



## OUTREACH August 18, 2014

Thank you for your membership in and work with NAEGA

### Member Opportunities

- Puerto Vallarta, Mexico – APPAMEX-NAEGA Forum – August 21-24, 2014
- Milwaukee, WI – USSEC Global U.S. Soy Trade Exchange – September 15-17, 2014
- Denver, Colorado – NAEGA Board of Directors Meeting – September 26, 2014

### Action Reports;

- APHIS, FGIS, and WSDA Industry Workshop
- Contract Seminar
- Moving forward with IGTC
- NAEGA Success Stories to USDA FAS
- Trip Reports – Mexico City, Mexico and Geneva, Switzerland
- U.S. Biotech Roundtable
- U.S. Official Services for Grain Exports

### Information for your consideration

- Alternative Security Program
- Application for EU Recognition of U.S. Wheat Pre-Export Certification
- Asian Gypsy Moth
- U.S.-India Trade Cooperation

### NAEGA Calendar and Member Notices

- Upcoming Events and Notices for Members

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## Member Opportunities

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

**Registration** – Once again NAEGA will co-host the 21<sup>st</sup> APPAMEX-NAEGA Forum at the Hotel Velas Vallarta in Puerto Vallarta, Mexico. A copy of the agenda can be found [here](#) and a registration form can be found [here](#).

We are also planning special side meetings to discuss the current issues with Mexican phytosanitary issues. A draft agenda for the side meetings can be found [here](#).

### **Milwaukee, WI – USSEC Global U.S. Soy Trade Exchange – September 15-17, 2014**

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The U.S. Soybean Export Council (USSEC) is bringing over 150 soy feed, food, and oil processing importers from around the world to meet with U.S. exporters at the Milwaukee Convention Center and the Hilton City Center. Along with the U.S. Soy Trade Exchange, USSEC is hosting a Trade Team Invitational. Over the course of the three days, your company will have the opportunity to sit down with representatives from the more than 150 soy companies from outside the U.S at the Trade Team invitational.

A listing of participating importers can be found [here](#). To access the on-line appointment registration site, click [here](#). The opportunity to register for the Trade Team Invitational ends August 29 at 5:00pm Central. Schedules of meetings will be emailed to participants by the close of business on September 8, 2014.

**Friday, September 26, 2014 at CoBank's offices in Denver, Colorado NAEGA Board of Directors Meeting.** Holly Womack and Co-Bank will host the next NAEGA Board of Directors Meeting at 5500 S. Quebec St., Greenwood Village, CO 80111 from 7:30am to 1:00pm (U.S. Mountain Time).

NAEGA Members are encouraged to submit items for the consideration of the Board.

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

[Click here to return to Index](#)

## Reports on NAEGA Actions

### APHIS, FGIS, and WSDA Industry Workshop

USDA's Federal Grain Inspection Service (FGIS) joined with NAEGA and NGFA to host a regional Industry Workshop on Thursday, August 7 in Vancouver, Washington. In addition to FGIS, the USDA Animal and Plant Health Inspection Service (APHIS) and the Washington State Department of Agricultural (WSDA) provided remarks and presentations. Approximately 50 stakeholders in U.S. grain exported attended. A copy of the agenda can be found [here](#).

Much discussion and concern was focused on the refusal of WSDA, FGIS and APHIS to provide of official services for grain exports at the port of Vancouver. Although there were no new answers provided, a clear message was sent to Deputy Administrator Jones that the entire supply chain is concerned about the potential harm of the FGIS refusal to provide service.

APHIS reported on phytosanitary issues with China, Egypt, Mexico, and Canada, and reported that there was nothing new to share on the genetically engineered (GE) field escape in Oregon about a year and a half ago other than the investigation will soon be available. Many other topics were discussed, including US Environmental Protection Agency (EPA) and Occupational of

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Safety and Health Administration (OSHA) updates, reports on moisture meters, and quality assurance programs.

### **Contract Seminar**

Eleven industry professionals participated in an intense review of the NAEGA II and current trends in the global grain trade in Vancouver Washington on Friday, August 8. NAEGA Senior Advisor, Sam Bonilla led the participants through contract training exercises with the assistance of Gary Martin and Kyle Liske. New to this Seminar was an exercise involving all participants replicating a previously settled arbitration case to provide for experience in the alternative dispute resolution under the NAEGA model contract addendum 2. During the arbitration exercise, the participants played the roles of plaintiffs, defendants, and arbitrators.

The seminar was conducted with agenda and background information contained in an updated NAEGA sourcebook. A copy of the most recent NAEGA Sourcebook used in the seminars can be found [here](#).

### **Moving forward with IGTC**

NAEGA and NGFA co-hosted the first 2014 in-person meeting of the International Grain Trade Coalition (IGTC). IGTC members from Australia, Canada, Europe, Mexico and the United States attended. Two days of intensive meetings provided for global alignment and action plans to address several key NAEGA concerns. IGTC is now engaged with:

1. The upcoming COP-MOP 7 meeting to the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (BSP),
2. International Plant Protection Commission's (IPPC) International Standards for Phytosanitary Measures (ISPM),
3. Low Level Presence initiatives,
4. Opposition to efforts to regulate grain via labeling as an exposable chemical in UN Global Harmonization Standard in collaboration with the policy articulated by International Bulk Terminals Association, NGFA and NAEGA. The briefing paper by IBTA, NGFA and NAEGA can be found [here](#).

The meetings also resulted in important steps forward for IGTC organization. The IGTC adopted a revised business plan as proposed by NAEGA. The new IGTC business plan includes:

1. Establishing IGTC as a formal international non-governmental organization (incorporation) that provides for funding from both member non-profit trade associations and councils as well as their for-profit members.
2. Retaining operational governance as currently established. Governance documents can be found [here](#).
3. Engagement of a person to act as Secretariat via a consultancy managed by NAEGA and NGFA. Around the meetings seven candidates for the Secretariat position were interviewed by a selection committee organized by COCERAL, Canada Grains Council and NAEGA. The 7 candidates were selected from 15 highly qualified individuals from around the world who indicated as interest in the IGTC Secretariat consultancy. IGTC is now working to

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further reduce the number of potential candidates with the intention of the consultancy being in operation in the next 60 days.

In addition, the IGTC met with prospective new member associations, agricultural counselors from the Australian and Canadian embassies, and officials from the U.S. Trade Representative's Office and USDA's Foreign Agricultural Service.



### **NAEGA Success Stories to USDA FAS**

At the request of the USDA Foreign Agricultural Service (FAS) NAEGA submitted two success stories from execution of its Unified Export Strategy (UES) and the Market Access Program (MAP). In the stories NAEGA highlighted its work with other international organizations on issues such as the International Plant Protection Commission's (IPPC) International Standards for Phytosanitary Measures (ISPMs), International Maritime Organization (IMO) and UN Globally Harmonized System (GHS) labeling regimes that address the safety of products shipped internationally, the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (BSP), and the Global Low Level Presence Initiative (GLI). NAEGA also highlight its

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collaborative effort with USDA Animal and Plant Health Inspection Service (APHIS) on Canadian Food Inspection Agency's (CFIA) proposed Grain Import Framework (D-12-05).

A copy of the success stories can be found [here](#).

### **Trip Reports – Mexico City, Mexico and Geneva, Switzerland**

NAEGA President and CEO, Gary C. Martin, along with NAEGA consultant, Bryan Munoz reported on the recent trip to Mexico City, Mexico. Topics of the report include Mexico's plant health risk assessment and management, planning for the NAEGA-APPAMEX Forum, and the developments of the Cartagena Protocol on Biosafety to the Convention on Biological Diversity (BSP).

The report discusses actions that were taken while in Mexico. Many plans were made to organize the upcoming NAEGA-APPAMEX forum and continue work on the Mexican plant health risk assessment and management issue. The plan is to work to address the phytosanitary issues at the North American Plant Protection Organization (NAPPO). Plans were also established for Ricardo Calderon of APPAMEX and Bryan Munoz to work with the Inter-American Institute for Cooperation of Agriculture (IICA) to prepare for COP-MOP 7 of the BSP. They will conduct an IICA workshop planned for September 1-3 in San Jose, Costa Rica.

NAEGA Senior Advisor, Jerry Cotter, reported on his recent trip to Geneva, Switzerland to attend the UN Sub-Committee of Experts on Globally Harmonized System of Labeling (GHS). Prior to the meeting NAEGA prepared a briefing paper on the subject in coordination with NGFA and the International Bulk Terminals Association (IBTA). The Sub-Committee presented an informal paper in an informal working group which proposed to develop a chapter on explosible dusts to the GHS. A conference call is scheduled in October to continue discussions on the definition of combustible dust, which NAEGA intends to participate in.

The trip reports can be found on the "Members Only" page [here](#).

### **U.S Crop Biotechnology Policy**

Approximately 250 U.S. Agriculture thought leaders and decision makers attended the [Biotechnology Round Table](#) co-hosted the Illinois Soybean Association and American Soybean Association on Wednesday, August 13 in Washington, DC. The Biotechnology Round Table is aimed at advancing alignment in global biotechnology. Most of the daylong event focused on the need to innovate crop biotechnology and regulatory measures that restrict innovation.

NAEGA President, Gary Martin, made formal remarks and discussed the ongoing work of NAEGA, the U.S. Biotech Crops Alliance (USBCA), and the International Grain Trade Coalition (IGTC). Gary highlighted work to address marketability-related issues associated with biotech commercialization, and efforts to improve global biotech environment and encourage adoption of trade facilitative policy and commercial practice. Gary's emphasis on marketability concerns, included the observation that increases in productivity from the use of technology are counter-productive if they result in closed markets. A copy of Gary's presentation can be found [here](#).

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### **U.S. Official Services for Grain Exports**

Recent reports of a tentative labor agreement between the Northwest Grain Handlers and the International Longshore and Warehouse Union will signal renewed efforts by NAEGA and U.S. grain export stakeholder organizations to address industry concerns over the lack of transparency and accountability as well as what many considered an abuse of regulatory authority related to the negotiations. Concerns of many U.S. agricultural producer and agribusiness organizations that had worked with NGFA, NAEGA and National Association of Wheat Growers Association (NAWG) to demand that FGIS fulfill its legal obligation to provide official grain inspection and weighing service at the Port of Vancouver are at the center of controversy over the related actions of the Washington State Department of Agriculture, the U.S. Grain Inspections, Packers and Stockyards Administration and the U.S. Animal Plant Health Inspection Service.

We understand that USDA Grain Inspection, Packers and Stockyards Administrator Larry Mitchell's letter to one of the grain exporters – issued “ironically” on the same date the tentative labor agreement was announced – stating that USDA's safety assessment at their facility had found only minor, easily correctable “issues” at the Port of Vancouver. But, Mitchell noted, it appeared that nothing further needed be done since the labor agreement apparently had been reached and inspectors would be returning after a two-week hiatus. This letter and related documents are being retained and are available to NAEGA members.

NAEGA and NGFA will work together with stakeholders to identify and address the egregious actions and have targeted completion of all efforts to occur before the upcoming necessary reauthorization of the U.S. Grain Standards Act (expires in late 2015).

***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.***

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

#### **2014**

**Oct.29** – Comments to USTR on TBT & SPS trade barriers for Annual National Trade Estimate Report

The Office of the U.S. Trade Representative (USTR) is seeking input for its annual national trade estimate (NTE) report on foreign trade barriers. Comments are due by October 29 and are encouraged to be made on any of the following topics:

- import policies (e.g., tariffs, quotas, import licensing and customs barriers)
- government procurement restrictions (e.g., “buy national” policies and closed bidding)
- export subsidies
- lack of intellectual property rights protection

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- anticompetitive conduct of state-owned or private firms tolerated by foreign governments that restricts the sale or purchase of U.S. goods or services in the foreign country's markets
- other barriers, including barriers that encompass more than one category, such as bribery and corruption, or that affect a single sector

The USTR is particularly interested in trade practices that may violate U.S. trade agreements and information on new barriers. The USTR also welcomes comments on trade restrictions through unwarranted sanitary and phytosanitary measures and standards (SPS), and conformity assessment procedures or technical regulations that can be implemented in less trade restrictive ways (TBT).

A copy of the federal register notice can be found [here](#).

[Click here to return to Index](#)

## Information for your Consideration

### Alternative Security Program

NAEGA Senior Advisor, Jerry Cotter, reports that the Transportation Security Administration's (TSA) Transportation Worker Identification Credential (TWIC) "OneVisit" is now available everywhere. TWIC cards can now be mailed directly to your home, or other location, instead of returning to an enrollment center to pick up your card. This applies to new or renewed enrollment cards, Extended Expiration Date (EED) TWICs, or replacements for lost stolen, or damaged cards. More information can be found [here](#).

### Application for EU Recognition of U.S. Wheat Pre-Export Certification

The USDA Federal Grain Inspection Service (FGIS) requested the European Commission (EC) officially recognize FGIS's export certification of dextynivalenol (DON) and ochratoxin A in U.S. wheat exported to Europe. A copy of the letter from USDA FGIS to the EC can be found on the Grades Committee Page of the Members Only site by [clicking here](#).

The European Commission recently replied to the letter saying more information is necessary for the Commission to proceed with the request. The EC requests further details on the functioning and the technicalities of the FGIS export certification system for wheat. To gain this additional information, the EC is preparing a questionnaire that will be sent to FGIS. An audit by the EC's Food and Veterinary Office (FVO) may need to take place to confirm the U.S. process is effective and ensures U.S. wheat exported to the EU complies with EU requirements. A copy of the EC's response can be found on the Grades Committee Page of the Members' Only site by [clicking here](#).

### Asian Gypsy Moth

The U.S. Animal and Plant Health Inspection Service (APHIS) and the Canadian Food Inspection Agency (CFIA) issued [this announcement](#) on the Asian Gypsy Moth (AGM) on the significant risks to North American plants. Vessels must arrive in North American ports with required pre-

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departure certification and free of AGM. Vessels arriving in the U.S. without the required AGM documentation will be issued a penalty. Beginning January 1, 2015 the U.S. Customs and Border Protection (CBP) will begin issuing penalties to any vessel arriving without a valid AGM certification from a valid certification body during the high risk period.

### **U.S.-India Trade Cooperation**

Both the United States and India expressed a desire to strengthen bilateral trade cooperation after a Strategic Dialogue meeting in New Delhi on July 31 despite disagreements at the World Trade Organization (WTO) over trade facilitation and food security. The two countries issued a [joint statement](#) that they are hoping to convene a session of the Ministerial Trade Policy Forum this fall and a few other meetings before the end of the year.

The same day the joint statement was issued, however, India failed to implement the WTO Trade Facilitation Agreement because they insisted on securing an accelerated timetable for addressing its concerns on food safety and agricultural subsidies.

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

[Click here to return to Index](#)

## **NAEGA Calendar & Member Notices**

### **2014**

#### **August**

**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.

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**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

**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 – 7<sup>th</sup> 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

**30** – Washington, D.C. – US Coast Guard Alternative Security Program (ASP) Workshop

### **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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