



"Working Together to Make Trade Work"

OUTREACH November 17, 2014

Thank you for your membership in and work with NAEGA

David Barnett, International FCStone

With sorrow and condolences we note the passing of NAEGA member representative David Barnett. NAEGA sends our deepest sympathy to his colleagues at International FCStone and to his family, friends, and business associates around the world.

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Reports on NAEGA Actions

Biotech, USBCA – China and EU

During meetings with the U.S. Biotech Crops Alliance (USBCA) International Working Group on November 19, we will try get more complete information on the current status of several new developments related to crop biotechnology and trade of grains and oilseeds. Results and follow-up to recent U.S. China high level engagement, including that of President Obama, will be featured

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in meetings of the Working Group and with U.S. Trade Representative (USTR) and USDA officials. Other topics for those meetings include next steps on European Union’s (EU) failure to act on pending biotech applications, Transatlantic Trade and Investment Partnership (TTIP) and Trans Pacific Partnership (TPP) negotiations.

Also, please note that based on our current understanding, China’s safety authority (AQSIQ) will not move forward with the implementation of Decree 118 until the pending biotechnology issues have been sorted out. The multiple trade groups from U.S. industry have been working with the USDA-Agricultural Marketing Service (AMS) to support exploratory pilot audits by Chinese officials of U.S. feed and feed ingredient manufacture and export facilities that would meet requirements under the Decree. NAEGA and other interested parties plan to meet on November 20 with AQSIQ officials in DC the events of the meeting and organize moving forward. NAEGA is tracking China’s Decree 118 on its [Grades and Inspection Committee Webpage](#) of the Members Only site.

Dow Enlist Stewardship Program Update

Dow AgroSciences recently updated NAEGA of its plans to for their Enlist Weed Control System for corn and soybeans in the US.

Now that both components of the System have completed full U.S. regulatory clearance, Dow is selling the **Enlist™ Duo** herbicide. The herbicide is formulated for use in conjunction with new recently U.S. deregulated GMO corn and soybean traits. Concurrently Dow has plans for limited plantings of seeds with the GMO technology that provides for resistance to the herbicide.

The GMO events in the seed traits – **DAS -40278-9 corn, DAS-68416-4 soybean, and DAS-44406-6 soybean** are not yet approved for import to key markets including China and EU.

These GMO traits are designed to work with Enlist™ Duo as part of the **Enlist Weed Control System**, will be commercialized in seed branded as Enlist™ corn and Enlist™ soybeans. The primary purpose of Enlist™ corn and soybean varieties is to help growers manage glyphosate resistant weeds. Each of the Enlist™ corn and soybean varieties has a trait that makes the plant resistant to the herbicide 2,4-D. Dow expects the combination of the new 2-4D herbicide compound and plants resistant to the herbicide compound will provide new production advantages for the management of hard-to-control and resistant weeds.

Enlist™ corn will be introduced into a commercial stewardship program in 2015. In addition to what Dow characterizes as a: “thorough set of stewardship protocols and requirements,” growers must agree that the Enlist™ corn will be fed on farm when it is harvested.

Enlist™ soybeans, will be planted by select farmers to use the technology under **Dow’s Field Forward™** program. Under the program a limited number of growers will grow the soybeans and the resulting seeds will marketed by Dow as seed. Dow will manage the seed production throughout the season, including handling and storage after harvest.

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More information can be found in Dow AgroSciences [press release](#).

NAEGA Grades and Inspection and NGFA Grades and Weights Joint Committee Meeting
NAEGA’s Grades and Inspection Committee recently met jointly with NGFA’s Weights and Grades committee in Kansas City, MO. The joint session focused on industry concerns related to the USDA Federal Grain and Inspection Service (FGIS). Actions to improve FGIS services and better manage costs were examined. The committees agreed to proceed to consult with FGIS on several operational issues and to make recommendations on several potential changes to the U.S. Grain Standards Act. The Act establishing the law under which FGIS exists, needs to be reauthorized in 2015. Among our considerations related to the Act are: FGIS authority to delegate official export inspection obligations to States, use of private agencies (third-parties) to support FGIS official inspections and the way FGIS is managed by USDA.

The joint committee meeting followed of the Grain Inspection Advisory Committee meeting with FGIS. The Joint committees indicated support for the resolutions passed at that meeting, a copy those resolutions can be found on the [Grades and Inspection page](#) of the Members Only site.

Other considerations by the joint committee included a response to the Canadian Food Inspection Agency (CFIA) request for alternatives to U.S. phyto-sanitary certification to meet potential new requirements under the Canada’s Grain Import Framework and CFIA D-12-05.

Minutes from the meeting will soon be available. NGFA and NAEGA are also jointly developing action plans to address with a high priority the operational and legislative changes needed to address concerns related FGIS. If you would or someone from your NAEGA member company would like to be directly engaged in this industry effort please contact us.

Trade Promotion Authority Letter

NAEGA signed on to a [letter](#) from the Trade Benefits America coalition sent to Congressional leaders urging Trade Promotion Authority (TPA) action during Congress’ lame duck session. The letter makes the point that TPA is needed to help ensure the outcomes of the Trans Pacific Partnership (TPP), the Transatlantic Trade and Investment Partnership (T-TIP), and other ongoing trade talks.

NAEGA Actions on Current Issues are tracked on the Member’s Only Section under their relevant committee pages.

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

2014

Dec. 15 – Comments to FDA on revisions of certain provisions on foreign supplier verification programs for importers of food for humans and animals. Potential revisions are primarily related to compliance status review of food and foreign suppliers, hazard analysis, and supplier verification activities. A copy of the federal register notice can be found [here](#).

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Member Opportunities

Ottawa, Canada – Canada-US Grain and Seed Task Group Meeting – December 2, 2014

The Canada-US Grain and Seed Task Group Steering Committee plans to meet in Ottawa, Canada on the afternoon of December 2, 2014, just prior to *GrowCanada Conference 2014*. The meeting will take place from 1:00pm to 5:30pm at the Westin Hotel, 11 Colonel By Drive, Ottawa, ON. All Canada-US Grain and Seed Task Group participants are encouraged and welcome to attend the meeting. Conference line for calling in will be open for much of the meeting. Please **Register Now!** to indicate your plans.

Brussels, Belgium – International Grain Trade Coalition General Assembly – December 8, 9, 2014

All NAEGA members and industry stakeholders are encouraged to attend International Grain Trade Coalition (IGTC) meetings in Brussels, Belgium 8-10 December 2014.

NAEGA members are integral to the IGTC business model that brings together the many trade associations and councils that you invest in to address policy developments of common concern. IGTC brings expanded efficiency and capacity to your industry investment in efforts to address what seems to be an ever expanding set of policy related concerns.

Current policy files that IGTC is focused on include improvements in regulatory and commercial practice related to crop biotechnology (LLP, BSP etc.), international rules (IMO and UN Labeling) related to the safe handling and transport grain and grain products, and the development by the International Plant Protection Convention of a new standard for phyto-sanitary risk management in international trade of grain (Grain ISPM).

The meeting will be conducted as an Annual General Assembly under a new formal IGTC structure. As a registered non-profit association in Switzerland, the IGTC is now better positioned to be successful in meeting industry needs as well as expanding participation. A global review of policy concerns and actions, networking sessions with European officials, and review of IGTC operations and governance, including the election of officers, are included.

A draft agenda for the meetings on Dec 8, 9 and 10 in Brussels can be found [here](#). Marcel Bruins, who has been contracted by NAEGA to serve as IGTC Secretariat, welcomes your comments and suggestions. For assistance with a hotel booking, or have other questions regarding your stay in Brussels, please contact Sarah Byaruhanga of the COCERAL office: sarah.byaruhanga@coceral.com

Washington, DC –USBCA Plenary Session – December 15, 2014

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The U.S. Biotech Crops Alliance (USBCA) will hold a plenary session on December 15th from 1:00pm to 5:30pm at Arent Fox, 1717 K St. NW, Washington, DC. The session will allow the group to discuss the collaborative efforts to improve the environment for technology innovation and marketability for U.S. crops produced through the use of biotechnology. The USBCA Domestic Working Group and International Working Group will report on their progress to date, their plans going forward and solicit feedback from plenary participants.

Please RSVP by **Wednesday, December 10th** to Rebecca Grubbs at rgrubbs@ngfa.org or 202-289-0873.

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

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Information for your Consideration

Anti-Dumping Duty to be imposed on Turkish Flour

The Philippine Tariff Commission imposed anti-dumping duties between 3-16% on wheat flour imported from Turkey. Because the threat to the Philippine domestic industry was imminent, the duties will be imposed on imports of wheat flour from Turkey for a period of five years.

The rates are lower than the initial 3-39% provisional dumping duties imposed the Philippine Agriculture Department. The Philippine Association of Flour Millers believe the dumping duty should be higher, but is satisfied the duty will allow for a level of parity that was not available before.

FY 2015 GSM-102 Funds Available

The USDA Foreign Agricultural Service (FAS) allocated fiscal year 2015 funds for the Export Credit Guarantee Program (GSM-102). More details are available on [USDA FAS’s GSM-102 website](#). For questions, please [email](#) the FAS Credit Programs division or call 202-720-6211

Lawsuit against OSHA’s Combustible Dust Standard

A U.S. appellate court on Oct. 24 denied the petition from the NGFA and three other industry organizations urging that it vacate the portion of the Occupational Safety and Health Administration’s (OSHA) final regulations that included combustible dust within its new globally harmonized hazard communication standard (GHS).

NGFA reports that implications of the court ruling are as follows: 1) Starting June 1, 2015 (although a petition has been filed with OSHA by some other groups to delay this date), raw grains and oilseeds shipped to downstream customers will be required to comply with OSHA’s requirement to issue a safety data sheet (formerly known as a material safety data sheet); and 2)

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labeling will need to include explosive hazard information – a new requirement that applies only to the first shipment of raw grains and oilseeds to each downstream customer. The NGFA, through its Safety, Health and Environmental Quality Committee, will be working to develop and distribute to member companies guidance on how to comply with these requirements, including generic safety data sheet(s) for grain, oilseeds, grain products and grain-based feed and feed ingredients well in advance of the effective date. In addition, the NGFA will publish a more detailed explanation of the requirements in a question-and-answer format in an upcoming edition of the NGFA Newsletter.

The OSHA final rule, issued in 2012, was designed to align its previous hazard communication standard with the U.N. Globally Harmonized System (GHS) for Classification and Labeling of Chemicals. NAEGA and NGFA continue to work on the combustible dust issue at the international level. The next critical meeting for the U.N. GHS subcommittee for Classification and Labeling of Chemicals will be December 10-12 in Geneva, Switzerland. NAEGA Senior Advisor, Jerry Cotter, will be attending on behalf of NAEGA.

This information was published in the October 31 NGFA Newsletter and reprinted with permission from NGFA.

Monsanto Settles GMO Wheat Issue

Monsanto’s settlement agreement with soft white wheat farmers in the Pacific Northwest resolves a number of lawsuits related to the May 2013 discovery of genetically-modified wheat on a farm in Eastern Oregon and subsequent temporary limits on certain exports of soft white wheat. In a [press release](#), Monsanto said, “Under the settlement and without any admission of liability, Monsanto has agreed to pay: a total of \$250,000 to wheat growers’ associations, including \$100,000 to the National Wheat Foundation, and \$50,000 each to the Washington Association of Wheat Growers, the Oregon Wheat Growers’ League, and the Idaho Grain Producers’ Association; and \$2.125 million into a settlement fund, which will be designated to pay farmers in Washington, Oregon, and Idaho who sold soft white wheat between May 30, 2013 and November 30, 2013... This settlement will not resolve claims that remain pending by wheat growers who grew a type of wheat other than soft white wheat...”

U.S.-India Agreement and WTO Trade Facilitation

The U.S. and India have announced a bilateral agreement aimed at addressing India’s concerns about food security. According to a [U.S. Trade Representative \(USTR\) fact sheet](#), in the agreement India will concede that the [Trade Facilitation Agreement](#), which was initially approved by the World Trade Organization (WTO) last December, should be implemented without conditions on the basis of a standard legal instrument for implementing new WTO agreements. In return, the WTO Members will not challenge food security programs like India’s that may violate WTO rules against trade-distorting subsidies until a permanent solution has been adopted in 2015. The Trade Facilitation Agreement is now set to move forward, although the December 31 deadline will likely be missed.

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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

2014

December

2 – Ottawa, Canada – Canada-US Grain and Seed Task Group Steering Committee meeting. Gary C. Martin attending.

4 – Washington, D.C. – U.S. Biotech Crops Alliance (USBCA) International Working Group (IWG) Meeting – NAEGA/NGFA Conference Room

8-10 – Brussels, Belgium – International Grain Trade Coalition (IGTC) Meeting

9 – Washington, DC – CFTC Agricultural Advisory Committee (AAC) Meeting – Steve Strong attending on behalf of NAEGA

10-12 – Geneva, Switzerland – UN Globally Harmonized System (GHS) Subcommittee meeting. Jerry Cotter attending.

14 – Washington, D.C. – U.S. China Joint Commission on Commerce and Trade (JCCT)

15 – Washington, D.C. – U.S. Biotech Crops Alliance Plenary Session – Arent Fox, 1717 K St., NW 1:00pm to 5:30pm.

2015

March

15-17 – San Antonio, Texas – 2015 NAEGA Annual Meetings – Hyatt Regency Hotel (in conjunction with NGFA’s Convention).

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