



“Working Together to Make Trade Work”

OUTREACH July 7, 2014

Thank you for your membership in and work with NAEGA

Member Event Schedule – July-September

Action Reports;

- Working with USDA – GIPSA - Industry Workshop in New Orleans
- Recent Clause 20 Actions

More Participation Opportunities:

- USDA Agriculture Quarantine Inspection (AQI) Stakeholder Briefing
- U.S. Import Document Image System Pilot Test
- Latin American Buyers Conference

Information for your consideration

- West Coast Labor Unrest

NAEGA Calendar and Member Notices

- Upcoming Events and Notices for Members

Member Event Schedule – July-September:

All NAEGA member personnel are invited to participate in NAEGA activities over a significant number. Below is a list of NAEGA events we hope to see you at. Please let us know which events you plan to attend:

- 1. July 15-16 USAEDC Agricultural Attaché Conference in Arlington Virginia:** The U.S. Agricultural Export Development Council (USAEDC) is hosting the 2014 Agricultural Attaché conference in coordination with the USDA FAS. This year’s conference will be the first Full Global Attaché Conference since 2008 – meaning all USDA FAS personnel working outside the U.S. are invited to attend. The Conference will be held in Arlington, Virginia on July 15-16 at the Westin Arlington Gateway hotel. NAEGA, because of our use of the Market Access Program (MAP) is a member of USAEDC. The attaché conference gives USAEDC members an opportunity to meet with overseas FAS attachés and staff and to discuss country-specific issues facing U.S. agricultural exports. On Thursday, July 15th from 6:00 - 7:00 pm at the hotel, the US Biotech Crops Alliance will host a reception and information session in conjunction with the Conference.

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2. **July 28 -29, Westin Crown Center Hotel in Kansas City, Missouri** in conjunction with the [FDA Food Defense Workshop](#) on July 29 and the [NGFA/Grain Journal Safety Conference](#) July 29-31. NAEGA Events:
 - **July 28 - NGFA-NAEGA Joint Agroterrorism/Facility Security Committee meets from 1:00 to 3:00 pm.**
 - **July 28 - Alternative Security Program Users Meeting from 3:00-5:00 pm.**
 - **July 28 - NAEGA Dinner & Update – 7:00 PM – Location in KC is to be determined.**
 - **July 29 - Commercial Contract Seminar.** NAEGA staff, including Sam Bonilla, will provide an intensive review of current developments and practices in international grain trade contracts focused on the NAEGA 2.

3. **August 7 and 8, Hilton Hotel in Vancouver, Washington.** NAEGA Events:
 - **Thursday, August 7 - USDA GIPSA-Industry Workshop**
 - **Thursday August 7 - NAEGA Dinner & Update -** Location in Vancouver, Washington area is to be determined.
 - **Friday August 8 - Commercial Contract Seminar** NAEGA staff, including Sam Bonilla, will provide an intensive review of current developments and practices in international grain trade contracts focused on the NAEGA 2.

4. **August 11 and 12, Washington, DC IGTC Strategy Session and Meetings -** NAEGA members and International Grain Trade Coalition (IGTC) members are invited to attend the Strategy Session and Meetings. Agenda will include strategy sessions on key policy initiatives including the Biosafety Protocol / COP MOP 7 meeting in Korea, the evolving IPPC International Standard for Phyto-sanitary Measures for Grain Movement (Grain ISPM) and the Global Low Level Presence Initiative (GLI). IGTC organizational structure and future business planning will also be addressed. The National Grain and Feed Association (NGFA) and the North American Export Grain Association (NAEGA) will host the meeting at their conference room at 1250 Eye St NW Suite 1003 Washington, DC 20005.

5. **August 21-24, Puerto Vallarta, Mexico 2014 APPAMEX-NAEGA Forum**

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- 6. Friday, September 26, 2014 at CoBank’s offices in Denver, Colorado NAEGA Board of Directors Meeting.** NAEGA Members are encouraged to submit items for the consideration of the Board.

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Reports on NAEGA Actions

Working with USDA – GIPSA-Industry Workshop in New Orleans

NAEGA and NGFA hosted a regional industry and Federal Grain Inspection Service (FGIS) Workshop on Tuesday, July 1, 2014 at the FGIS New Orleans Field Office in Destrehan, LA from 7:30am to 5:30pm. In addition to GIPSA, both Animal and Plant Health Inspection Service (APHIS) and the Food and Drug Administration (FDA) attended.

Recent Clause 20 Actions

In the first half of 2014, The NAEGA Strikes, Lockouts and Embargoes Committee convened panels to consider requests for certification as provided for in Clause 20 of the NAEGA II model F.O.B. Contract. The nine requests resulted from five separate events. For the five events, certifications was not provided for three and was provided for two.

Below is a brief summary each of the 5 events and panel determinations:

Houston Oil Spill – March 2014 - This request for certification resulted when the applicant found exceptional impediments to transportation and action by Federal, State or local government or authority that caused a port closure as a result of an oil spill from a collision of two vessels in the Houston Ship Channel. The closure of the port prevented vessels from moving and the applicant could not load for several days. The panel determined the cause to be valid and NAEGA provided a certificate that established the start of the cause at 0210 on March 23rd the end of cause to be 1300 on March 27th.

PNW Gas Pipeline Explosion – April 2014 - A request for certification resulted when the applicant found interruptions and stoppages of the normal course of labor and exceptional impediments to transportation due to a natural gas pipeline explosion which disrupted the rail system in Plymouth, Washington. The gas pipeline explosion disrupted rail transportation. The panel determined the cause was not valid, basing its decision on a definition of exceptional impediment to mean: “Completely shut off from origination” and because labor was still available.

Lower Mississippi Oil Spill – February 2014 - A request for certification resulted when the applicant found exceptional impediments to transportation and action by Federal, State or local government or authority during a river closure resulting from an oil spill. The closure of the river prevented barges from moving. The panel determined the cause was not valid, basing its decision on a definition of exceptional impediments to transportation to be a “complete shutdown”. Since

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vessels were loading for most of the time, the shutdown was not complete. Moreover rail freight was still available.

Canadian Rail Delay – January 2014 - Exceptional impediments to transportation of a unique grain supply that needed to be moved from western Canada to eastern Canada inhibited by this winter’s the rail delays due to weather in Canada were the underlying basis for this request for certification. The panel determined the cause was not valid, basing its decision on a determination that exceptional impediments to transportation meant no service at all to that part of the country and something that is absolutely out of the norm of business where everything is shutdown. The panel further opined that although winter weather affects the entire Canadian rail system, it is not absolutely out of the normal course of business for winter weather in Canada to stop grain delivery. Moreover it was determined that the unique grain was, during the term of the request, in the process of movement to the port.

NOLA Winter Weather Event – January 2014 - Several requests for certification resulted from applications that noted exceptional impediments to transportation, actions of Federal, State or local government or authorities, and stoppages of the normal course of labor resulting from winter weather events in and around the center gulf. A winter ice storm plagued the region in late January and the USDA Federal Grain Inspection Service (FGIS) field office closed operations from 0800 on January 28th to 1600 on January 29th. For these similar requests, a panel determined the cause to be valid based on both the winter weather event’s impact on labor and the closure of FGIS. The panel decided different start and end times for the valid events to reflect the unique situations at each facility.

More NAEGA Member Participation Opportunities:

USDA Agriculture Quarantine Inspection (AQI) Stakeholder Briefing

The U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (APHIS) and the Department of Homeland Security’s Customs and Border Protection (CBP) will hold a Webinar on **Wednesday, July 9, at 3 p.m. EDT** to overview the changes APHIS is proposing to recoup the costs of conducting agricultural quarantine inspection (AQI) activities at U.S. ports of entry. This briefing provides an additional opportunity for interested stakeholder to learn more about the rule and to ask questions.

To register for the briefing [click on this link](#) and provide your name, organization and email address. Once you submit your information, you will receive an email with the call-in number and a unique conference code to enter the call as well as a link to join the Webinar.

U.S. Import Document Image System Test Pilot

USDA Animal Plant Health Inspection Service (APHIS) and the U.S. Customs and Board Protection (CBP) will conduct a pilot test of the Document Image System (DIS) to upload required shipment documentation for products entering the U.S. under specified [Harmonized Tariff](#)

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Schedule (HTS) Codes. Additional information pertaining to technical specifications (see DIS Implementation Guidelines) can be accessed on CBP.gov at the following link: <http://www.cbp.gov/document/forms/dis-implementation-guide>.

Latin American Buyers Conference

NAEGA members are invited to attend U.S. Wheat Associate’s Latin American Buyers Conference in Herradura, Costa Rica. Wheat purchasing decision makers from Brazil, Chile, Colombia, Ecuador, Peru, Mexico, Central America, Venezuela, and the Caribbean are expected to attend this event focused on promoting U.S. Wheat exports. The conference starts at 7:00 pm on Tuesday, July 29 with a welcome reception and continues through Thursday, July 31. The hotel is the Marriott Los Suenos, located about 1 1/2 hours west of the San Jose airport. Everyone who plans to attend the LABC should make hotel reservations directly using [this link](#). Please let us know if you plan to attend.

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

2014

Comments Extended July 24 (originally were due June 24) – Comments to USDA-APHIS on Proposed Rules for 1. Changes to User Fees and Agricultural Quarantine and Inspection Services (AQI) and 2. Fee Increases for Overtime Services. A copy of the Federal Register notice for changes to user fees can be found [here](#) and the Federal Register notice for increases for overtime services can be found [here](#).

July 28 – Comments to U.S. Department of Commerce on a proposal to reinstate the reporting requirements for the BE-13, Survey of New Foreign Direct Investment in the United States, which was discontinued in 2009 due to budget reductions. The Department of Commerce is proposing this action to better measure its efforts through the “Build It Here, Sell It Everywhere” initiative to expand foreign business investment in the U.S. 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.

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

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West Coast Port Operations Continue

The Pacific Maritime Association (PMA) and the International Longshore & Warehouse Union (ILWU) issued a [joint press release](#) confirming that normal operations will continue at the west coast ports, although negotiations for a renewed contract remain unsuccessful. The contract between the two parties expired on June 30, 2014.

The release stated, “While there will be no contract extension, cargo will keep moving, and normal operations will continue at the ports until an agreement can be reached between the PMA and ILWU. Both sides understand the strategic importance of the ports to the local, regional and US economies, and are mindful of the need to finalize a new coast-wide contract as soon as possible to ensure continuing confidence in the West Coast ports and avoid any disruption to the jobs and commerce they support.”

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

July

7 – Geneva, Switzerland – WTO Sanitary and Phytosanitary Measures (SPS) Committee Meeting

9-18 – USA – US Biotech Crops Alliance (USBCA)-US Grain Council (USGC) Sponsored China Regulatory & Biosafety Committee Team to the US

14 – Washington, DC – Japan Feed Manufacturers (Association) (JFMA) Meeting at NAEGA/NGFA Conference Room.

14 – Fortaleza, Brazil – Brazil Russia India China South Africa (BRICS) Summit

15-16 – Arlington, VA – U.S. Agricultural Export Development Council (USAEDC) Attaché Seminar and USBCA reception. The agenda can be found [here](#).

17 – Arlington, VA – Africa Global Broad-based Initiative (GBI) meeting. NAEGA staff attending.

22 – Chicago, IL – U.S. Soybean Export Council (USSEC) Industry Advisory Council Meeting – NAEGA President and CEO, Gary C. Martin attending

20 -24, Whistler, B.C - PNWER 24th Annual Summit <http://www.pnwer.org/2014summit.html>

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28 – Kansas City, MO – Alternative Security Plan (ASP) Users Meeting – 3:00pm – 5:00pm Central Time – ASP users only. NAEGA Dinner and Update - all NAEGA members and Contract Seminar participants invited. The invitation and agenda can be found [here](#).

29 – Kansas City, MO – Commercial Contract Seminar/Training. The invitation and agenda can be found [here](#).

August

4 – Washington, DC – South China Morning Post U.S. Business Report interview with NAEGA at NAEGA/NGFA Conference Room

7 – Vancouver, Washington – USDA GIPSA Industry Workshop.

8 – Vancouver, Washington – Potential NAEGA Update Commercial Contract Seminar/Training.

11-12 – Washington, DC – International Grain Trade Coalition (IGTC) Meeting at NAEGA/NGFA office.

13 – Washington, DC – American Soybean Association and Illinois Soybean Association Biotechnology Roundtable – NAEGA President, Gary Martin to participate on a panel.

21-24 – Puerto Vallarta, Mexico – APPAMEX – NAEGA Forum – Velas Hotel. <http://www.appamex.com.mx/>

September

5 – Washington, DC - NAEGA MAP compliance review by USDA FAS.

8-12 – London, England – International Maritime Organization (IMO) subcommittee meeting of Carriage of Cargoes and Containers (CCC). The agenda can be found [here](#).

11-12 – Beijing, China – Asia-Pacific Economic Cooperation (APEC) Food Safety Cooperation Forum: Special Session and APEC High-Level Regulatory-Industry Food Safety Dialogue.

14 – Beijing, China – U.S.-China Agriculture and Food Partnership Symposium – Tentative

14 – Seoul, Korea – Korean Rural Economic Institute Food Security Symposium.

14 – Geneva, Switzerland; Rome, Italy – USBCA-The International Maize Alliance (MAIZALL) Mission to the WTO & FAO

18 – Washington, D.C. – Michigan State University/USDA FAS Industry Roundtable International Agricultural Biotechnology Short Course. Gary Martin on the panel

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18-19 – Beijing, China – APEC Food Security Ministers Meeting, High Level Policy Dialogue on Agricultural Biotechnology (tentative)

26 – Denver, Colorado – NAEGA Board Meeting – Hosted by CoBank

29-October 3 – Pyeongchang, Korea – 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/>

October

1-3 – Panama – Dry Bulk Terminal Group (DBTG) Annual Meeting, Gary Martin planning to present and attend.

13 – Geneva, Switzerland – WTO Sanitary and Phytosanitary Measures (SPS) Committee Meeting

20-24 – Huatulco, Oaxaca, Mexico – The North American Plant Protection Organization (NAPPO) and the National Plant Protection Organization of Mexico. <http://www.nappo.org/>

24-25 – Beijing, China – Development Research Center Food Security and Sustainability Summit

November

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

17-20 – Baltimore, MD – USAEDC Annual Workshop

December

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

14 – Seoul, Korea – USGC Sponsored Technical Workshop for Biosafety Committee Members

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