



“Working Together to Make Trade Work”

OUTREACH April 29, 2013

Thank you for your membership in and work with NAEGA

Member participation opportunity:

- Opportunity for Meetings with NAEGA President Gary C. Martin in Japan –May 6-10, 2013
- Reception for EU Trade Representatives, Agricultural Counselors and Attaches – Washington, DC, May 16
- IGC International Grains Conference – London, United Kingdom, June 10-11

Action Reports

- Guatemala, New Wheat Import Restriction for Fusarium
- NAEGA-NGFA ASP User Update

New Issues

- USDA APHIS Reviewing Information Collection on Seed Imports from Canada
- U.S. CBP Plans to Launch Pilot Program on Containers with Cargo Residue in 2013
- U.S. CBP Launches New Process for Entry Documentation for Visitors to the U.S.
- U.S. Considering Further Trade Liberalization with Burma

NAEGA Calendar and Member Notices

- Upcoming events and notices for members

NAEGA member participation opportunity:

Opportunity for Meetings with NAEGA President Gary C. Martin in Japan –May 6-10, 2013 – NAEGA President Gary C. Martin will be travelling to Tokyo, Japan during the week of May 7, 2013 with the assistance of NAEGA Market Access Program funding to conduct meetings with key Japanese grain and oilseed customers regarding trade policy, commercial practices, biotechnology, sanitary & phytosanitary measures, grain quality and supply security. Gary is also planning meetings with Local and U.S. Government officials, industry partners and NAEGA member representatives during his trip. If you would like to arrange for Gary to meet with representatives of your company during his time in Tokyo, please contact the NAEGA office as soon as possible.

Reception for EU Trade Representatives, Agricultural Counselors and Attaches – Washington, DC, May 16, 2013 – NAEGA Members are invited to attend a reception for EU Trade Representatives and Agricultural Counselors and Attachés on May 16, 2013 at the offices

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of Morgan and Lewis at 1111 Pennsylvania Avenue, NW, Washington, DC. The meeting, hosted by members of the Food & Ag Task Force for the Transatlantic Trade & Investment Partnership (T-TIP), will take place from 4:00pm-6:30pm and will focus on U.S. industry dialog with and outreach to EU officials on the T-TIP negotiations. If you or a representative would like to attend, please contact the NAEGA office.

IGC International Grains Conference – London, United Kingdom, June 10-11, 2013 – NAEGA member personnel are invited to participate in the 2013 International Grain Council (IGC) International Grains Conference. The theme of this year’s conference *is “Assessing prospects, addressing challenges”*. The IGC Grains Conference brings together key decision makers, industry representatives and other stakeholders to discuss the latest developments in the grain and oilseed markets together with the policy challenges they present. We continue to find the conference to be an excellent venue during and around which to meet with key government and industry leaders. NAEGA President Gary C. Martin plans to attend and looks forward meeting with NAEGA members at the Reception and Meetings

NAEGA may be setting up meetings with key attendees. We will keep you informed.

Meanwhile your participation is welcome in 3 different ways:

1. **Literature distribution:** We will have a table top display at the IGC Exhibition. NAEGA members are welcome to send us promotional material to include on the table top. Please contact Patrick to make sure your company’s material is included on the NAEGA display.
2. **Workshop Participation:** We are sponsoring a workshop at the IGC Conference on June 11, 2013 that will cover current issues of importance in the international grain trade. NAEGA member company personnel attending invited to join the panel discussion. Please contact Gary if you or a colleague would like to make remarks.
3. **Discount Registrations:** A limited number of discounted registrations are available to NAEGA members for the IGC Conference. Please contact Patrick and let us know as soon as possible if you would like to take advantage of this discount offer.

An agenda for the full IGC Conference and registration information is [available on the IGC website](#).

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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Reports on NAEGA actions

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Guatemala, New Wheat Import Restriction for Fusarium – NAEGA is supporting an APHIS response to Guatemala that objects to a new requirement placed on Wheat imports. Our support follows notice from USDA’s Animal & Plant Health Inspection Service (APHIS) that the Phytosanitary Export Database (PExD) will soon show that Guatemala requires U.S. wheat from Texas to be accompanied by a Phytosanitary Certificate showing an additional declaration (AD) for freedom from fusarium blight (*Gibberella avenacea*). Such an AD is not permitted by APHIS Plant Protection & Quarantine policy.

Our objections is based on APHIS certification policy for grain, the lack of advance notice from Guatemala, the fact that the requirement is based on wheat from a specific State, and and our pending review of fusarium blight risks. NAEGA believes that the objection will, in the short term, persuade Guatemala to issue import permits without the Texas language which would provide for a work around to the PExD notice and, in the longer term, convince Guatemala to eliminate the AD requirement.

NAEGA members are encouraged to contact us if you have advice or concern with this action we are taking to counteract Guatemala's requirement.

This issue will be tracked under “Guatemala” on the [Grades & Inspections Committee Website](#) and the [NAEGA Personal Pages Site](#).

NAEGA-NGFA ASP User Update – Grain export facilities that utilize the NAEGA-National Grain & Feed Association (NGFA) Alternative Security Program (ASP) have worked with NAEGA to completed a mandatory annual review. To comply with U.S. Coast Guard regulations on ASP users, NAEGA annually reviews and recertifies ASP subscribers. ASP users identify which facility operated by their company is utilizing the ASP and provide correct contact information for Facility Security Officer at each subscribing facility. This week we are sending out new letters of subscription for each facility and providing USCG with the updated listing of facilities using the ASP.

NAEGA will also schedule a conference call with ASP subscribers to discuss issues related to the ASP and follow up on the US Coast Guard ASP subscribers meeting we reported on in February. Any suggested amendments, concerns or recommendations related to the ASP will be addressed during the call.

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

2013

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

April

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29 – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Dow Soybean Genetically Engineered for Insect Resistance:

http://www.aphis.usda.gov/brs/fedregister/12_27201p_fr_noa.pdf

29 – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Syngenta Soybean Genetically Engineered for Herbicide Tolerance:

http://www.aphis.usda.gov/brs/fedregister/12_21501p_fr_noa.pdf

29 – Comments Due to USDA/APHIS on Petition for a Determination of Nonregulated Status for Maize Genetically Engineered for Herbicide Tolerance and Insect Resistance

http://www.aphis.usda.gov/brs/fedregister/11_24401p_fr_noa.pdf

May

10 – Comments due to USTR on Transatlantic Trade & Investment Partnership:

<http://www.gpo.gov/fdsys/pkg/FR-2013-04-01/pdf/2013-07430.pdf>

16 – Comments due to FDA on the proposed rule for hazard analysis and preventive controls for human food: http://www.ofr.gov/OFRUpload/OFRData/2013-00125_PL.pdf

16 – Comments due to FDA on the proposed rule for hazard analysis and preventive controls for produce: http://www.ofr.gov/OFRUpload/OFRData/2013-00123_PL.pdf

16 – Deadline to request to appear at public International Trade Commission hearing on the probable economic effect of duty-free imports under T-TIP:

http://www.usitc.gov/secretary/fed_reg_notices/332/131_037_notice04182013sgl.pdf

June

18 – Written comments due to International Trade Commission on ITC investigation of the probable economic effect of duty-free imports under T-TIP:

http://www.usitc.gov/secretary/fed_reg_notices/332/131_037_notice04182013sgl.pdf

25 – Comments due to USDA/APHIS on the proposed extension of information collection associated with the regulations for the importation of seed and screenings from Canada:

<https://www.federalregister.gov/articles/2013/04/26/2013-09911/notice-of-request-for-extension-of-approval-of-an-information-collection-importation-of-seed-and>

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

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USDA APHIS Reviewing Information Collection on Seed Imports from Canada – USDA’s Animal and Plant Health Inspection Service (APHIS) is accepting comments through June 25, 2013 on the proposed extension of an information collection associated with the regulations for the importation of seed and screenings from Canada. U.S. companies that import seed for cleaning or processing may enter into compliance agreements with APHIS that eliminate the need for sampling shipments of Canadian-origin seed at the border and allow these importers to clean the seed without direct supervision of an APHIS inspector. This program involves the use of information collection activities, including a declaration for importation, container labeling, notification of seed location, a seed return request, seed identity maintenance, documentation for U.S.-origin exported seed returned to the United States, written appeal for cancellation of a compliance agreement and request for a hearing, and associated recordkeeping. NAGEA is considering submitting comments on this issue and your input is welcome. The Federal Register notice, which includes information on how to comment, is available here: <https://www.federalregister.gov/articles/2013/04/26/2013-09911/notice-of-request-for-extension-of-approval-of-an-information-collection-importation-of-seed-and>

U.S. CBP Plans to Launch Pilot Program on Containers with Cargo Residue in 2013 – U.S. Customs and Border Protection (CBP) has announced it hopes to begin a pilot program aimed at easing the requirements associated with the entry of containers with cargo residue by October of this year.

In July 2009, CBP modified all earlier rulings to provide that re-imported containers made of any material that have residues of any type of cargo may not be entered or manifested as empty and that the cargo residue contained, regardless of the amount, must be classified, entered and manifested. CBP said this policy change was intended to address risks to national security and the health and safety of its officers. The agency acknowledged trade community complaints about the effect of this change, including the expense of compliance, increased border congestion and challenges in providing accurate information, by subsequently delaying enforcement indefinitely.

CBP is now moving toward launching a pilot test that will provide new procedures and guidance on how to manifest and, if necessary, enter containers with residual cargo. A draft Federal Register notice states that under this pilot containers with cargo not exceeding a certain percentage of the container’s total capacity by weight or volume (7% for rail, 5% for air, and 3% for truck and ocean) would have to be manifested as having residue rather than as an empty container unless they are, in fact, completely empty. If the cargo residue has no commercial value, CBP would:

- accept the declaration of the carrier, or the importer of record if other than the carrier, that the residue has no commercial value and the country of origin is the country from which the container is arriving;
- require that the type of residue be described; and
- require a residue entry designating that the cargo residue has no commercial value.

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For purposes of the test, the carrier would have the right to make informal entry on the residue and entry could be made off the manifest with no further documentary requirements if the commercial value is below the set limits. Containers with residue levels above the specified amounts would have to be manifested and subject to formal or informal entry, depending on the value of the residue.

CBP hopes to finalize a Federal Register notice in May and then secure interagency approval, which is expected to take several months. Officials say the pilot will begin 30 days after the notice is published and that there will be a 60-90 day informed compliance period once the pilot is underway. Participation in the pilot will be voluntary, but those not participating will have to make formal entry for any cargo container with any amount of residue.

U.S. CBP Launches New Process for Entry Documentation for Visitors to the U.S. – Beginning April 30, 2013, US Customs and Border Protection (CBP) will no longer issue hard copies of Form I-94, the record of admission to the United States, to visitors to the United States for business or pleasure tourists at certain ports of entry. Visitors will get an admission stamp on their passports or travel documents upon entry into the United States. The admission stamp will show the date of admission, class of admission, and admitted until date. The officer will generate an electronic record of the I-94 through CBP’s new I-94 automation process. The I-94 will be available electronically at www.cbp.gov/I94 and can be accessed by the visitor if needed.

Form I-94 is the paper that was completed by a visitor to the U.S. on the commercial carrier or at the port of entry showing the purpose of the trip to the United States and length of stay. A portion of the I-94 was then stapled into the individual’s passport. The individual must exit the U.S. on or before the departure date listed on the form and return the form to the commercial carrier or CBP so that the departure is properly recorded. Any unauthorized overstay of the I-94 results in the accrual of unlawful presence in the United States which can make the individual removable from the United States and/or inadmissible to the United States in the future.

Visitors who were issued a paper Form I-94 either because their entry was prior to April 30, 2013 or they entered at a port of entry that is not yet automated will need to give their I-94 to the commercial carrier or CBP upon departure from the United States. Visitors with the admission stamp will not need to do anything upon departure from the United States. Nevertheless, as a best practice to comply with U.S. immigration law, a record of the departure from the United States should be maintained (such as keeping the boarding pass) in order to have proof of the departure in the event that there are any issues with CBP’s new system. More details are available the [CBP website](http://www.cbp.gov/I94).

U.S. Considering Further Trade Liberalization with Burma - Acting U.S. Trade Representative (USTR) Demetrios Marantis raised the possibility of negotiating a bilateral trade and investment framework (TIFA) agreement with Burma during a recent visit to that nation. Marantis said a TIFA would provide a forum for regular engagement to identify opportunities and solve problems and would thus be “an important step in normalizing our bilateral

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commercial relationship.” USTR is currently reviewing whether to extend eligibility for duty-free treatment under the Generalized System of Preferences (GSP) to Burmese goods, and USTR states that one of the topics discussed by officials this week was ongoing reforms as part of the path to GSP.

Over the last year the U.S. has moved rapidly to re-establish trade links with Burma in response to reforms implemented by that country’s ruling military regime. In June 2012, NAEGA supported the Obama Administration’s nomination of Ambassador Derek Mitchell to be the first U.S. Ambassador to Burma since 1990, with the hope that seeing an Ambassador confirmed would hasten the issuance of a General License to enhance the agricultural trade with Burma. The Ambassador was confirmed and new investments in Burma were authorized in summer 2012 and a long-standing U.S. ban on imports from that country was lifted last November.

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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Tom Hammond – 1952-2013

NAEGA Board of Directors Chairman and Columbia Grain President & CEO Thomas J. Hammond passed away from a sudden illness at the age of 60 on Thursday, February 14, 2013. Tom became a member of the Board on December 6, 2001. He became a Vice Chairman in 2007 and was elected Chairman of the Board on February 22, 2012.

A celebration of Tom’s life for family, friends and business associates was held in Portland, Oregon on March 9. NAEGA President Gary C. Martin presented Tom’s family with the statue in the picture below. The inscription reads: “Presented to the Family of Thomas J. Hammond by the North American Export Grain Association in Memory of Tom’s Life and in Honor of his Service to Our Industry. March 9, 2013”

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As a way to remember and pay tribute to Tom's life we have created a Tribute Page for Tom on the NAEGA website. Please take look [by clicking on this link](#).

You are invited to help make this lasting tribute to Tom even more memorable and significant. Please submit something you think appropriate and we will post and maintain the remembrances on the Tribute page. You can send photos, stories, or just a few paragraphs for inclusion on the site. An email to TomHammondTribute@naega.org will get this process started.

If you know of anyone else who would like to contribute to the page, please forward the webpage and email to them for their consideration

The Columbia Grain Portland office is conveying to the family any cards, packages and personal notes it may receive. Please contact Annalise Bischel at abischel@columbiagrain.com, for additional questions.

NAEGA Calendar & Member Notices

May

6-10 –Tokyo, Japan – NAEGA President Gary C. Martin Travelling to Japan – Contact NAEGA to request a meeting

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21-24 – Washington, DC – IPC Global Food Security Symposium 2013

29-30 – Washington, DC – Office of the U.S. Trade Representative Hearings on T-TIP

June

5 – Washington, DC – International Trade Commission Hearing on the probable economic effect of duty-free imports under T-TIP

5-7 – Opatija, Croatia - 2013 Zagreb and Croatian Association of Feed Producers, Technologists and Nutritionists (KRMIVA) Feed Conference – NAEGA invited to attend & present

10-14 – Istanbul & Izmir, Turkey – USDA U.S.-Turkey Agribusiness Trade Mission – NAEGA Members invited to participate

July

9-10, 2013 – Alexandria, Virginia – U.S. Agricultural Export Development Council (USAEDC) 2013 FAS Attaché Meetings & Seminar – NAEGA Members invited to participate.

November

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

19-21 – Baltimore, Maryland – U.S. Agricultural Export Development Council (USAEDC) 2013 Annual Workshop – NAEGA Members invited to participate

2014

March

31 – 2014 NAEGA Annual Meetings – Hilton Head, South Carolina

30-April 1 – 2014 NGFA Convention – Hilton Head, South Carolina

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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