was not the case in the recent July 1, 2016, tariff update where many hundreds of changes were made. While we make every effort to apprise you of coming changes, it is the importer of record's responsibility to be aware of all changes that will affect the importation of your commodities: HTSUS updates, Customs rulings, participating government agency (PGA) regulation changes, etc. We cannot be responsible for impact these changes may have on you, but you can engage a service that can track your commodities and keep you abreast of such coming changes. Please contact our office if you need our help in contacting a tracking service.

Change to returned US goods (9801) (From AIFBA & Pike Law Firm)

Damon Pike, a local customs attorney, presented to our local broker association a major change to 9801 entries: they no longer have to be US

origin, but they must have been exported from the US within the last 3 years. Proof of exportation, of course, is required. This can best be done with the export BOL, invoice, and packing list. If you have a lot of 9801 entries, we suggest you put an identifying number (eg., P.O. number) on the export invoice. This change became effective this past April 24, so if you had returns of foreign origin and can prove export from the US within the last 3 years, please let us know so we can file a post summary correction.

L.A./Long Beach terminal operators to increase Traffic Mitigation Fee

(From American Shipper)

Marine terminal operators at the Ports of Los Angeles and Long Beach revealed Friday they will increase the Traffic Mitigation Fee (TMF), which is charged to shippers moving cargo through terminals in peak times during the day. The 13 terminals, members of the West Coast Marine Terminal Operators Agreement (WCMTOA), will increase the fee by 1.9 percent effective Aug. 8, from \$69.17 per TEU to \$70.49 per TEU, or \$140.98 per FEU. For more info, please go to

http://www.americanshipper.com/Main/ASD/LALong_Beach_terminal_operators_to_increase_Traffi_64597.aspx

FDA rule now includes electronic nicotine delivery systems (Reminder)

Previously, the FDA regulated cigarettes, cigarette tobacco, roll-your-own tobacco and smokeless tobacco, but recently, the FDA finalized a rule – [Deeming Tobacco Products To Be Subject to the Federal Food, Drug, and Cosmetic Act](#) – which extends the FDA’s authority to include the regulation of electronic nicotine delivery systems (such as e-cigarettes and vape pens), all cigars, hookah (waterpipe) tobacco, pipe tobacco and nicotine gels, among others. This final rule goes into effect on August 8, 2016. For more information, please go to

<http://www.fda.gov/TobaccoProducts/Labeling/RulesRegulationsGuidance/cm388395.htm>

Toxic Substances Control Act Reform Signed Into Law (From our friends at Sandler Travis)

President Obama signed into law June 22 the first significant overhaul of the Toxic Substances Control Act since its enactment 40 years ago. The Environmental Protection Agency said the new law includes a number of improvements to TSCA, including a mandatory requirement for the EPA to systematically prioritize and evaluate existing chemicals on a specific and enforceable schedule, a requirement for the EPA to evaluate the safety of chemicals based purely on the health risks they pose, increased public transparency for chemical information, and the authority for the EPA to collect up to \$25 million a year in user fees from chemical manufacturers and processors to pay for the improvements. For more info, please go to

<http://www.strtrade.com/news-publications-toxic-substances-control-act-reform-signed-062316.html>

[Ed. note: We do not yet know what new reporting requirements this will bring, but we are confident in stating there will be new requirements for all importers of chemicals]

Support for Trade Agreements Solid Among Swing Voters (From Sandler Travis)

Most respondents said they believe the benefits of trade agreements outweigh the costs and that global competition is more responsible for domestic job losses than trade agreements. For more results on this interesting survey, please go to

<http://www.strtrade.com/news-publications-trade-agreements-support-swing-voters-survey-062416.html>

Please visit our website at

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