



"Working Together to Make Trade Work"

OUTREACH March 24, 2014

Thank you for your membership in and work with NAEGA

Member Participation Opportunity:

- Hosting SENSICA re "soil contamination" – Kansas City – March 27 and 28
- NAEGA Annual Meeting – Hilton Head, South Carolina – March 31, 2014
- USTR Public Interest Trade Advisory Committee Nominations – March 25, 2014
- U.S. CFTC Public Roundtable on Dodd-Frank – April 3, 2014
- U.S. Department of Treasury Office of Foreign Assets Control Symposiums – Washington, D.C. – April 8, 2014

Action Reports:

- International Programs:
 - LLP Meeting
 - Budget
- Iran
- Mexico – "Soil Pod" Issue
- U.S. – U.S. Coast Guard Alternative Security Plan Meetings

New Issues

- U.S.-Philippines – Agree to Expand Trade and Investment Framework Agreement
- Ukraine-Related Sanctions

NAEGA Calendar and Member Notices

- Upcoming Events and Notices for Members

NAEGA Member Participation Opportunity

March 27 and 28 – Hosting SENSICA re "soil contamination"

NAEGA member representatives are invited to the Thursday, March 27th, afternoon reception and presentation as well as the informational discussion on the morning of Friday, March 28th. The Reception on Thursday, March 27th will be at the Rooftop Bar at the InterContinental in downtown Kansas City.

A very important opportunity to consider and respond to details of Mexico's and its implementation policy (see NAEGA position below under the action item **Mexico – "Soil Pod" Issue**) will occur at the USDA-FGIS National Grain Center, 10383 N Ambassador Dr., Kansas

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City, MO 64153. From 8am till noon, you are invited to join Arvid Hawk and Gary Martin in a meeting with the full delegation from both Governments for the informational program.

Following up on a recent request for assistance from USDA-APHIS, NAEGA scheduled the reception and meeting to increase our communication with Mexican government officials from SENASICA and USDA-APHIS. We will focus on trade facilitation and Mexico’s phyto-sanitary risk management procedures including ongoing trade concerns with SENASICA’s implementation of measures to address “soil contamination.” The official delegations include:

1. Arturo Calderon, Director, SENASICA-DGIF
2. Armando Cesar Lopez, Director of Inspection at Ports, Airports and Frontiers, SENASICA-DGIF
3. Rosalinda Flores, Sub director of Inspection at Borders and Frontiers, SENASICA-DGIF
4. Ruben Pineda, Chief of the Nuevo Laredo DGIF office, SENASICA-DGIF
5. Juan Jose Flores, Sub director of National Regulation, SENASICA-DGSV
6. Agustin Ramos, Senior Agricultural Specialist, APHIS, Mexico City
7. George Galasso, National Trade Director for Grain, PIM, Plant Health Programs, APHIS
8. Terrance Wells, Senior Export Specialist, Export Services, PPQ, Plant Health Programs, APHIS
9. Andrew Ping, Grain Marketing Specialist, Office of International Affairs, FGIS

The tentative schedule is as follows:

March 25 – Full delegation arrives in Kansas City

March 26 – Visit to local elevators to observe inspection and grading process. Arvid Hawk to join in the visits for NAEGA.

March 27 – Government to Government and Industry reception and presentation. – 4 to 7 PM. the Rooftop Bar at the InterContinental on the Plaza, 401 Ward Pkwy, Kansas City, MO. Program at 4:00 PM:

"Agriculture, Trade and NAFTA Economic Overview" - Alan Barkema, former Senior Vice President of the Kansas City Federal Reserve Bank

28 – NAEGA hosted informational roundtable discussion – Industry, Mexican and U.S. officials – 8am to 12 noon. USDA FGIS National Grain Center, 10383 N Ambassador Dr., Kansas City, MO 64153.

Please let us know if you plan to attend either or both: Friday’s meeting and Thursday’s reception. The invitation to the reception:

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USDA and SENASICA official visitors, Kansas City Welcome Reception and Program

When

Thursday March 27, 2014 from
4:00 PM to 7:00 PM CDT
Add to Calendar

**On the occasion of the visit of honored guests from
Mexico's SENISICA and the USDA, please join as
follows:**

Thursday, March 27

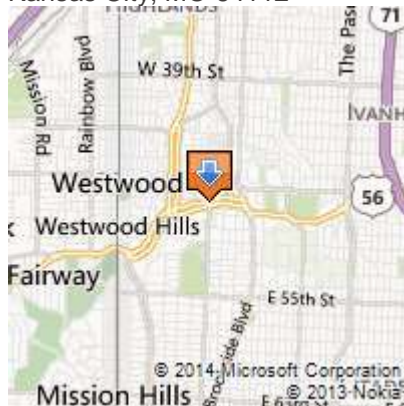
InterContinental Hotel - Rooftop Bar

Where

**Kansas City InterContinental
Hotel - Rooftop Bar**
401 Ward Parkway
Kansas City, MO 64112

4:00pm - Program:

"Agriculture, Trade and NAFTA Economic Overview" - Alan
Barkema, former Senior Vice President of the Kansas City
Federal Reserve Bank



[Driving Directions](#)

Welcome Reception to follow

Please RSVP by clicking below:

Register Now!

I can't make it

Questions, please call Kyle Liske at 202-682-4030.

Sincerely,

**North American Export Grain Association;
National Grain and Feed Association;
Transportation, Elevator and Grain
Merchants Association**

Looking forward to seeing you at the NAEGA Annual Meeting Hilton Head, South Carolina – March 31, 2014

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NAEGA’s Annual Meetings are fast approaching! Please join us on **Monday, March 31, 2014** in Hilton Head, South Carolina from 10:30am to 6:30pm. The current **schedule** for the day includes:

10:30am – NAEGA Biotechnology Committee Briefing Elliot Room
Open to all NAEGA Member Representatives

11:30am – Joint NAEGA/NGFA Biotechnology Discussion Elliot Room
Open to all NAEGA Representatives and NGFA Biotech Committee Industry Members

12:30pm – Luncheon Elliot Room
Hosted by NAEGA Grades Committee and NGFA Grain Grades and Weights Committee
Randall Jones, Deputy Administrator GIPSA’s Federal Grain Inspection Service,
Guest speaker. Open to all NAEGA Member representatives and invited guests

2:00pm – NAEGA Annual Membership Meeting Elliot Room
Open to all NAEGA Members and invited guests – Agenda forthcoming.

2:30pm – NAEGA Board Meeting Elliot Room
Open to all NAEGA members and invited guests – Agenda forthcoming.

6:30pm – Bunge North America Inc. Reception Calibogue/Danner Ballroom
All attendees invited!

All the NAEGA meetings above can be attended by NAEGA member personnel and guests free of charge. However, please register by [clicking here](#). Registrants will receive meeting material via email and in hard copy at the meetings as well as be counted for lunch and refreshments.

IMPORTANT: The March 31 NAEGA meetings will coincide with the March 30-April 1, 2014 National Grain & Feed Association (NGFA) Convention. The current agenda for the NGFA convention can be accessed [here](#). Rooms at the Westin Hilton Head can be booked at the NGFA rate by clicking [here](#). A special NAEGA registration for the NGFA Convention is now available [here](#).

For example, NGFA has arranged for Howard Minigh, President and CEO of CropLife to kick off the Biotech related discussions on Monday, March 31, in an address to the Convention. Mr. Minigh will discuss “Biotechnology: Accommodating Innovation While Preserving Markets” at 9:50am in the Archer/Barnwell room. Attendance at this and all other sessions at the NGFA convention require NGFA registration.

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.

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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. CFTC Public Roundtable on Dodd-Frank – April 3, 2014

The U.S. Commodity Futures Trading Commission (CFTC) announced that CFTC staff will hold a public roundtable on April 3, 2014 at 9:30am to discuss issues concerning end-users and the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank).

The roundtable will consist of three panels, discussing 1) the obligations of end-users under Regulation 1.35 concerning recordkeeping for commodity interest and related cash or forward transactions; 2) the appropriate regulatory treatment of forward contracts with embedded volumetric optionality; and 3) the appropriate regulatory treatment for purposes of the \$25 million (special entity) de minimis threshold for swap dealing to government-owned electric utilities.

The roundtable will be held in the Conference Center at CFTC's headquarters at Three Lafayette Centre, 1155 21st Street, N.W., Washington, DC. The discussion will be open to the public with seating on a first-come, first-served basis. Members of the public may also listen by telephone and should be prepared to provide their first name, last name and affiliation. The time of the meeting, call-in numbers and agenda will be forthcoming.

Call-in: 1-888-469-2184

Passcode: 9775222

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 at the Walter E. Washington Convention Center 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

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International Programs

- LLP Meeting in Rome, Italy – NAEGA senior advisor, Paul Green was in Rome, Italy from March 18-22 attending the UN Food and Agriculture Organization (FAO) Low Level Presence meeting. A report on the trip from Mr. Green will be available shortly.
- Market Access Program Budget – NAEGA has received oral confirmation of its Market Access Program (MAP) Budget for the 2014 program year. NAEGA has received an additional \$269,275 for MAP activities.

Iran

NAEGA is monitoring Iran Sanctions and has fielded several related questions from members. Most often we refer to: *“Clarifying Guidance, Humanitarian Assistance and Related Exports to the Iranian People”* which is available from the U.S. Treasury Office of Foreign Asset Control (OFAC): http://www.treasury.gov/resource-center/sanctions/Programs/Documents/hum_exp_iran.pdf.

Other web locations that may be helpful include: http://www.treasury.gov/resource-center/sanctions/Programs/Documents/iran_guidance_med.pdf. OFAC’s main page is: <http://www.treasury.gov/resource-center/sanctions/Programs/pages/iran.aspx>.

To date we are not aware of any changes and believe the OFAC general license still applies to food and medicine shipments to Iran. As we understand there is a “general license” that does apply to grain. Hence a license is already granted for grain shipments since grain is clearly one of the exempted products under the general license and no more than complying with all the other (financing and prohibited persons) requirements is needed. To quote from the document’s page 4, subheading II:

“Exportation or re- exportation of agricultural commodities, medicine, and medical devices to Iran: As noted above, the exportation or re - exportation to Iran by U.S. persons of most food items, and certain medicine and basic medical supplies, are generally authorized and can occur without further specific authorization from OFAC.”

Mexico – “Soil Pod” Issue

NAEGA continues to take a very critical look at Mexico’s official policy and practice related to Soil Contamination. We emphasize:

1. That it is premature to discuss mitigations.
2. The requirements SENASICA has already indicated will be required are impractical.
3. Great concern with the obvious lack of confidence in origin final official determinations that results in detection measures that are contrary to IPPC guidelines, increase uncertainty, the potential for corrupt practices and costs.
4. The North American Plant Protection Organization (NAPPO) definition of soil, contrary to what has been stated by Mexican officials, is not sufficient for phytosanitary

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action. No one contests that action can be taken on soil. However, the NAPPO *Position on Soil Movement*, April 24, 2003 concludes that there is an absence of international or regional agreements on soil contamination measures, and they may be defined in commodity-specific bilateral agreements.

A copy of an English version of SENASICA’s border manual for inspection and certification and draft procedures for grain found contaminated with soil can be found [here](#). The soil procedures document is of particular concern since it provides for Mexican monitoring of U.S. inspection, makes the requirements for fumigation more rigorous and includes a traceability documentation requirement.

In addition to the meetings in Kansas City on Thursday and Friday, March 27 and 28, NAEGA continues its dialogue with Pulse Canada and Mexico’s APPAMEX regarding the trade frustration involving soil pods on grain being imported to Mexico.

Pulse Canada was in Mexico on March 12th to have meetings on the issue, they, and to some extent APPAMEX, appear to be focused on mitigations which NAEGA sees as premature. Action items, which from their meetings include:

1. The request that the three NAFTA plant protection organizations work under North American Plant Protection Organization (NAPPO) on a harmonized approach on soil detection and determination of compliance/noncompliance.
2. A proposal that inspection of imported grain be conducted at final destination in approved bonded facilities inside Mexico, rather than at the Mexican Border, under a trusted shipper program.
3. Commissioning a study that quantifies additional costs (treatment, demurrage, warehousing, etc.) that are ultimately borne by food-insecure Mexican consumers.
4. Conduct another roundtable related to soil detections in grain shipments, if appropriate, under the framework of the upcoming APPAMEX convention to take place in Puerto Vallarta, in August 2014.

Please join us at the NAEGA hosted meetings which will take place March 27th and 28th which include USDA-APHIS and Mexico’s SENASICA in Kansas City.

U.S. – U.S. Coast Guard Alternative Security Plan Meeting

As a Sponsor Association, NAEGA’s senior advisor, Jerry Cotter, attended U.S. Coast Guard (USCG) meetings for Alternative Security Program (ASP) sponsoring organizations in Washington, D.C. on March 20th. NAEGA and NGFA are one of 10 U.S. organizations that provide an ASP for their members (more at <http://www.uscg.mil/hq/cg5/cg544/asp.asp>). Jerry reports the meeting covered:

Cyber Security: An Executive Order was issued in January 2013 to:

1. Identify critical infrastructure and invited private sector participation.
2. Directed NIST to develop cyber security framework

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Coast Guard notes that ASP users should be aware:

- The 2015 Area Security Assessment will include cyber security.
- Any breach of cyber security must be reported to NRC. If in doubt contact the local Captain of the Port (COTP).
- Facilities need to know their vulnerabilities – including risks related to threat controlled outside cameras and drone
- DHS Cyber Security Services are detailed on the web at: [ECS Fact Sheet](#)
- A Coast Guard policy issued in August 2013 states and breach of cyber security must be reported to USCG.
- A new policy regarding cyber security will be issued in the next few weeks.

America’s Waterways Watch: AAW is a public outreach program encouraging participants to simply report suspicious activity to the Coast Guard and/or other law enforcement agencies. Unlike some Neighborhood Watch programs, for example, you are not formally joining an organization – there are no meetings, membership cards or membership requirements – and you do not become an agent of the Coast Guard or any other law enforcement agency. **Working from a “See Something, Say Something” motto, you can find more at the [Americas Waterway Watch website](#).** Waterway users such as private boat users and others on the waterways are asked to report any persons or activities that do not fit the normal functions of the area. To Report Suspicious Activity, Call: 877-24WATCH (877-249-2824).

TWIC and TWIC Readers: The final rule-making to implement Transportation Worker Identification Card Readers has not been published and USCG does not expect it until 2015. The TSA has issued 2.6 million credentials since the beginning of the program. The program is transitioning to Universal Enrollment Services (UES). This will provide TSA the ability to have all programs requiring security threat assessments under one roof. TSA is working to reduce the burden of delivery of the credentials to individuals living in remote or some distance from the enrollment location. TSA is increasing the number of enrollment centers from 136 to more than 300 in the next few months Latest information can be found at: www.tsa.gov TWIC

Seafarer Access: A Notice of Public Rulemaking NPRM has been prepared and should be out in early 2015. One of the main issues is access should be at no cost to the seafarer.

Facility Security Officer Training: The USCG has made adjustments to the model course which can be found on the web at: [MTSA Training](#). A final rule to implement this changes is being developed.

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Marine Transportation Security Act changes: A consolidation of MTSA policy decisions and other updates that does not require regulatory action will be issued 2015.

Active Shooter: Representatives of the Federal Protective Service gave an excellent presentation on actions to be taken during an active shooters incident. The presentation covered what those involved should do and what the law enforcement officers would do. More on related DHS training and services can be found at <http://www.dhs.gov/active-shooter-preparedness>.

Harmonization: The harmonization of MTSA and CFATS (The **Chemical Facility Anti-Terrorism Standards (CFATS)**) is still underway. CFATS is a set of **US government** security regulations for high-risk chemical facilities such as **chemical plants**, electrical generating facilities, refineries, and **universities**. Overall the effort to accommodate both CFAT and MTSA seems to be working much smoother than in the past largely due the experience DHS has gained. Facility security plans for 600 facilities have been approved. Detailed inspections have been completed for 19 facilities.

American Waterways Operators - Responsible Carrier Program: Mr Brian Vahey, AWO, gave an excellent presentation on the AWO RCP. The industry-initiated Responsible Carrier Program (RCP) is designed as a framework for continuously improving the industry's safety performance. AWO members use the RCP as a guide in developing company-specific safety and environmental programs that are tailored to the unique operational environments found in the barge and towing industry. The program complements and builds upon existing government regulations, requiring company safety standards that exceed those required by federal law or regulation.

The RCP incorporates best industry practices in three primary areas, including company management policies, vessel equipment and human factors. The comprehensive program requires companies to obtain a third party audit by an AWO-certified auditor to verify compliance. The program has been lauded by many groups, including the U.S. Coast Guard and shipper organizations. In an unusual step for a trade association, AWO members voted in April of 1998 to require a commitment to RCP compliance as a condition of membership in the association.

To be a member of the AWO members agree to have a RCP for their company.

Liquefied Natural Gas as Vessel Fuel: Mr David Condino, USCG, talked about how the USCG is addressing the use of LNG as fuel for large vessels. Many new orders for vessels include specifications for the use of LNG for fuel. Lower emissions, no sulfur, and better efficiency are driving the issue. Bunkering whether waterside or shoreside is an issue the USCG is looking at.

NAEGA members who are facility operators may have to adjust bunkering policies as the USCG develops regulations regarding the use of LNG.

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Next Meeting: The next meeting is tentatively scheduled for September 2014 in Washington, DC, location yet to be decided.

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

2014

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](#).

May 19 – Comments to USDA-APHIS on Dow AgroSciences’ petition for nonregulated status for cotton genetically engineered for resistance to the herbicides 2,4-D and glufosinate. 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

U.S.-Philippines – Agree to Expand Trade and Investment Framework Agreement

The U.S. Trade Representative (USTR) issued a [press release](#) on March 20, 2014 on a recent meeting between the U.S. and the Philippines under the current Trade and Investment Framework Agreement (TIFA). At the meeting the two countries agreed to expand engagement on bilateral, regional, and multilateral concerns.

The press release states, “The two sides agreed to establish a new work program on labor affairs under the TIFA to further our efforts. In addition, the United States and Philippines held detailed discussions of agricultural trade, including related to rice and meat, and these discussions will continue in the coming weeks. The United States and Philippines also agreed to intensify cooperation on U.S.-Association of Southeast Asian Nations (ASEAN) issues and on the trade and investment agenda for Asian-Pacific Economic Cooperation (APEC), which the Philippines will host in 2015.”

Ukraine-Related Sanctions

Russia – NAEGA outside Counsel Arent Fox reports: Round 2 in Ukraine Sanctions: US, EU, Australia, and Russia Take Further Action (<http://www.arentfox.com/newsroom/round-2-ukraine-sanctions->

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March 21, 2014

On March 20, 2014, the United States continued its march of Ukraine-related sanctions against Russia:

- The U.S. Treasury Department’s Office of Foreign Assets Control (OFAC) designated 19 additional Russian individuals and a bank, Bank Rossiya, adding them to the Treasury Department’s Specially Designated Nationals (SDN) list pursuant to Executive Order 13661 [UKRAINE2]; and
- President Obama signed a third executive order that paves the way for additional designations on a broad trade-related sanctions on key sectors of Russia’s economy.

These measures come on the heels of recent Ukraine-related sanctions that are discussed in the March 17th Arent Fox legal alert emailed to NAEGA member representatives: (<http://www.arentfox.com/newsroom/alerts/us-and-eu-take-action>). All are in response to Russia’s actions to annex Crimea subsequent to the March 16, 2014 Crimean Referendum to join Russia, as well as international concerns regarding possible further Russian incursions into Ukraine.

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

24 – Webinar – Next Steps of U.S. Soybean Export Council (USSEC) Sustainability Globally-Based Initiative (GBI) – 1-650-479-3208 Access code: 623 513 899 - WEBEX meeting 623 513 899 Password: GBI2014

26 – NAEGA Contracts Committee Conference Call – 4:30 Eastern, 3:30 Central, 1:30 Pacific.
Dial in: 1.404.920.6650 – Participant code: 996462#

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

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3 – CFTC's headquarters at Three Lafayette Centre, 1155 21st Street, N.W., Washington, DC – U.S. CFTC Public Roundtable on Dodd-Frank – 9:30am – Call-in: 1-888-469-2184 Passcode: 9775222

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

May

17-18 – Qingdao, China – Asian-Pacific Economic Cooperation (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 Market Access Program (MAP) Contribution Report Due

15-16 – Alexandria, VA – U.S. Agricultural Export Development Council (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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