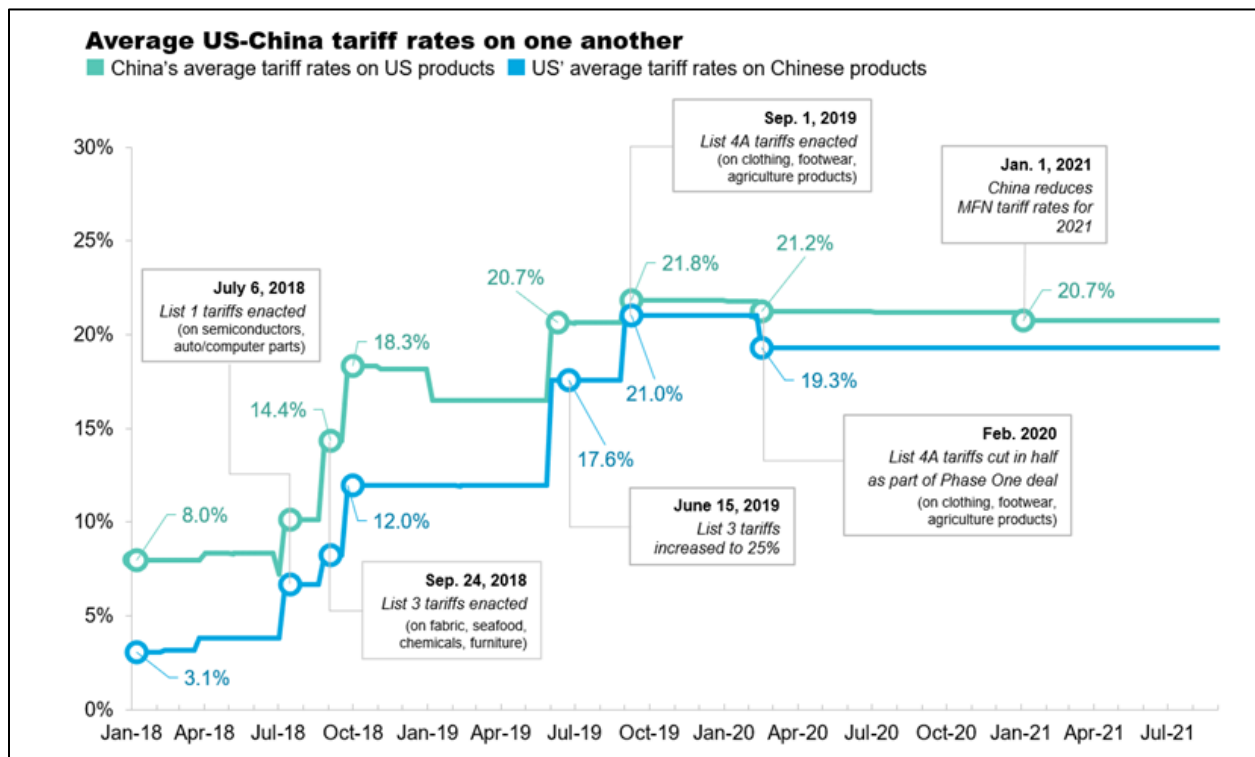




Outreach October 5, 2021

Thank you for your membership in and work with NAEGA

NAEGA Media of the Week China-U.S. Tariffs Between 2018-Present



This OUTREACH includes:

Member Notices & Opportunities

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- USDA Emergency Declaration and Waiver Procedures for Lower Mississippi
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- Korea Pesticide Positive List System Applications

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- USDA/APHIS Draft Guide to Submitting an RSR
- USTR Requests Input on Foreign Trade Barriers

Recent Actions:

- USDA/FAS Europe Micro-Regional Conference

Event Calendar and Notices

Member Notices & Opportunities:

Regional Grain Industry Workshop – Vancouver, WA, October 21, 2021

All NAEGA members and interested parties are invited join us on Thursday, October 21, 2021 from 11am-4pm Pacific time in the Grant Room of the Heathman Lodge in Vancouver, Washington for an in-person industry workshop, co-hosted by NAEGA and the National Grain & Feed Association. Our preliminary agenda, [found here](#), features guests from the U.S. Coast Guard, USDA's Federal Grain Inspection Service, and the Washington State Department of Agriculture. [You can register to attend this free event here.](#)

Discounted rooms with a rate of \$145/night are available at the Heathman Lodge. Please contact Patrick at phayden@naega.org for further information and the discount code for the hotel.

The workshop immediately follows the [Pacific Northwest Waterways Association \(PNWA\)](#) annual convention, taking place at the Heathman Lodge from October 19-21. Details on their convention [can be found here](#). We would like to thank the PNWA for Working Together to Make Trade Work with their assistance in facilitating the workshop.

USDA Emergency Declaration and Waiver Procedures for Lower Mississippi

The U.S. Department of Agriculture (USDA) [extended its declared emergency](#) for grain exporters located on the portion of the lower Mississippi River from Baton Rouge to the mouth of the river and has issued a waiver of official inspection and weighing on a shipment-by-shipment basis until October 30, 2021. The September 17 declaration along with the conditions required and procedures to follow to apply for a waiver [can be found here](#). NAEGA's policy on USDA Federal Grain Inspection Service contingency planning [is available here](#).

Notice to the Trade - Hurricane Ida

NAEGA issued the following [Notice to the Trade](#) regarding Hurricane Ida:

“Buyers and Sellers of agricultural commodities pursuant to terms of the NAEGA 2 Model F.O.B. Contract are advised that circumstances related to Hurricane Ida provide for a valid cause under the provisions of Clause 20.

Clause 20 provides for delays or prevention of delivery obligations arising from: (1) riots, strikes, lockouts, interruptions in or stoppages of the normal course of labor; (2) embargoes, or exceptional impediments to transportation; and/or (3) action by federal, state, or local government or authority. One or more of these conditions have affected Lower Mississippi River export operations and the impact on delivery or forwarding of commodity may be ongoing.

Consideration of certification by NAEGA in accordance with Clause 20 of cause for elevators and / or ports, which includes determination of the beginning and end, will proceed upon receipt of applications from Sellers.”

Please contact NAEGA staff if you have any questions or concerns.

Plant Biotechnology Information Exchange

The NAEGA Plant Biotechnology Information Exchange (PBIE) continues to be improved and updated. Your advice welcome!

Currently, only NAEGA members have access to this unique tool. As part of membership your company is allowed up to 5 unique users for the PBIE at no cost. To gain access NAEGA Member representatives send the names and email addresses of designated company users to Patrick at phayden@naega.org. Each designated person is provided unique login information and instructions on use of the platform. Please let us know if you have any questions!

U.N Food Systems Summit

NAEGA’s U.N. Food Systems Summit (UNFSS) Library now includes alphabetized reporting on every member state statement made at the UNFSS. The Summit took place September 23-24th.

The Library also provides access to the official links to re-watch these statements when available and four collections of documents relevant to the UNFSS, collected ahead of last week’s summit:

1. Modern agriculture and trade resources specifically mentioning UNFSS 2021
2. UNFSS Pre-Summit 26-28 July 2021 - resources and analysis
3. Background Library, tracking the origins of UNFSS Game Changers and other proposals
4. COP26 - 2021 United Nations Climate Change Conference

A comprehensive report on the development of the library and recommendations for future action have been posted on the [NAEGA Member’s Only UNFSS](#) page along with background documentation on the project. NAEGA will continue to update the library and report on outcomes from the UNFSS and other initiatives related to food systems through the end of the year.

NAEGA members can access the Library [through this link](#) or through [the U.N. Food Systems Summit](#) page on the NAEGA website. If you have a NAEGA Member's Only website login, you should not have any issues accessing the site at its new address. If you need login credentials, or are having any trouble logging in, please let Patrick know.

Contracts and Best Practices Seminars – Your interest requested

On Wednesday, September 8, NAEGA held a virtual “public / for all NAEGA members Contracts & Best Practices Seminar. Over 80 NAEGA member employees attended the 5-hour session. Video clips will soon be made available on the NAEGA Member's Only website. You can find the NAEGA Sourcebook [used during the session here](#).

Seminars can be conducted in-person and / or virtually. Both in-person **private** (staff from only one company) and **public** (staff from two or more companies) are being scheduled through 2022. Given the strong attendance and interest from Members, we expect to hold another public virtual seminar in the near future.

The seminars are much valued NAEGA member service. The intensive and informative reviews of commercial and official practices are conducted in an interactive environment.

Please let us know when, how and where you would like to participate in the NAEGA Contracts and Best Practice seminars. [Click here](#) for more information on the in-depth, interactive programs NAEGA conducts!

News:

China Plan for Genetically Modified Organisms in Agriculture China released a “2021 Supervision Plan of Genetically Modified Organisms (GMOs) in Agriculture”. The annual plan is formulated to supervise agricultural GMOs and prevent and control the pandemic. It is formulated following the "Biosafety Law", "Seed Law", "Agricultural GMO Safety Management Regulations", and other laws and regulations. The stated purpose of the most recent plan is “to accelerate the advancement of biological breeding research and application; require strict lawful supervision; investigate and deal with illegal seed production, intellectual property rights infringement, and other illegal activities; and ensure the healthy and orderly development of agricultural GMO research and application.” The original document and an English translation [can be found in the NAEGA UN Food Systems Summit Library](#).

China Notice on Cross-Border Trade Reform

The Chinese Government issued a notice for regional governments to implement policies at ports to “simplify cross-border trade, improve business environment, strengthen cross-border trade facilitation, and achieve a higher level of openness and high-quality development of foreign trade.”

The guidelines, of which a translation [can be found in the NAEGA UN Food Systems Summit Library](#), identify 27 measures that include the encouragement of market and free trade; the rule of law and coordinate governance to optimize port services and management; and innovation of “smart customs, smart border, smart communication”.

OFAC Guidance on Ransomware

The U.S. Treasury Department's Office of Foreign Asset Control (OFAC) [issued updated guidance](#) on cybersecurity measures companies can when dealing with ransomware and other cyber threats. OFAC issued the guidance as it reiterated the position that the U.S. government opposes ransomware victims paying ransom to cyber criminals and that OFAC will bring enforcement actions in connection with such payments, and any firm, individual or organization that helps facilitate these payments, when they constitute U.S. sanctions violations.

OFAC's new guidance includes implementing strong cybersecurity practices before an attack and promptly reporting a ransomware attack to, and engaging in timely and ongoing cooperation with, law enforcement or other relevant agencies. Under the new guidance, taking these steps would constitute "mitigating factors" in any OFAC enforcement action resulting from sanctions violations in connection with ransomware payments. OFAC's cybersecurity guidance [can be found here](#).

USDA/APHIS Bulletin on Asian Gypsy Moth Inspections

USDA's Animal & Plant Health Inspection Service [issued a mid-season bulletin](#) regarding Asian Gypsy Moth (AGM) inspections in foreign ports. The bulletin responds to reports that AGM inspections may not be available in some foreign ports due to COVID-19 restrictions on boarding vessels. Instructions for marine vessels entering United States ports which have called upon areas regulated for AGM and been refused an AGM inspection are included.

Korea Pesticide Positive List System IT Applications

On December 31, 2021 the Republic of Korea will permanently revoke or delete thousands of temporary maximum residue limits (MRLs) for agricultural products. These MRLs were set for making a smooth transition to Korea's Ministry of Food and Drug Safety (MFDS) Pesticide Positive List System (PLS). On January 1, 2022, U.S. agricultural exports must meet Korea's domestic MRLs, import tolerances (ITs), or a default of 0.01 ppm.

In 2020 U.S. stakeholders identified 360 pesticide compounds as priorities for import tolerance (IT) applications, to avoid potential disruptions to trade and continue the smooth transition to the PLS. MFDS has reported to FAS that as of September 24, 2021, just 122 of those had been submitted to MFDS and 111 approved. FAS's has [redistributed this priority list](#) to stakeholders and is encouraging pesticide compound technology providers to submit the remaining IT applications as soon as possible to avoid any potential trade disruptions.

Future NAEGA Action :

USDA/APHIS Draft Guide to Submitting an RSR

Comments are due to APHIS on October 25, 2021 on USDA's Animal & Plant Health Inspection Service (APHIS). The [draft guide](#) details the information requirements and process for submitting a Regulatory Status Review (RSR) request used to determine the regulatory status of a plant developed using genetic engineering and is seeking public comment. APHIS held a webinar to preview the draft on September 28, and the presentation given [can be found here](#).

. The Production Technology Committee is considering a response. Your input or comments are welcome. Please review the draft guide and let us know if you have any comments or concerns.

USTR Requests Input on Foreign Trade Barriers

NAEGA is considering comments to the U.S. Office of the United States Trade Representative (USTR) for the National Trade Estimate Report on Foreign Trade Barriers (NTE Report). USTR is inviting interested persons to submit written comments to assist in identifying significant barriers to U.S. exports of goods and services. Comments related to the following categories of foreign trade barriers are encouraged: agricultural commodities, U.S. intellectual property, U.S. foreign direct investment by U.S. persons, especially if such investment has implications for trade in goods or services, and U.S. electronic commerce. The NTE report is published annually and is used U.S. negotiations aimed at reducing or eliminating these barriers and is a valuable tool in enforcing U.S. trade laws and strengthening the rules-based trading system. USTR will use this information to prepare 2021 report. The deadline to submit comments is October 26, 2021.

Your advice is welcome. USTR indicates it is most interested in practices that violate U.S. trade agreements, new or updated information on the barriers covered in the [2021 report](#), or information on new barriers.

Recent Actions:

USDA/FAS Europe Micro Regional Conference

NAEGA staff attended and took part in USDA's Foreign Agricultural Service (FAS) Europe Micro Regional conference. This virtual event took place over three days and featured presentations from FAS staff stationed across the EU. Topics included sustainability, the EU Farm to Fork initiative, and workshops on how to best market U.S. agricultural products in Europe, among others. NAEGA staff consulted with FAS Turkey on key issues facing the trade as part of the conference.

Calendar & Member Notices:

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

September

October

11-15 – Meeting of the Convention on Biological Diversity (CBD) COP 15 and COP-MOP 10 – Part 1 - Virtual

19-21 – [Pacific Northwest Waterways Association Annual Convention](#) – Vancouver, WA

21 – NGFA- NAEGA Regional Grain Industry Workshop – Vancouver, WA

30-31 – G-20 Summit – Rome, Italy

November

2 - NAEGA Contracts Committee Meeting

TBD – NAEGA Board of Directors Meeting

TBD - Potential NAEGA Regional Event in New Orleans
3-5 – North American Plant Protection Organization Annual Meeting - Virtual
17-18 – USAEDC Annual Workshop – Virtual
16 – IGTC General Assembly
29 - 12th WTO Ministerial Conference – Geneva, Switzerland

December

7 – NAEGA Contracts Committee Meeting

2022

March

13-15 – NGFA Annual Convention – Charleston, SC

April

25 - May 8 – Meeting of the Convention on biological diversity (CBD) COP 15 and COP-MOP

10 – Part 2 - Kunming, China

December

TBD – COP 16 – CBD – Turkey

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