



"Working Together to Make Trade Work"

OUTREACH March 10, 2014

Thank you for your membership in and work with NAEGA

Member Participation Opportunity:

- NAEGA Grades Committee Meeting – New Orleans – Friday, March 14, 2014
- Looking forward to seeing everyone at the NAEGA Annual Meeting – Hilton Head, South Carolina – March 31, 2014
- USDA-APHIS Farm Bill Teleconference – March 13, 2014
- U.S. – FDA Issues Proposed Rule on Sanitary Transportation of Food and Feed Under FSMA
- USTR Public Interest Trade Advisory Committee Nominations – March 25, 2014
- U.S. Department of Treasury Office of Foreign Assets Control Symposiums – Washington, D.C. – April 8, 2014

Action Reports:

- U.S. – NAEGA Comments to USDA on Agricultural Coexistence
- U.S. – USDA AMS/FAS Feed Export Certification Plans
- World – Codex Addressing Mycotoxin Levels - DON Standard

New Issues

- Ukraine
- U.S. – White House Budget and Trade Agenda

NAEGA Calendar and Member Notices

- Upcoming Events and Notices for Members

NAEGA Member Participation Opportunity

NAEGA Grades and Inspection Committee Meeting – New Orleans – March 14, 2014

The NAEGA Grades and Inspection Committee will meet on March 14, 2014 from 8:00am to 12:30pm Central time. You can join the meeting at the Hilton New Orleans Airport Hotel in Kenner, LA. The schedule includes:

- 8:00am Welcome Continental Breakfast
- 8:30am NAEGA Grades Committee Meeting
- 10:30am NAEGA Grades Committee Meeting with Roger Brockway, Director General, International Federation of Inspection Agencies ([IFIA Federation](#)) - Regarding the use of third party private inspection agencies for U.S. official grain inspection.

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Bill. [This document](#) provides a brief summary of the APHIS-related provisions of the Farm Bill. The teleconference will begin with a short overview of the provisions followed by stakeholder comments for the remainder of the call. USDA-APHIS asks comments to be limited to 3 minutes or less. If you would like to provide a written copy of your comments either before or after the listening session, email them to hallie.zimmers@aphis.usda.gov.

To participate in the teleconference, you should register in advance by [clicking here](#) and providing your name, organization and email address. Once you submit your information, you will promptly receive an email that includes the call-in number and a unique conference code to enter the call.

U.S. – FDA Issues Proposed Rules on Sanitary Transportation of Food and Feed under FSMA

On January 31st, the U.S. Food and Drug Administration (FDA) requested comments on [FDA proposed transport rules](#) for sanitary transportation of food and feed under the Food Safety Modernization Act (FSMA). The proposed rule would apply to trucks and rail transportation conveyances, but not barges or vessels. More information on the meetings can be found at <http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm383763.htm>. The comment period deadline is May 31. Two public meetings on the proposed rules are upcoming:

- March 13, 2014 in Anaheim, California; and
- March 20, 2014 in College Park, Maryland (outside of Washington, D.C.).

USTR Public Interest Trade Advisory Committee Nominations – March 25, 2014

The Office of the U.S. Trade Representative seeks nominations to the Public Interest Trade Advisory Committee (PITAC). The PITAC will provide the USTR with policy advice on issues involving trade from a public health and international development perspective. The committee will provide reports on trade agreements to the U.S. president, USTR and Congress.

Nominations must be submitted to the USTR by March, 25 and the applicant must be a U.S. citizen; not a full time employee of a U.S. governmental entity, a federally-registered lobbyist or registered with the Department of Justice under the Foreign Agents Registration Act; be able to obtain and maintain a security clearance; and represent a U.S. organization whose members have a demonstrated interest in international trade.

U.S. Department of Treasury Office of Foreign Assets Control Symposiums – Washington, D.C. – April 8, 2014

The U.S. Department of Treasury’s Office of Foreign Assets Control (OFAC) will hold a “Sanctions Symposium” on April 8, 2014 in Washington, D.C. The Symposium will include a comprehensive review of OFAC and current U.S. economic sanctions and will include presentations on OFAC regulations affecting all U.S. persons, as well as targeted reviews of sanctions concerns for industries such as trade, insurance, and banking. Registration and venue information should soon be available at: [OFAC resources webpage](#).

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

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Reports on NAEGA Actions

U.S. – NAEGA Comments to USDA on Agricultural Coexistence

NAEGA submitted these [comments to the USDA](#) on agricultural coexistence. While the central focus of USDA’s work on co-existence is related to organic production methods and crop biotechnology, we advised the agency of important coexistence concerns between domestic and export supply chains and between commodity and specialty / Products with Unique Functional Characteristics (PUFC) supply chains.

U.S. – USDA AMS/FAS Feed Export Certification Plans

USDA reports they have discussed their processed feed facility certification plan with Chinese officials. The web-based application and Good Manufacturing Program (GMP) was well received by the General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ). The USDA agencies are providing the application and GMP as tools to help companies comply with the new Decree 118 promulgated by AQSIQ. USDA reports their plan and resulting application and GMP is in contrast to the approach to a number of other countries which failed to respond to AQSIQ’s request for certification of facilities providing processed feed ingredients for export to China. As a result, China has suspended animal feed and feed ingredient imports from those countries.

Currently, about 15 U.S. facilities have applied for the FAS/AMS program, but many more facilities are anticipated to join shortly. The USDA has set a **deadline of March 21st** for the first round of applications. After this date, the USDA will submit the list to AQSIQ as facilities meeting compliance to Decree 118. AQSIQ will then visit a random sample of the facilities. At this time it is unclear how AQSIQ will select the facilities it visits.

The USDA has issued a [press release](#) and [Notice to Trade](#) to help industry and the media understand the USDA’s plan. Parties interested in completing this certification process should complete the AMS web-based application for service and the Good Manufacturing Program (GMP) checklist found [here](#).

World – Codex addressing Mycotoxin levels - DON Standard

NAEGA continues to address the plan to establish low maximum levels (ML) for mycotoxins including deoxynivalenol (DON) in raw grains. The issue is far along the Codex process and on the agenda for the next meeting of the Codex Committee on Contaminants in Foods (CCCF) on 31 March-4 April 2014 in The Hague, The Netherlands. We are concerned this may lead to significant trade disruptions of grains in global commerce.

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For example, the CCCF appears to be set to establish a level of 2 ppm for DON, a Mycotoxin from the *Fusarium graminearum* pathogen, in raw grains. A copy of the proposed draft can be found [here](#).

Beginning in February, NAEGA and NGFA distributed [this background document](#) encouraging International Grain Trade Coalition members and others to engage with national delegations to the CCCF Committee meeting and advocate:

1. That CCCF, rather than a single standard applicable to all raw grains, set different maximum levels for DON for different raw grains.
2. In all cases setting any maximum level on raw grains immediately after harvest and prior to the conditioning and management of the raw commodities is not practical.
3. That the 2 ppm maximum level for DON in certain raw grains – if it is to be established – be set on those grains to apply only after initial handling, screening, cleaning and sorting (or first-stage processing, which is the European Union’s standard) at a grain handling or milling facility.

More recently a coalition of like-minded trade associations began to encourage a group of four countries (U.S., Canada, Australia, and New Zealand) to block consensus at the CCCF. Instead, the proposal would be for grain to be differentiated by use, between products destined for direct distribution and those being traded for processing. Grain traded for direct distribution would be subject to the standard of 2 ppm, but the grain traded for processing purposes, which is the vast majority of food grain trade in the world, can be left to the milling company’s management according to selection and technological solutions to bring the end products down to 1 ppm, which is the standard for flour, semolina, and meal.

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

2014

Mar. 11 – Comments to USDA-APHIS on draft environmental impact statement (DEIS) evaluating one corn and two soybean varieties genetically engineered by Dow AgroSciences, LLC, to be resistant to the herbicide known as 2,4-D. These were originally due on Feb. 24, but were extended. <http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0042-0051>

May 6 – Comments to USDA-APHIS on Monsanto’s request for nonregulated status for corn genetically engineered for protection against corn rootworm and resistance to the herbicide glyphosate. A copy of the Federal Register notice can be found [here](#).

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

Ukraine

Arent Fox recently provided NAEGA with a memo outlining the general situation in Ukraine and what it means for U.S. investments. Arent Fox cautions that, “The situation particularly calls into doubt the security and viability of foreign investment within the territory of Ukraine. During these tense times in Ukraine, U.S. investors would be wise to take stock of their assets in Ukraine and determine whether their interests are adequately protected under the 1996 Bilateral Investment Treaty (BIT) between Ukraine and the United States.” A copy of the full memo can be found on Arent Fox’s webpage [here](#).

U.S. – White House Budget and Trade Agenda

The White House released its [budget for fiscal year 2015](#), which begins October 1, 2014. President Obama’s funding request to trade-related agencies increased from the 2014 fiscal year budget. The Bureau of Industry and Security (BIS) budget received an additional \$9 billion to support expanded export licensing and export enforcement operations. The Office of the U.S. Trade Representative (USTR) budget increased from \$52.6 million to \$56.2 million. And the Customs and Border Protection agency budget increased from \$8.1 billion to \$8.3 billion.

In addition, the Obama administration sent Congress its [2014 Trade Policy Agenda and 2013 Annual Report](#). The report describes the administrations intentions to “promote open markets and enable additional job-supporting U.S. exports and sustained economic growth.” The 2014 Agenda states the administration plans to conclude the Trans-Pacific Partnership (TPP) in 2014 and continue to advance the Transatlantic Trade and Investment Partnership (T-TIP) with the European Union (EU).

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

March

14 – New Orleans – NAEGA Grades Committee Meeting -- You can register [here](#).

19 – Washington, DC – ASP Workshop Dinner

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31 – Hilton Head, South Carolina – 2014 NAEGA Annual Meetings – Westin Hilton Head Resort (in conjunction with NGFA’s Convention March, 30 – April, 1). Reservations can be made [here](#).

April

14-16 – Winnipeg, Manitoba, Canada – Canadian Global Crops Symposium – Hosted by the Canada Grains Council

May

17-18 – Qingdao, China – APEC Ministers Responsible for Trade Meeting

June

10 – London, United Kingdom – International Grains Council (IGC) Grains Conference – Tower Hotel, Tower Bridge – You can register [here](#).

July

1 – Washington, DC – NAEGA 2013 MAP Contribution Report Due

15-16 – Alexandria, VA – USAEDC Attaché Seminar

September

18-19 – Beijing, China – APEC Food Security Ministers Meeting

29-October 3 – 7th Meeting of the Parties/Conference of the Parties for the So-called Cartagena Biosafety Protocol under the Convention on Biodiversity, which governs trans-boundary movements of Living Modified Organisms for feed, food and processing. More information can be found at: <http://bch.cbd.int/protocol/>

November

10-11 – Beijing, China – APEC Economic Leaders’ Meeting

17-20 – Baltimore, MD – USAEDC Annual Workshop

Thank you for your investment in NAEGA! – We very much appreciate and need your company’s many contributions to the ongoing success of NAEGA. Invoices for NAEGA’s 2014 Membership Dues have been mailed to member representatives and payments were due February 17. If you have not already paid, please do so as soon as possible.

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