

Outreach
March 7, 2019

Thank you for your membership in and work with NAEGA

Graphic of the week:

Legal Update:

U.S. Supreme Court decides on case that could strengthen companies' ability arbitrate disputes



- On January 8, 2019 the US Supreme Court unanimously rejected a rule that allowed multiple federal circuit courts to have an arbitrator determine their own jurisdiction based on an application of arbitration
- The case involved price-fixing claims by a dental equipment distributor against other manufacturers and distributors



- Justice Brett Kavanaugh issued his first written opinion for the court
- The ruling was a unanimous 9-0 vote
 - The court threw out a lower-court decision, which had sought to prevent resolution through arbitration because it had determined the demand for arbitration was groundless
 - The justices ruled that a court cannot override companies' abilities to arbitrate



- This ruling will strengthen companies' abilities to use arbitration to resolve disputes
- Historically, newly appointed justices are given non-controversial cases for their first opinions. Justice Kavanaugh issuing the ruling for this unanimous decision follows the trend

Action Reports

Recent Actions:

- U.S. Government Actions on Canada thistle
- Canada Crops Convention
- IFA Conference
- Contracts and Best Practices Seminars

Pending Actions

- IPPC ePhyto Case Studies

Upcoming Actions

- DBTG Operational and Technical Seminar
- NAEGA-APPAMEX Forum

Member Opportunities

- NAEGA Meetings – Amelia Island, Florida – March 17-19
 - Contracts Committee Meeting – March 17 at 12:00pm
 - NGFA Crop Technology Committee – March 17 at 1:00pm
 - Grades and Inspections Committee Meeting – March 17 at 2:00pm
 - Production Technology Committee Meeting – March 18 at 7:00am
 - Annual Members Meeting – March 18 at 12:00pm
 - Board of Directors Meetings – March 18 at 1:30pm
- NGFA Annual Convention – Amelia Island, Florida – March 17-19
- DBTG Operational and Technical Seminar – Barcelona, Spain – April 10-12
- NAEGA APPAMEX Forum – Cancun, Mexico – May 21-23
- IGTC Strategy Session – London, UK – June 10
- IGC - International Grains Council Grains Conference – June 11-12, 2019
- PNWER Annual Summit in Saskatoon, Saskatchewan – July 21-25, 2019
- NAEGA NAFTA and Asia-Pacific Policy Teams
- NAEGA Internship Open

News:

- U.S. DOC opens new Section 232 Investigation
- IPPC ePhyto Project

NAEGA Calendar and Member Notices

- Upcoming events and notices to members

Action Reports

Recent Actions:

U.S. Government Actions on Canada thistle

This week, NAEGA was informed that USDA FGIS has asked the Washington State Department of Agriculture (WSDA) to ask exporters to include a request for Canadian Thistle Seed analysis on all wheat load orders bound for the Republic of Korea and Argentina, as well as all wheat and soybean load orders bound for Vietnam. WSDA indicates it will do the initial analysis, but any “suspect” thistle seeds will be sent to the APHIS lab in North Carolina for further analysis.

NAEGA expects to continue discussion with relevant committees on the actions of both U.S. and Vietnam government in this regard. These developments build upon ongoing actions related to Canada thistle presence. In particular, USDA APHIS has advised NAEGA that:

- Vietnam will require destruction or reexport of U.S. wheat or soybeans in which seeds of Canada thistle (*Cirsium arvense*) are detected in incoming deliveries arriving March 1, 2019 or later. APHIS will implement a Canada thistle sampling protocol during U.S. export phytosanitary inspection for wheat and soybeans after an expected directive is issued by the Federal Grain Inspection Service. Only consignments in which no Canada thistle seed is detected will be eligible for phytosanitary certification for Vietnam
- FGIS will issue a new directive by Wednesday, February 27, which will describe the procedures for detecting Canada thistle (*Cirsium arvense*) seeds in wheat and soybeans bound for Vietnam. All wheat and soybean consignments with inspection dates on or after the directive date will require seed analysis. APHIS will issue phytosanitary certificates for wheat and soybeans bound for Vietnam inspected on or after the directive date only when accompanied by a completed export phytosanitary inspection report (e.g. FGIS-921-2) indicating freedom from seed of Canada thistle. The FGIS directive is to be posted at: <https://www.ams.usda.gov/about-ams/fgis-program-directives>.

NAEGA continues pursue measures based on sound science and consistent with international convention that are least trade distortive. We are working to support work with VN PPD in order to establish a compliance regime to pre-empt the precautionary and yet-to-be-identified-or-justified visual inspection at import and re-export measures upon port arrival of U.S. cargoes in VN.

Canada Crops Convention

This week, Gary returns from Montreal, Quebec where he attended the Canada Crops Convention. The convention, hosted by the Canadian Grains Council (CGC) and the Canola Council of Canada (CCC) attracts people from across the grain, oilseed, pulse and special crop value chains to: network, coordinate and improve dialogue; discuss and gain insight into advancements and trends in agriculture; and be inspired to continue a collaborative approach to advance the growth and profitability of Canadian crops.

While in Montreal, Gary also conducted visits with NAEGA member companies and prospective members. A trip report for this travel will be available soon.

IFA Conference

Katy is wrapping up a successful three days in London, UK where she attended and presented at the International Fertilizer Association’s (IFA) Production and International Trade Conference. At this IFA conference, Katy represented the IGTC on a panel called: “Trade tensions on the rise - A look at the potential impacts on agri-food and fertilizer trade.”

A trip report for this travel will be available soon.

Contracts and Best Practices Seminars – Your advice requested

The NAEGA Contracts Committee is seeking your advice on the location, timing and curriculum of this year's Contracts and Best Practices Seminars. Please let us know if you are interested in attending or hosting a seminar, and what topics we should focus on. This year, the committee is considering contract seminars in the following locations:

- Vancouver, British Columbia
- St. Louis, MO
- Tokyo, Japan
- Winnipeg, Manitoba

NAEGA seminars are an intensive and informative review of commercial and official practices taught in an interactive environment. The goal of each seminar is to improve predictability, reduce risks, resolve trade barriers and facilitate profitable trade.

NAEGA conducts both public and private seminars, and curriculum can be tailored to your needs. Please contact Ryan if you are interested in hosting a private, tailored seminar at your office. Click [here](#) for more information on the in-depth, interactive programs NAEGA conducts!

Pending Actions:

IPPC ePhyto Case Studies

The International Grain Trade Coalition (IGTC) and the International Plant Protection Convention (IPPC) are seeking industry contributions to “case studies” on the roll out of the IPPC's ePhyto Solution. In particular, the IPPC is seeking participation from destination countries participating in the hub. Moving forward, the IPPC is seeking, through these case studies, to answer questions such as:

- How did the importing plant protection and quarantine (PPQ) get in contact with the exporter?
- How was the customer made aware of the existence of the ePhyto?
- How did the customer clear customs and who was part of the chain?

If you are interested in participating in a case study, please contact the IGTC secretariat at secretariat@igtglobal.org.

Upcoming Actions:

DBTG Operational and Technical Seminar

On April 10-12 Ryan will travel to Barcelona, Spain to participate in the Dry Bulk Terminals Group's (DBTG) Operational and Technical Seminar at the Eurostars Grain Marina Hotel. The seminar, which in part celebrates the 20th Anniversary of the DBTG, will cover topics on the operations and safety of the dry bulk terminals, including regulation, retention and motivation, management and safety and health. In Barcelona, Ryan will also participate in a meeting of the

DBTG Executive Committee, which he serves as a member. A copy of the agenda can be found [here](#).

NAEGA-APPAMEX Forum

On May 21-23 Ryan and Katy will travel to Cancun, Mexico to participate in and present at the annual NAEGA-APPAMEX Forum at Secrets The Vine Hotel. During the forum, Ryan and Katy will represent NAEGA and the IGTC and discuss ongoing policy and global issues facing the North American and global grain trade.

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Member Opportunities:

NAEGA Meetings – Amelia Island, Florida – March 17 -19

Please make your plans and reserve your hotel rooms now for the NAEGA meetings in March at the Ritz Carlton Amelia Island in Amelia Island, Florida. All NAEGA member personnel are invited to attend and participate in all of the following NAEGA meetings and events.

Sunday, March 17

12:00-1:30pm	Contracts Committee Meeting	Santa Maria Room
1:00-3:00pm	NGFA Crop Technology (NAEGA members invited to attend)	Salon 3
2:00-5:15pm	Joint NAEGA Grades and Inspections and NGFA Grain, Grades and Weights Committee Meeting	Santa Maria Room
6:00-7:30pm	<i>CoBank Welcome Reception (NGFA event available under NAEGA promo rate)</i>	

Monday, March 18

7:00-9:00am	NAEGA Production Technology Committee (non-technology provider NGFA members invited to attend)	Plaza 2
9:00-11:00am	<i>NGFA Grand Opening Plated Breakfast and General Session (NGFA event available under NAEGA promo rate)</i>	
12:00-1:30pm	NAEGA Members Lunch and Member Meeting	Plaza 2

1:30-3:30pm Board of Directors Meeting Plaza 2
6:00-7:00pm *NGFA Floridiana Happy Hour (NGFA event available under NAEGA promo rate)*

[Please register here for all meetings and events](#)

The NAEGA members meeting and lunch will be held on Monday, March 18. Following the members meeting, which will include the election of a new NAEGA Board of Directors, the new NAEGA Board will meet. All members are invited to attend the lunch, members meeting and Board of Directors meeting.

NAEGA members can make hotel reservations for our meetings at the Ritz Carlton using the NGFA room block. Reservation can be made at [this link](#).

Agendas will be distributed soon.

NGFA Annual Convention – Amelia Island, Florida – March 17-19

All NAEGA members are invited to attend the annual NGFA Convention from March 17-19 at the Ritz Carlton Amelia Island in Amelia Island, Florida. A schedule of events can be found [here](#).

NAEGA member personnel and their guests interested in attending are invited to take advantage of a special rate that covers the NGFA welcome reception on March 17 and all of Monday, March 18's activities. The special rate is:

NAEGA Members: \$300
NAEGA guests: \$250

Those interested in taking advantage of this special rate can register on the NGFA website [here](#) using the promotional code NAEGA19.

NAEGA members are also invited to make their hotel reservations for our annual meetings at the Ritz Carlton using the NGFA room block. Reservation can be made at [this link](#).

DBTG Operational and Technical Seminar – Barcelona, Spain – April 10-12

NAEGA member personnel are invited to join Ryan in Barcelona, Spain for the Dry Bulk Terminal Group's Spring Operational and Technical Seminar on April 10-12 at The Hotel Eurostars Grand Marina. The seminar will feature presentations on safety, health and regulatory issues related to dry bulk terminals world wide. A copy of the preliminary agenda is available [here](#).

If you are interested in registering, please click [here](#).

Hotel reservations can be made [here](#).

NAEGA APPAMEX Forum – Cancun, Mexico – May 21-23

NAEGA members are invited to “save the date” for the 2019 NAEGA-APPAMEX Forum on May 21-23 in Cancun, Mexico. The forum will take place at the Hotel Secrets The Vine. This year’s forum will be held alongside the Mexican feed mills association CONAFAB.

IGTC Strategy Session – London, UK – June 10

NAEGA member representatives are invited to attend an IGTC Strategy Session in London on June 10, 2019. The Strategy Session will involve IGTC members and corporate stakeholders and will include discussions concerning how to strengthen the work of IGTC policy, new and existing commercial requirements for grain producers and seek advice for decision makers going forward in the current business environment.

More details and a registration link will be available shortly.

International Grains Council Grains Conference – June 11-12, 2019

The International Grain Trade Coalition is expecting to provide discounted registration for the International Grains Council’s 2019 Grains Conference in London, UK. Our suggestion is to wait for the savings before registering, although IGC early bird registration is now open. Anyone interested can find more information at [here](#).

The two day conference will highlight the key challenges facing the international grain oilseed industry. Plenary sessions and workshops will include speakers from across the globe sharing their expertise . The Conference, to be held at the Congress Centre at 28 Great Russell Street, London WC1B 3LS, provides for multiple opportunities to network and build business relationships.

2019 PNWER Annual Summit – Saskatoon, Canada – July 21-25, 2019

Registration is now open for the 2019 Pacific Northwest Economic Region annual summit in Saskatoon, Saskatchewan!

Over 500 regional business leaders, legislators, and key decision makers attend the Annual Summit to explore shared challenges in the region, discuss best practices, promote regional relationships, and develop an action plan to address challenges in the coming year.

Early bird registration is provided through April 30. Register early to take advantage of early bird pricing!

Anyone interested in more details can look [here](#).

Anyone interested in registering can register [here](#).

Asia-Pacific Policy Teams

With the evolving U.S.-China trade relationship, we expect many more fast paced and dramatic developments that could greatly change the terms of trade for NAEGA members. Your involvement is needed!

NAEGA ad hoc policy teams of member personnel working largely through conference calls are helping to guide our multifaceted effort to address the evolving trade environment. A policy team focused on the Asia–Pacific Market is already established. Over the next few months the team will be focused on U.S. trade relations with China, Japan, Korea and the Trans Pacific environment more generally.

Internships

We have an open intern position starting in the summer of 2019 to work at the NAEGA office at 1400 Crystal Drive, Arlington, VA 22202. Information on working for NAEGA as an intern can be found [here](#).

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

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News

U.S. DOC opens new Section 232 Investigation

On Monday, March 4 the U.S. Department of Commerce initiated a Section 232 investigation into whether the quantity or circumstances of titanium sponge imports into the United States threaten to impair the national security. In a letter to the U.S. Department of Defense, which supports the Commerce Department in these investigations, Commerce Secretary Wilbur Ross noted that “titanium sponge[s have] uses in a wide range of defense applications, from helicopter blades and tank armor to fighter jet airframes and engines.” This is the fourth Section 232 investigation initiated by Commerce. Other completed or ongoing investigations have included: steel, aluminum, uranium and automobiles. More information can be found [here](#).

IPPC ePhyto Project

This week, the International Plant Protection Convention (IPPC) released informational communications about the ePhyto Solution and how industry can get involved. The ePhyto Solution is the electronic certification system that has three core components: a hub system to facilitate the exchange of phytos; a centralized, web-based system that allows countries with their own system to produce, send and receive phytos; and a harmonized and standardized approach in format, structure and codes for certificate exchange. The communication highlights how companies and governments can get involved in the system, and key findings from recent “case studies.” A copy of the communication can be found [here](#).

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Calendar & Member Notices

Click [here](#) for a copy of the IGTC Calendar

2019

March

- 11-14 – USDA FAS Trade Mission – Taipei, Taiwan
- 13 – IGTC Management Council Meeting
- 14 – IGC Market Conditions Committee Meeting – London, UK
- 17-19 – NGFA Annual Convention – Amelia Island, FL
- 17 – Contracts Committee Meeting – Amelia Island, FL
- 17 – Grades and Inspections Committee Meeting – Amelia Island, FL
- 18 – Production Technology Committee Meeting – Amelia Island, FL
- 18 – NAEGA Annual Members Meeting – Amelia Island, FL
- 18 – NAEGA Board of Directors Meeting – Amelia Island, FL
- 25 – Peru CVD investigation on U.S. corn imports definitive resolution issued

April

- 1-5 – IPPC Committee on Phytosanitary Measures Meeting – Rome, Italy
- 2-5 – USDA FAS Trade Mission – Montreal and Toronto, Canada
- 10-12 – DBTG Operational and Technical Seminar – Barcelona, Spain

May

- 21-23 – NAEGA-APPAMEX Forum – Cancun, Mexico

June

- 3-6 - USDA FAS Trade Mission – Bogota, Colombia
- 10 – IGTC Strategy Session – London, UK
- 10 – International Grains Council’s 49th Session
- 10 – IGTC Strategy Session – London, UK
- 11-12 – 28th IGC Grains Conference

July

- 21-25 – PNWER Annual Summit

September

- 6 – IGC Market Conditions Committee – London, UK

October

- 14-17 – USDA FAS Trade Mission – Ho Chi Minh City, Vietnam
- 28-31 – USDA FAS Trade Mission - Nairobi, Kenya

November

- 5-8 - USDA FAS Trade Mission – Mexico City, Mexico

December

- 2-4 – NGFA Country Elevator Conference – Indianapolis, IN
- 3 – International Grains Council’s 50th Session – London, UK

2020

March

8-10 – NGFA Annual Convention – Austin, TX

December

TBC – COP 15 – CBD – Beijing, China

2021

March

14-16 – NGFA Annual Convention – San Diego, CA

2022

December

TBC – COP 16 – CBD – Turkey

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