



“Working Together to Make Trade Work”

OUTREACH December 17, 2012

Thank you for your membership in and work with NAEGA

Happy Holidays to all!

NAEGA Holiday Hours: The NAEGA Office will be closed from 2pm Eastern Time on Friday, December 21, 2012 through Tuesday, December 25 in recognition of Christmas, and on Monday, December 31, 2012 and Tuesday, January 1, 2013 for New Year's.

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- Upcoming events and notices for members

In Memorial, Richard Peckham, Secretariat of the Dry Bulk Terminals Group

We are saddened to hear that Richard Peckham, Secretariat of the Dry Bulk Terminals Group (DBTG) passed away Sunday, December 16 due to complications from amyotrophic lateral sclerosis, more commonly known as Lou Gehrig's Disease. Our friend and colleague Richard worked extensively and successfully with NAEGA senior Jerry Cotter. Representing DBTG, one of NAEGA's international counterparts, Richard honored NAEGA by attending and speaking during our 100th Anniversary Celebration this past February.

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Reports on NAEGA actions

China, Biotech Authorizations, Safety Certificates Update –In the December 10, 2012 edition of OUTREACH, we reported that we are looking into the pending renewal of the Safety Certificates for import into China for 12 biotech events. Delays in Chinese authorization for biotech events related to existing approvals are a top priority concern. Safety Certificates for several events that currently may be found in commodity grain and oilseed supplies expire on December 20, 2012. NAEGA is working with stakeholders, including technology providers, to identify and clarify appropriate process should the new safety certificates not be available after December 20.

For imports into China, all biotech events that may be in a shipment must be authorized with a Safety Certificate issued to the Technology provider by China’s Ministry of Agriculture (MOA). A list of all the events currently approved by MOA along with their respective term of validity is [available here](#).

Additionally, we believe another 16 events, 12 of them subject to approval for planting in North America, are seeking their first authorization. Over the next few weeks, we plan to report on the commercialization plans of the technology providers who are responsible for these new authorizations.

Right now, NAEGA and others are pressing for the quick renewal of the safety certificates by the MOA as well as for authorizations for the 16 new events. U.S. Trade Representative (USTR) Ron Kirk and Acting U.S. Secretary of Commerce Rebecca Blank will host Chinese Vice-Premier Wang Qishan for the 23rd session of the U.S.-China Joint Commission on Commerce and Trade (JCCT), December 18-19, 2012 in Washington, DC. U.S. Secretary of Agriculture Tom Vilsack will also take part in the discussions to address key agricultural trade concerns. The Biotechnology Industry Organization (BIO) is leading an effort to make sure the need to get the authorizations in place as quickly as possible is included on the agenda.

Here is the latest information on the critical documentation associated with the authorizations:

Our report in the December 10, 2012 OUTREACH incorrectly assumed that the biosafety authorization from MOH included a Quarantine Import Permit (QIP). We now are aware that when an agricultural product comes into a Chinese port China Inspection and Quarantine (CIQ) will check 2 documents which are required for import if the product may contain biotechnology: **a Biosafety Certificate for Import (MOA issued)** the CIQ issued QIP.

Regarding “The Biosafety Certificate for Import”:

- It takes approx. 25 days to issue a “biosafety certificate for import” (issued by MOA).
- The “biosafety certificate for import” is directly correlated to the biosafety certificates issued to technology providers for genetically engineered commodities (e.g. renewals).
- The exporter does have to declare the events listed for the imported product in order to acquire this certificate.

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- No separate provincial certificates required etc. – this is used for clearing customs.
- The Biosafety Certificate for Import is per vessel. For example, if there are 2 containers on 1 vessel, our understanding is that you need 1 biosafety certificate for both containers.
- GMO testing is integrated with the CIQ procedures on quality inspection and quarantine. A sample is taken and tested at a lab during their inspection.
- The biosafety certificate for import costs 3000 Chinese Yuan each.

In the event the renewal of the biosafety certificate issued to the Tech. provider does not occur by December 20:

1. We believe and are trying to confirm that MOA will allow imports after December 20 if the Biosafety Certificates for Import was issued before that date
2. If the authorization / Biosafety Certifications are eventually “renewed” during this 6 month period but after the December 20 expiration, we are unsure on when or whether a new Biosafety Certificate for Import will be needed to replace the Biosafety Certificate for Import that was based on the authorization / Biosafety Certifications that expired on December 20.
3. If the authorization / Biosafety Certifications expire without renewal, and the Biosafety Certificate for Import is applied for after December 20, we have been told the Biosafety Certificate for Import will not be issued because the authorization / Biosafety Certifications for the listed events will have expired.

Regarding the **Quarantine Import Permit (QIP)**:

1. Only the importer applies for the QIP.
2. A QIP is valid for 6 months after issuance.
3. Application for QIP requires information such as company name, address, phone, and must include origin and quantity.
4. If the origin changes, exporters will need to apply for a new QIP.
5. If total quantity is less than what is applied for (i.e. QIP originally allowed for 40,000 tons but only 20,000 are purchased) there no need for a new QIP.
6. According to regulations, an importer should first sign a contract before applying for a QIP.
7. The QIP is a separate document and has no direct relation to the Biosafety Certificate for Import

Please feel free to contact us with questions or advice in this regard.

U.S., Mississippi River Update – The U.S Army Corps of Engineers, has rejected requests from members of Congress, as well as agriculture, waterway and other groups, including NAEGA, to allow limited additions releases of Missouri River reservoirs to maintain navigation on the Mississippi River between St. Louis, MO, and Cairo, IL. Assistant Secretary of the Army for Civil Works Joe-Allen Darcy wrote to lawmakers that the Corps does not believe these releases are necessary based on revised forecasts from the National Weather Service, which indicate that the Mississippi’s draft level is not declining as rapidly as expected. She also wrote that the Corps lacks the authority to alter the Missouri river’s purposes for the benefit of Mississippi river navigation.

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As we have reported, navigation on the strategic 200-mile stretch of the Mississippi River will be severely impaired – and barge transportation may well cease altogether – unless the emergency action is taken to ensure the statutorily authorized 9-foot draft needed to maintain commercial navigation. Current projections indicate that the stretch between St. Louis and Cairo may be unnavigable on or about December 30. Since such a disruption would occur during one of the busiest and most critical periods of the year for U.S. agriculture’s use of barge transportation, an agriculture industry focus has been added to the campaign. NAEGA joined with industry groups in submitting a letter to President Obama in late November, urging him to issue an emergency declaration ordering the corps to alter the Missouri to allow sufficient water flows on the Mississippi. There has not yet been a response to this letter.

Assistant Secretary Darcy did indicate that the Corps would expedite its contract review process to remove the rock pinnacles near Grand Tower and Thebes, IL, which present significant hazards to navigation when combined with the low water levels on the river. Work on the pinnacles could begin as early as December 17, and would take 60 days to complete. She also wrote that the Corps is continuing to explore other options to maintain navigation on the river, including reducing the water levels at 5 lakes in Missouri & Illinois, allowing them to flow into the Mississippi

Your continued support and additional outreach to anyone who might help encourage action by the Obama Administration on the issue of authorizing the release of measured but sufficient flows from Missouri River reservoirs dams to maintain a 9-foot navigation channel on the Mississippi River to sustain commercial navigation is appreciated. Please share the agriculture coalition letter, [available here](#), and other material [provided by WCI](#). We are tracking this issue on the [NAEGA Member’s Only Site](#) and on the [NAEGA Personal Pages](#) site. We appreciate your work and support on this important issue.

World, NAEGA MAP Travel Reports Posted – The Market Access Program (MAP) trip reports for several recent NAEGA mission have been submitted to USDA/FAS and are now available for NAEGA members to view. Submitted reports include: NAEGA President Gary Martin’s trip to the North American Plant Protection Organization Annual Meeting in Louisville, Kentucky; Gary’s report on the American Soybean Association / U.S. Soybean Export Council Americas Region Meeting in Puerto Vallarta, Mexico; and Gary and NAEGA Senior Advisor Kendell Keith’s report on the 2012 Canada Grain Industry Symposium in Ottawa, Canada.

All MAP activity is tracked under the MAP committee and the trip reports are available on the [NAEGA personal pages](#) site and the [MAP Committee Website](#).

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

**2013
January**

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9 – Comments due to BIS on proposed 180-day Deadline to Complete Voluntary Self-Disclosures: http://www.ofr.gov/OFRUpload/OFRData/2012-27206_PI.pdf

19 – Comments due to Agriculture & Agri-Food Canada on the proposed Domestic Policy and Implementation Framework on the Management of Low-Level Presence of Genetically Modified Crops in Imports:

<http://www4.agr.gc.ca/AAFC-AAC/display-afficher.do?id=1347469689149&lang=eng>

28 – Comments due to BIS on Proposed Changes to Clarify Commerce Control list:

http://www.ofr.gov/OFRUpload/OFRData/2012-28363_PI.pdf

February

TBD – Comments to the Canadian Food Inspection Agency (CFIA) on draft directives D-12-05 & D-12-05: http://www.naega.org/images/pdf/CFIA_Draft_D-12-05.pdf

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. & China Renew Agreement on Food and Feed Safety Cooperation – The U.S. Food and Drug Administration (FDA) has renewed for five years an agreement with China’s General Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) on bilateral cooperation on food and feed safety. The agreement aims to enhance FDA’s ability to identify high-risk food products entering the U.S. from China, improve collaboration on inspections of facilities that process and produce food, allow the two sides to focus on high-risk foods frequently exported from China to the U.S., and create processes for FDA to accept relevant, verified information from AQSIQ regarding registration and certification. FDA states that since the agreement was signed in 2007 there has been significant progress in numerous areas, including:

- FDA has increased its overall number of facility inspections in China from zero in 2007 to 85 in 2011.
- Working with AQSIQ, FDA experts have conducted workshops for members of the Chinese industry on FDA requirements for several categories of high-risk foods and Chinese regulators have implemented more stringent oversight of canneries shipping products to the U.S.
- FDA has significantly deepened its understanding of China’s food safety system, developed key relationships with Chinese regulators, and now meets regularly with Chinese food safety officials in face-to-face talks on matters of mutual concern.
- FDA holds joint workshops with Chinese food regulators to provide training, build regulatory capacity and specify FDA standards and requirements for industry.

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- Since the enactment of the Food Safety Modernization Act in 2011, FDA has worked with AQSIQ to conduct multiple outreach events for Chinese food safety officials and regulated industry on the impact this law will have on Chinese food exports to the U.S.

U.S. & Morocco Sign Agreements on Trade Facilitation – The Office of the U.S. Trade Representative (USTR) has announced that during the third Joint Committee Meeting of the U.S.-Morocco Free Trade Agreement (FTA), new agreements were reached which would further stimulate economic growth between the two regions. The Joint Committee Meeting also focused on the over 300 percent increase in bilateral trade and investment since the FTA’s entry into force on January 6, 2006

The new agreements are focused on three different sectors:

- A trade facilitation agreement, which would set a new standard for transparency and predictability in customs matters
- An agreement on a set of Joint Principles for International Investment
- An agreement on a set of Joint Principles for Information and Communication Technology (ICT) Services

Full details on the new trade facilitation agreements are available [online via USTR](#).

FDA Extends Deadline for Food Facility Registration – The U.S. Food & Drug Administration (FDA) has extended the deadline for foreign and domestic food facilities to register with the Administration by one month, from December 31, 2012 to January 31, 2013. Facilities that manufacture, process, pack or hold food for human or animal consumption are required to register or renew their existing registrations every other year. FDA extended the deadline for a month in light of delays in this year’s registration process and the substantive changes to this process that were included in the Food Safety Modernization Act. The FDA may suspend the registration number of any facility that fails to comply, resulting in a prohibition on the importation, distribution or sale of food from the suspended facility. The FDA’s Office of Compliance announced that shipments may be refused if foreign food facilities do not submit their registration renewals by January 31, 2013. Details on how to comply are [available through this link](#).

Federal Task Force Created to Increase U.S. Exports – U.S. President Barack Obama has signed an executive order establishing an Interagency Task Force (ITF) on Commercial Advocacy that will provide support for U.S. exporters competing for public international contracts against foreign firms. This task force will provide increased support for U.S. exporters beyond traditional commercial advocacy by creating packages of government support from 15 federal agencies, including trade promotion, commercial diplomacy, financing, lead generation, market intelligence, technical assistance and other services.

The creation of the ITF is designed to build on and coordinate with existing programs to create a whole-of-government efficiency to compete against state-supported international competitors. Specific efforts in which the task force will be engaged include:

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- Reviewing and prioritizing commercial advocacy cases and coordinating the activities of relevant agencies to enhance federal support for such cases
- Coordinating the engagement of agency leadership with their foreign counterparts regarding commercial advocacy issues in order to increase the number of senior-level agency officials regularly and effectively advocating on behalf of U.S. exporters
- Developing strategies to increase the number of U.S. businesses utilizing commercial advocacy services
- Instituting processes to obtain and distribute information about foreign procurement opportunities that may be of interest to U.S. businesses
- Facilitating voluntary short-term personnel exchanges between the Department of Commerce and other task force agencies in order to cross-train federal personnel to better serve U.S. exporters
- Submitting a semiannual progress report to the Export Promotion Cabinet

Complete details on the ITF are available [through this link](#).

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 member participation requested:

Inter-market Survey of Official Inspection – NAEGA members are encouraged to participate in an Inter-Market Monitoring Survey of Official Inspections developed by NAEGA in cooperation with the USDA’s Grain Inspection, Packers & Stockyards Administration (GIPSA). The goal of the survey is to test U.S. sampling methods for both the import and export of grains & oilseeds to provide a quicker response time to any grading differences between the origin and export system. A description of the Survey method is [available through this link](#). NAEGA launched the survey earlier in 2012, though delays in starting the project prevented the collection of enough data to be useful at that time.

In August, NAEGA Senior Advisor Arvid Hawk communicated to the Grades & Inspections Committee that they should have their companies begin work on the project as soon as possible. So far, GIPSA reports that they have only received a handful of samples, none complete, from just two participants.

For the project to be successful, greater participation and a large data sample is needed. NAEGA members who have already agreed to participate in the project are asked to check with their companies to check on the status of the project. NAEGA members who are not already participating are encouraged to take part. Please contact Arvid Hawk at ahawk@naega.org if you would like to take part of if you have an update on your company’s participation status.

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Rapid Response Mechanism and SPS TBT Enforcement - NAEGA policy papers posted for your consideration and use – NAEGA has recently updated policy papers to improve the predictability and efficiency of trade:

1. A briefing paper urging the inclusion of a Rapid Response Mechanism (RRM) in trade agreements. RRM would provide a commercially-meaningful method by which to resolve trade disputes related to plant quarantine and other risk management measures deployed by importing governments. The paper is [available through this link](#).
2. Second is a comprehensive set of recommendations for Sanitary & Phytosanitary (SPS) measures and Technical Barriers to Trade (TBT) enforcement for inclusion in the Trans Pacific Partnership. The paper is [available through this link](#).

Your review and assistance in communicating these policies is requested.

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

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NAEGA Calendar & Member Notices

December

24-25 – NAEGA office closed for Christmas

31-January 1, 2013 – NAEGA office closed for New Years

2013

January

6-9 – Guangzhou, China – USSEC North Asia Regional Meeting & Select Customer Meetings

11-12 – Jakarta, Indonesia - 2013 USSEC Southeast Asia Regional Meeting & Select Customer Meetings

24 – St. Cloud, Minnesota – Minnesota Grain and Feed Association Annual Meeting – Gary Martin Invited to attend & present

February

20 – Washington, DC – U.S. Coast Guard ASP User’s Meeting – Hosted by NAEGA at the NAEGA offices

March

17-19 – San Francisco, California – NGFA Annual Convention

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TBD - San Francisco, California – NAEGA Annual Meetings

November

12-15 – Lisbon, Portugal - 6th International Conference on Coexistence between Genetically Modified (GM) and non-GM based Agricultural Supply Chains: www.gmcc13.org

Member Notices

The New NAEGA.org – NAEGA’s public website at www.NAEGA.org has been redesigned and launched as of June 18, 2012. The new NAEGA.org features a more user-friendly interface, a better search engine, and integration with the NAEGA Personal Pages website. The new site also features social media tools for sharing public NAEGA actions on a wider scale. NAEGA accounts have been established at LinkedIn and Twitter, and stories on the public site can be shared on Google Plus. NAEGA members and staff should take the opportunity to enhance their experience with a NAEGA Members Personal Page. NAEGA Director of Operations Patrick Hayden is will assist you to setup and maintain your NAEGA Personal Page.

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