



*“Working Together to Make Trade Work”*

## **OUTREACH October 7, 2013**

**Thank you for your membership in and work with NAEGA**

### **Member participation opportunity:**

- NAPPO Annual Meeting 2013 – Guelph, Ontario-Canada – October 28-November 1
- European Union Buyers Conference – Istanbul, Turkey – November 19-22

### **Action Reports**

- Indonesia – Deregulation of Soybean Imports
- U.S. – Government Shutdown
- Vietnam – NAEGA Comments on Draft Plant Health Law
- World – NAEGA Trip Reports

### **New Issues**

### **NAEGA Calendar and Member Notices**

- Upcoming Events and Notices for Members

## **NAEGA Member Participation Opportunity**

### **NAPPO Annual Meeting 2013 – Guelph, Ontario, October 28**

The 2013 North American Plant Protection Organization (NAPPO) annual meeting is scheduled for October 28, 2013 to November 1, 2013 at the Delta Hotel in Guelph, Ontario in Canada. More information will be coming soon. NAEGA is planning to participate. In addition to concerns with official plant protection regulation in Mexico, Canada and the U.S. expect to focus on the International Plant Protection Organization’s intentions regarding a standard for Phytosanitary Measures for International Grain Movements. Updates on the agenda are forthcoming at: <http://www.nappo.org/en/>

### **3<sup>rd</sup> European Union Buyers’ Conference – Istanbul, Turkey, November 19-22**

The USSEC has [announced](#) the 3<sup>rd</sup> European Union (EU) Buyers’ Conference will be held in Istanbul, Turkey on November 19-22. A list of the attendees can be found [here](#). For more information and an agenda, please contact Matt Magiera at [mmagiera@ct.ussec.org](mailto:mmagiera@ct.ussec.org).

***Full Details on Upcoming Events can be found in the Meetings & Events Section of the [NAEGA Member’s Only Page](#) and the [Personal Pages Website](#)***

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## Reports on NAEGA Actions

### Indonesia – Deregulation of Soybean Imports

NAEGA has worked with USDA-FAS, USSEC, and other stakeholders to encourage Indonesia to liberalize their trade policy on soybeans. Recently Indonesia has decided to deregulate soybean imports and waive import duties. The deregulations include elimination of import quotas, pre-shipment inspection, local soybean purchase requirements, and government-mandated sales at set prices for soybeans. The Indonesian government has also taken steps to temporarily remove the five percent duty on soybeans.

A copy of the USDA Gain Report on the issue can be found [here](#).

### U.S. – Government Shutdown

We continue to monitor the status of United States government operations in light of the reduction in activity related to a lack of appropriations for funding and actions tied to the potential to exceed the legal debt limit. Thus, far the impact on grain imports seems to be minimal. Many of the “.gov” websites including USDA have been shut down. Two public hearings related to NAEGA’s interests have been postponed: 1. A U.S. Trade Representative’s (USTR) hearing on China’s compliance with WTO commitments (originally scheduled for October 4, 2013) and 2. The U.S. International Trade Commission’s (ITC) hearing on trade barriers that disproportionately affect small and medium-sized businesses that export to the European Union (EU).

On October 1 NAEGA reported on the process of orderly shutdown of nonessential operations. Noting many staff will be furloughed pending reinstatement of funding and will not be available by phone or email, activities key export operations will continue because they are financed through available funding (e.g., user fees, trust funds).

FGIS and APHIS services which are funded by user fees they should continue. FGIS leadership has personally and unequivocally assured us that they would continue to provide for official weights and grades for export. APHIS is in the same position for phytos (which for the most part for grains and oilseeds are issued by FGIS under a cooperative agreement with APHIS).

Here are the applicable sections from each agencies shutdown plan as issued on September 27 and 28, 2013:

GIPSA / FGIS: “The Constitution provides that “no money shall be drawn from the treasury, but in consequence of appropriations made by law (U.S. Const., art. I, sec. 9, cl. 7). ”The treasury is further protected through the Anti-deficiency Act, which among other things prohibits all officers and employees of the federal government from entering into obligations in advance of appropriations and accepting voluntary services for the United States, or employing personal

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services not authorized by law, except in cases of emergency involving the safety of human life or the protection of property (31 U.S.C. section 1342). In accordance with the Office of Management and Budget’s Circular A-11, Revised ” Preparation, Submission, and Execution of the Budget,” dated July 2013 (Section 124) and the Office of Personnel Management’s guidance, provided at <http://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance> all GIPSA programs and activities will be suspended except those activities for user fee supported programs where funds are available. For programs supported by both user fee funds and appropriations, staff will be furloughed and activities will be discontinued proportionate to the appropriated funding level. In essence, GIPSA would continue to provide inspection and weighing services that are supported by user fees. These activities are exempt activities.”

APHIS: “In APHIS, certain activities would continue because they are financed through available funding (e.g., user fees, trust funds) or are considered “excepted,” such as cattle fever tick surveillance and foreign animal disease diagnostics because these protect our borders against the entry of foreign diseases and care of animals in our custody because this is necessary to maintain research property. Minimal support would also be maintained to sustain program delivery for these programs. Those APHIS activities funded by Congressional appropriations would not continue during a funding lapse, such as assistance for the control of most plant and animal pests and diseases; research, except for the care of animals and plants; review or authorization of notifications or permits for the importation, interstate movement, or field release of genetically engineered organisms; review of petitions for non-regulated status related to genetically engineered crops; and most management, administrative and oversight functions, such as facility inspections and complaint investigations related to the Animal Welfare Act.

User Fees - As provided in 21 U.S.C. 136(c)(2), APHIS may charge and collect fees for the costs incurred in inspecting and quarantining animals imported into and exported from the United States; performing certain laboratory veterinary diagnostics and select agents services; and issuing phytosanitary certificates for plant materials bound for export. All fees collected shall be credited to the accounts that incur the costs and shall remain available until expended without fiscal year limitations (21 U.S.C. 136(c)(3)). As provided in 21 U.S.C. 136(a)(1)(A), APHIS may charge and collect fees for the costs incurred in providing agricultural quarantine and inspection services in connection with the arrival at a port in the customs territory of the United States, or the preclearance or pre-inspection at a site outside the customs territory of the United States, of and international passenger, commercial vessel, commercial aircraft, commercial truck, or railroad car. APHIS transfers a portion of these fees to the Department of Homeland Security’s Customs and Border Protection (CBP). All fees collected shall be credited to the accounts that incur the costs and shall remain available until expended without fiscal year limitations (21 U.S.C. 136(a)(6))”

Other relevant notes:

1. The USDA Foreign Agriculture Service has reported that: “in most cases, the head officer in the Office of Agricultural Affairs in each country has been deemed “excepted” from furloughing. In addition, all of the Local Expatriate Staff (LES) in each country are still working.

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2. The Office of the United States Trade Representative is apparently participating in the upcoming meeting of Trans-Pacific Partnership (TPP) Trade Ministers as well as the APEC meetings taking place in Bali, Indonesia from October 3-8, 2013. However we understand the USTR cancelled a 2nd round negotiation of the Transatlantic Trade and Investment Partnership (T-TIP) that was scheduled to take place in Brussels, Belgium from October 7-11, 2013.

In all cases in the event of a prolonged lapse in funding, plans may change. NAEGA will continue to monitor and report.

### **Vietnam – NAEGA Comments on Draft Law**

NAEGA submitted comments on a Plant Protection and Quarantine law in anticipation of a hearing before the Science, Technology, and Environment Committee in Vietnam’s National Assembly on October 7th. NAEGA’s comments included support for an open and transparent policy and involvement of private industry and stakeholders. Specifically, we press for a Rapid Response Mechanism (RRM) or something similar. We hope to continue to work with Vietnam to establish a workable plant health law that complies with international law and provides for the least trade distortive means to achieve plant protection for Vietnam.

NAEGA’s comments on the law can be found [here](#).

### **World – NAEGA Trip Reports**

This past week NAEGA submitted a number of trip reports from its recent activity, including its trips to Mexico for APPAMEX; Davenport, IA for the U.S Soy Global Trade Exchange; and Champaign, IL for the International Biotechnology Symposium. NAEGA also submitted reports on events that have contributed to its Unified Export Strategy (UES), including events with Vietnam on a draft plant health law; events with agricultural economists and bankers from Thailand; and the Michigan State/FAS Biotechnology Short Course.

The reports will be posted on the website under the International Programs Committee under the new “Members’ Only” [page](#).

**NAEGA is considering making comments on the following items. Please contact us with your advice or suggestions:**

#### **2013**

**Oct. 11** – Comments to Office of Management and Budget on the U.S. – Canada Regulatory Cooperation Council’s progress to date and how to address regulatory divergence between the U.S. and Canada governments.

**Oct. 22** – Comments to FAS on the proposed extension of an information collection in support of the export sales reporting program for U.S. agricultural commodities.

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**Nov. 25** – Comments to EPA on Fumigant Registration.

<http://www.regulations.gov/#!documentDetail;D=EPA-HQ-OPP-2013-0625-0001>

**Nov. 26** – Comments to FDA’s proposed rule on importer/third-party accreditation of foreign foods: <https://www.federalregister.gov/articles/2013/07/29/2013-17994/accreditation-of-third-party-auditors-certification-bodies-to-conduct-food-safety-audits-and-to-issue>

**Nov. 30** – Comments to Agriculture and Agri-Food Canada (AAFC) on current crop variety registration system in Canada. <http://www.agr.gc.ca/eng/about-us/public-opinion-and-consultations/crop-variety-registration-engagement/?id=1374781777067>

**TBD** – Comments to USDA on Agricultural Coexistence. The USDA will soon publish a notice in the Federal Register asking the public to comment on how agricultural coexistence in the U.S. can be strengthened. The comment period begins upon publication of the notice in the Federal Register and will be 60 days. More information can be found [here](#).

**TBD** – Comments to the Canadian Food Inspection Agency (CFIA) on draft directives D-12-05: [http://www.naega.org/images/pdf/CFIA\\_Draft\\_D-12-05.pdf](http://www.naega.org/images/pdf/CFIA_Draft_D-12-05.pdf)

*NAEGA Actions on Current Issues are tracked on both the Member’s Only Section under their relevant committee pages and the on the Personal Page’s site. Updates to tracked issues are posted in this section.*

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## **New Issues & Opportunities for NAEGA Consideration**

*If you would like more information or wish to provide comments on any of these news topics monitored by NAEGA, please contact us.*

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## **NAEGA Calendar & Member Notices**

### **Member Notice:**

A new “Members’ Only” website providing easy access to NAEGA files is now available. You can visit [www.naega.org/members](http://www.naega.org/members) directly or navigate to via the button on the public website: [www.naega.org](http://www.naega.org). [www.naega.org/members](http://www.naega.org/members) is password protected. If you currently have a valid log in or are listed in the NAEGA contact directory you can use your email as your username. Select “forgot password” and you will receive an email with new login information.

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A newly revised Contact Directory is on the Members Only’ site Members are encouraged to review the Directory and Contact Gary or Kyle with any corrections or changes in the information.

## **NAEGA Calendar**

### **October**

**24-25** – Washington, D.C. Area – CBP East Coast Trade Symposium held at the Washington Hilton Hotel in Washington, DC. The theme is “Increasing Economic Competitiveness through Global Partnerships and Innovation.” This will be the only Symposium held this year.

**28 – Nov. 1** – 2013 NAPPO Annual Meeting – NAPPO’s annual meeting has been scheduled for October 28, 2013 to November 1, 2013 at the Delta Hotel in Guelph, Ontario in Canada. More information will be coming soon.

### **November**

**TBD** – Washington, DC – One Day USDA/USAID Food Aid & Development Meeting with Stakeholders

**4-6** – San Antonio, Texas – American Nutrition Forum – Gary Martin attending and presenting

**12-15** – Lisbon, Portugal - 6th International Conference on Coexistence between Genetically Modified (GM) and non-GM based Agricultural Supply Chains: [www.gmcc13.org](http://www.gmcc13.org)

**13-16** - PNWER Economic Leadership Forum

**18-19** - Canada Seminar/Canada Grains Council

**18-22** - IPPC Standards Committee - Grain Movement

**19-21** – Baltimore, Maryland – U.S. Agricultural Export Development Council (USAEDC) 2013 Annual Workshop – NAEGA Members invited to participate

**19-22** – Istanbul, Turkey – 3<sup>rd</sup> Annual European Union Buyers’ Conference. Hosted by USSEC.

**20** – Riverdale, Maryland – APHIS BRS Annual Stakeholder Meeting – Attendees can participate in person or via webcast. Meeting details and registration information will be available soon.

### **2014**

**January -- TBD** – Egypt – 2013 Middle East Regional Trade Conference hosted by U.S. Wheat Associates in cooperation with NAEGA, U.S. Grains Council and U.S. Soybean Export Council

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**March**

**31** – 2014 NAEGA Annual Meetings – Hilton Head, South Carolina

**30-April 1** – 2014 NGFA Convention – Hilton Head, South Carolina

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