

## USMCA Regulations Take Effect; CBP Proposes Expanded Use of Part 102 Rules

New regulations issued by CBP that implement USMCA provisions took effect on July 1, the agency said in a [notice](#) released the same day. The interim final rule implements USMCA language on import and export requirements, “general verifications and determinations of origin, commercial samples, goods re-entered after repair or alteration in Canada or Mexico, and penalties,” among other things, CBP said.

The rule allows for the continued use of the part 102 rules for marking that were included in NAFTA but aren’t required for USMCA preferences, something that CBP was already allowing (see [ITT 03/10/2021](#)). CBP will “continue application of the current part 102 rules to determine the country of origin for marking purposes of a good imported from Canada or Mexico to articles imported pursuant to the USMCA,” it said. The 102 marking rules rely on the tariff shift method to determine the correct origin for marking purposes, it said. Outside of part 102, CBP uses “case-by-case” adjudication to determine the origin and the “the importing communities from Canada and Mexico are used to applying the part 102 rules as opposed to the case-by-case method,” the agency said.

CBP also [proposed](#) using the same part 102 rules to determine the country of origin for non-preferential claims. “CBP has not previously applied the part 102 rules for non-preferential origin determinations involving goods imported from Canada and Mexico other than for textile products and for purposes of determining country of origin marking,” it said. “CBP has, instead, used case-by-case adjudication for other non-preferential origin determinations,” which can result in “two different countries of origin for the same imported good (e.g., Canada and China),” it said. “This burdens importers with unnecessary additional requirements, creates inconsistency, and reduces transparency.”

There are several benefits to aligning the use of part 102 rules for both marking and non-preferential origin claims.

Such a change will “obviate the need” for importers to “request multiple non-preferential country of origin determinations from CBP for a particular good,” it said. “The proposed regulatory change also means that CBP will no longer need to issue rulings with multiple non-preferential origin determinations goods imported from Canada or Mexico, and there will no longer be rulings that conclude that a good imported from Canada or Mexico has two different origins under the USMCA (i.e., one for marking and one for other, customs non-preferential purposes). CBP’s application of the part 102 rules would not, however, affect similar determinations made by other agencies.”

The interim final rule “amends the CBP regulations to implement significant portions of the USMCA, but does not contain all relevant subparts,” the agency said. “CBP will promulgate the remaining USMCA implementing regulations and solicit public comments at a later date. Additionally, future trilateral negotiations on the Uniform Regulations may result in additional provisions that must be included in the rulemaking process at a later date.”

Items mentioned by CBP as being part of a subsequent rulemaking include site visit verification requirements and “verification procedures that apply to textile and apparel goods and automotive goods.” The agency also plans to amend “part 174 to allow exporters and producers to exercise their protest rights in a subsequent rulemaking,” it said. CBP said the regulations involving automotive goods in part 182 “may be more expansive than previously anticipated,” so it is adjusting the numbering structure of the reserved space for that language.

Comments on the interim final rule are due Aug. 31. Comments on the proposed rulemaking are due Aug. 2. — *Tim Warren*

## APHIS to Require Lacey Act Declarations on Sixth Set of Products in October

The next phase of Lacey Act implementation by the Animal and Plant Health Inspection Service will begin Oct. 1,

### OFFICE LOCATIONS

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

### DOMESTIC CARGO OPERATIONS

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

### 3PL LOCATIONS

Kearny, NJ (Central Ops) \* California \* Joliet, IL

APHIS said in a [notice](#) released July 1. Phase VI subjects 27 new tariff lines to Lacey Act declaration requirements. The agency had originally planned the new requirements for October 2020 before delaying due to the COVID-19 pandemic (see [ITT 08/19/2020](#)).

Though pallets are one of the newly covered products in Phase VI, APHIS will require a declaration only for new products in Harmonized Tariff Code 4415 that are formally entering the U.S., as expected (see [ITT 06/29/2021](#)). The declaration requirement will not apply to used, recycled or reclaimed pallets or to pallets, empty or under load, that are used to carry goods imported into the U.S., APHIS said.

APHIS is also removing subheading 3301.29.5150, which covers “other” essential oils, from the list of subheadings covered in Phase VI. Industry has said it’s unclear what the subheading covers, and “there could be attempts to inaccurately classify products under different codes to avoid the plant import declaration requirement.” APHIS said it agrees “that this code may not provide sufficient specificity and could result in both deliberate and unintentional inaccuracies.”

The 10-digit subheadings newly subject to Lacey Act declaration requirements as of Oct. 1 are as follows:

3301.29.5109 - Essential oils of cedarwood  
 3301.29.5121 - Essential oils of linaloe or bois de rose  
 3301.29.5139 - Essential oils of sandalwood  
 4202.29.2000 - Trunks, cases and suitcases of wood  
 4202.99.2000 - Other, of wood, not lined  
 4202.99.3000 - Other, of wood, lined  
 4410.12.0010 - Oriented strand board, unworked or not further worked than sanded  
 4410.12.0020 - Oriented strand board, other  
 4415.10.3000 - Packing boxes and cases with solid sides, lids and bottoms  
 4415.10.6000 - Cases, boxes, crates, drums and similar packings and cable-drums designed for use in the harvesting of fruits and vegetables  
 4415.10.9000 - Other cases, boxes, crates, drums and similar packings; cable-drums  
 4415.20.4000 - Pallets, box-pallets and other load boards and pallet collars designed for use in the harvesting of fruits and vegetables  
 4415.20.8000 - Other pallets, box-pallets and other load

boards; pallet collars  
 9205.90.2000 - Wind musical instruments: bagpipes  
 9205.90.4020 - Clarinets  
 9205.90.4080 - Other (woodwind instruments)  
 9205.90.4060 - Flutes and piccolos  
 9206.00.2000 - Drums  
 9207.90.0040 - Musical instruments (fretted string instruments)  
 9209.92.2000 - Mutes, collapsible musical instrument stands and music holders for attachment to musical instruments  
 9209.92.4000 - Tuning pins  
 9209.92.6000 - Bows, parts of bows, bow hair, chin rests and other parts and accessories for string instruments played with a bow  
 9209.92.8000 - Other parts and accessories for musical instruments of heading 9202  
 9209.99.2000 - Parts and accessories for bagpipes  
 9209.99.4040 - Parts and accessories for other woodwind instruments  
 9209.99.8000 - Other parts and accessories for musical instruments  
 9620.00.5500 - Monopods, bipods, tripods and similar articles of wood.

### House GSP, MTB Bills Introduced; Future MTB Lists Will Remove Finished Goods

The Generalized System of Preferences benefits program renewal and Miscellaneous Tariff Bill, as revenue bills, must start in the House, and Ways and Means Trade Subcommittee Chairman Earl Blumenauer, D-Ore., has a distinctly different take on the longstanding programs than the version that recently passed the Senate with 91 votes.

He also is not inclined to require the Office of the U.S. Trade Representative to restart the exclusion process for importers of goods subject to China tariffs, which was part of the Senate trade amendment that passed on the Senate’s China package. The Senate version gave the administration some wiggle room, but Blumenauer said he wants USTR and Congress to be united on the approach on exclusions. “I want to work with the administration on this and see where they’re at. I have tremendous respect for Ambassador [USTR Katherine] Tai. They’ve been making lots of progress on lots of different fronts,” he said. “These are things when she comes up for air, I’d like to talk to her about.”

#### OFFICE LOCATIONS

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
 Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

#### DOMESTIC CARGO OPERATIONS

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

#### 3PL LOCATIONS

Kearny, NJ (Central Ops) \* California \* Joliet, IL

On the Senate counterfeiting provision, Blumenauer said, “On the surface, it appeals to me, but again, that’s something we want to do with the administration, in terms of the ability to administer this effectively.”

The two versions of the GSP bill are quite similar, though the House [version](#) would renew the program through the end of 2024, not the beginning of 2027, and it would add a more stringent environmental protection to the list of eligibility requirements. It would be retroactive. It also calls for an International Trade Commission report on the rules of origin in GSP and utilization rates for all countries and for least-developed countries, and on how the rules of origin prevent transshipment of products from non-beneficiary countries. In the release announcing the bills, it said there were “significant shortcomings” in the Senate trade amendment.

The products covered by MTB vary only slightly between the two chambers. However, Blumenauer wants future MTB lists to be narrower. MTB is defended as an aid to manufacturers, but includes tariff waivers on a number of consumer products, including scissors, leather belts, certain shoes, electric rice cookers, certain portable stoves, drip coffee makers, leather basketballs, table saws, certain sports rackets, swim goggles, plastic pet carriers, aquarium plastic plants, nail clippers, tweezers, curtain hardware, steam irons, and certain microwave ovens. Importers who brought MTB goods in during 2021 but before passage would get refunds.

Products covered by MTB must have no more than \$500,000 in annual tariffs in aggregate, and be administrable; otherwise, the only restriction is that no domestic producer or member objects. The last version included 1,655 duty suspensions.

In an interview at the Capitol June 17, Blumenauer said he wants to narrow the eligibility of finished goods. “That’s been a major loophole for China,” he said. The bill’s language said that items that will not undergo any substantial processing or transformation, as interpreted by CBP, will be banned.

A Senate Finance Committee aide said, “Under the current system, any member is free to object to the inclusion of any good—finished or otherwise. Accordingly, it is unclear why this provision is necessary.”

Ways and Means Committee Chairman Rep. Richard Neal, D-Mass., said in a June 17 interview at the Capitol, “I talked to Earl Blumenauer at length about this on Monday. We thought that what the Senate did was a revenue measure, and we believe that the obligation is of the Ways and Means Committee to go first.”

Rep. Ron Kind, D-Wis., had said earlier in the week that he thought the MTB, GSP and Trade Adjustment Assistance might have to be packaged together and wait for a vote after the August recess (see [ITT 06/16/2021](#)).

Blumenauer said he will explore whether Republicans would support the GSP/MTB moving under suspension. “I take nothing for granted in this climate. We have an excellent relationship with Vern Buchanan, who’s a very constructive member.... We’ll see,” he said.

The AFL-CIO praised Blumenauer’s GSP/MTB bill. It said, “GSP reforms also will help to improve labor standards abroad and support workers organizing in developing nations, including those who face intimidation, harassment or even violence for exercising their rights on the job.”

The Senate version says that GSP beneficiary countries must fulfill international environmental obligations and enforce their own laws, but only removes the countries if the violations are sustained and affect trade. The House version has the same standards, but removes the rule that the violations have to affect trade. — *Mara Lee*

### Section 301 Litigation Seen Taking 2-3 Years

It could take two to three years to resolve the massive Section 301 litigation now before the Court of International Trade, especially since it’s “highly likely” the case will be appealed by whichever side loses, David Cohen, a trade expert with Sandler Travis, said on his law firm’s [webinar](#) June 15. Roughly 3,800 importers are suing the government to declare the lists 3 and 4A tariffs on Chinese goods unlawful and get the money refunded.

There’s “consensus” in the trade law community that “we lay out a strong argument invalidating” the lists 3 and 4A tariffs because they run afoul of the 1974 Trade Act and 1946 Administrative Procedure Act, Cohen said. Plaintiffs have no quarrel that the lists 1 and 2 tariffs were imple-

#### OFFICE LOCATIONS

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

#### DOMESTIC CARGO OPERATIONS

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

#### 3PL LOCATIONS

Kearny, NJ (Central Ops) \* California \* Joliet, IL

mented lawfully, he said. But President Donald Trump’s retaliatory lists 3 and 4A tariffs “exploded the guardrails” of presidential authority under Section 301, he said.

Cohen conceded the courts give “broad deference” to presidential authority and that invalidating the Trump tariffs will be “a tall order.” He argued that “our chances are considerably better” than buying a winning lottery ticket. He gives plaintiffs a 25% “chance of success,” he said. “We’re very transparent when we’ve spoken to potential clients about the difficult hill to climb. The cost is relatively modest to join the suit, and the outcome for many companies could be overwhelming.”

The Section 301 litigation “is not a sprint, it’s a marathon,” Cohen said. “This case will go through months of briefing, and there likely will be oral argument on some or many of the issues.” The two- to three-year time frame is “our best guess” on how long the litigation will take to resolve, he said. “We’re crossing our fingers that we might get a decision in 2022 out of the Court of International Trade. We think that’s realistic, but we also think it’s realistic that that decision will be appealed.”

It is possible that the case could go to the Supreme Court, Cohen said. “We hope it doesn’t go beyond the Court of Appeals for the Federal Circuit.” Assigning the litigation to a three-judge panel, as the CIT did in February, means an appeal could go directly to the Supreme Court, without stopping first at the Federal Circuit, but it doesn’t need to, lawyers told us.

Importers that have not yet filed a Section 301 complaint seeking to vacate the lists 3 and 4A tariffs on Chinese imports “should strongly consider joining this litigation” if they paid any duties, Cohen said. Sandler Travis represents more importers than any other law firm in the massive Section 301 litigation inundating the CIT, he said.

The webinar served as a tutorial on the litigation, plus a sales pitch to sign on new Section 301 clients. “Our fee

structure is set at a point where really any company can join,” Cohen said. Sandler Travis charges \$3,500 to file the complaint at the CIT, plus an additional \$3,500 fee if the case goes to appeal, he said. It plans eventually to pocket a 10% “contingency” share of all tariffs that are refunded if lists 3 and 4A are declared unlawful, he said. — **Paul Gluckman**

**Brady Says Frustration Growing With Lack of Section 301 Exclusion Action at USTR**

Rep. Kevin Brady of Texas, the top Republican on the House Ways and Means Committee, told reporters during a press conference June 24 that there’s strong bipartisan support for bringing back expired Section 301 exclusions, and refunding the tariffs paid since they expired.

While the trade amendment in the Senate that passed as part of the China package asked the administration to either bring them back or explain to Congress why it won’t, the bill that Brady and Rep. Vern Buchanan, R-Fla, introduced this week only addresses the renewal of the Generalized System of Preferences benefits program and the Miscellaneous Tariff bill, not the exclusion process. In a roundtable the men hosted June 23, a TV assembly plant executive said that the end of the company’s exclusion was costing it more than the expiration of MTB (see [ITT 06/23/2021](http://ITT06/23/2021)).

When asked by *International Trade Today* what Congress might do to advance the goal of restoring the exclusions, Brady said, “Whether it’s done by legislation or the administration acts on it—which I hope they will do—it needs to be done.” The Office of the U.S. Trade Representative is the lead on the exclusions process. — **Mara Lee**

**Uyghur Forced Labor Bill Passes in Senate Committee**

This year’s version of the Senate Uyghur Forced Labor Prevention Act, harmonized with the House version, passed

**OFFICE LOCATIONS**

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
 Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

**DOMESTIC CARGO OPERATIONS**

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

**3PL LOCATIONS**

Kearny, NJ (Central Ops) \* California \* Joliet, IL



The source for trade compliance news

(ISSN 1932-6289)

PUBLISHED BY WARREN COMMUNICATIONS NEWS, INC.

Warren Communications News, Inc. is publisher of International Trade Today, Export Compliance Daily, Trade Law Daily, Communications Daily, Warren’s Washington Internet Daily, Consumer Electronics Daily, and other specialized publications.

EDITORIAL & BUSINESS HEADQUARTERS  
 2115 Ward Court, N.W., Washington, DC 20037

Albert Warren  
 Editor & Publisher 1961–2006

**Sales**

- |                     |                        |                         |                 |
|---------------------|------------------------|-------------------------|-----------------|
| Paul Warren .....   | Chairman and Publisher | William R. Benton ..... | Sales Director  |
| Daniel Warren ..... | President and Editor   | Bruce Ryan .....        | Account Manager |
| Tim Warren .....    | Managing Editor        | Jim Sharp .....         | Account Manager |
| Brian Feito .....   | Deputy Managing Editor | Lisa Price .....        | Account Manager |
| Mara Lee .....      | Associate Editor       | Matt Long .....         | Account Manager |
| Ian Cohen .....     | Associate Editor       | Matt Peterson .....     | Account Manager |
| Jacob Kopnick ..... | Associate Editor       |                         |                 |

Copyright © 2021 by  
 Warren Communications News, Inc.

Send news materials to [itnews@warren-news.com](mailto:itnews@warren-news.com)  
 Phone: 202-872-9200 Fax: 202-318-8984  
<https://internationaltradedatoday.com>  
 Email: [info@warren-news.com](mailto:info@warren-news.com)

the Senate Foreign Relations Committee June 24 by a unanimous voice vote. The bill, sponsored by Sens. Marco Rubio, R-Fla., and Jeff Merkley, D-Ore., would create a rebuttable presumption that all goods produced in China's Xinjiang region were made with forced labor. Before the vote, Rubio said that there are 1,500 companies located in or near more than 100 mass detention facilities. "This is slavery. As simple as that. American companies argue that their supply chains are clean. What this bill says is: 'Prove it. Especially if it's coming out of Xinjiang.'" Rubio said he expects it will be impossible to prove there's no forced labor involved in the goods in most cases.

Several Republicans offered amendments that explicitly banned solar panels and electric vehicles made in Xinjiang, which were rejected. Sen. Ben Cardin, D-Md., said, "This is not the debate on the climate agenda! The bill's drafted for all goods."

Rubio and Merkley [celebrated](#) the committee vote, with Rubio calling it "a significant step in ensuring Beijing is not profiting from its genocide and crimes against Uyghurs and other ethnic groups in Xinjiang." — *Mara Lee*

### Hearing on TPP in Senate Shows No Path to US Rejoining

Senate Finance Subcommittee on International Trade Chairman Sen. Tom Carper, D-Del., and ranking member Sen. John Cornyn, R-Texas, agree that the U.S. should be in the Trans-Pacific Partnership, but the expert witnesses at the hearing they held June 22 showed no path to the U.S. reentering the agreement with the 11 countries that went on to seal the deal. This was despite agreement among most subcommittee members (though not Sen. Sherrod Brown, D-Ohio) and the witnesses that leaving TPP was a tactical mistake that leaves the U.S. at a trade and geopolitical disadvantage.

Cornyn noted that the U.S. cannot effectively speak up against China's wish to join the TPP, or counter the Chinese-led Regional Comprehensive Economic Partnership, because it refused to join TPP.

Several witnesses talked about needing rewrites of the labor and environmental chapters to have them mirror the USMCA, but strict rules of origin for autos in NAFTA, and then

stricter rules still for autos in USMCA, were not mentioned, and that [issue](#) was one that the auto unions homed in on as they opposed the deal.

Former TPP negotiator Wendy Cutler, who now leads the Asia Society Policy Institute, said that a more pragmatic approach would be to negotiate a digital trade chapter, as was already done with Japan, Mexico and Canada, three of the 11 countries. While that would have some trade facilitation characteristics, it would not change tariffs for goods exporters or importers.

Sen. Pat Toomey, R-Pa., asked Cutler if she agrees with him that a comprehensive trade deal is preferable to sectoral agreements. Cutler said she does agree, but added, "I don't think a multilateral TPP-like agreement is realistic right now. Do we wait and put everything on hold, or are we pragmatic?" She said that she thinks one sectoral agreement could lead to another, and could be building blocks toward a comprehensive deal years from now.

Cutler said the aftermath of the TPP on our credibility continues. She told Carper that the U.S. needs to show that it's serious about trade "and [that] when we conclude an agreement we can bring it into effect."

She suggested that negotiating priorities be reevaluated during long negotiating periods. The TPP negotiations took five years, and in her view, the negotiating priorities the U.S. trade representative was given by Congress at the beginning no longer reflected public sentiment by the end.

But she also said she doesn't expect the administration to ask for a new Trade Promotion Authority, which gives Congress the opportunity to express its negotiating priorities. The current TPA expires soon. "Hopefully, eventually we will need it. Right now the administration does not seem focused on negotiating new trade agreements," she said.

Don Allen, president and chief financial officer of Stanley Black & Decker, said that the TPP had attractive planks, such as its rules on the use of government subsidies and currency manipulation, as well as improvements in market access for U.S. exporters. But in his testimony, Allen focused more on the pain that the Section 301 tariffs on Chinese imports are causing, and said that Congress needs to compel the administration to bring back exclusions to the

#### OFFICE LOCATIONS

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

#### DOMESTIC CARGO OPERATIONS

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

#### 3PL LOCATIONS

Kearny, NJ (Central Ops) \* California \* Joliet, IL

25% tariffs, “particularly on those imports that support U.S. manufacturing.”

Although TPP was seen as a boon to agricultural exporters, there was no talk of the market access needed in Vietnam, Malaysia or other countries where the U.S. does not have a free trade agreement.

Instead, Sen. Steve Daines, R-Mont., said he thinks the U.S. should start formal trade negotiations with India, and he said his pulse farmers would have big opportunities to export to India if India lowered its barriers to their products. “Look, when it comes to India, I couldn’t agree with you more—there are enormous opportunities,” Cutler said. “I need to be quite honest, there are enormous challenges there as well.” She said in her long career as a negotiator at USTR, India provided a lot of disappointment. She noted that India was meant to be in RCEP, and a year before it was signed, it withdrew. India “faces a lot of domestic opposition to trade liberalization and is not ready to open its market yet,” she concluded. — *Mara Lee*

### CTPAT Participants Survey Shows Desire for More Communication, Continued Use of Remote Video Contact

Members of the Customs-Trade Partnership Against Terrorism program would like to see better communication and a continued reliance on virtual visits, the University of Houston Borders, Trade and Immigration Institute found in a recently released [study](#). “CTPAT is already taking action to address areas of improvement found within the study such as providing increased training for [supply chain security specialists (SCSS)] and looking into a formal mechanism for collecting member feedback,” CTPAT Director-Office of Field Operations Manuel Garza said in a [note](#) to members. Garza said he plans to create an internal task force to review the findings.

CTPAT participants would like more communication from CBP headquarters, the report found. “Other suggestions by Program Members for improvements in communications include an increase in seminars and webinars, additional training opportunities, the establishment of CTPAT workgroups or advisory boards to allow direct communication with specific industries, a regular newsletter from field offices or headquarters, and additional CTPAT conferences,” it said. CBP field office and port staff also wish for

more communication between headquarters and the ports, “indicating that there is no formal process in place to create an effective dialogue.”

In-person contact between the trade and SCSS was cut way back when the COVID-19 pandemic hit, but that has meant more remote video interactions, the report said. “It would benefit the Program and membership to continue the utilization of remote video communications and less travel in the long-term to have greater, more consistent communication while addressing the realities of resource limitations.”

Not all CTPAT members view the program benefits the same way, the report said. “Importers cite the more official, tangible Program benefits as being most important to them, such as ‘reduced examinations,’ but most of the rest of the CTPAT community (Carriers, Foreign Manufacturers, Brokers) cite the more intangible, unofficial Program benefits, such as ‘more competitive business’ and ‘enhanced brand reputation’ as being most important,” the survey found. The role of unofficial benefits may be worth more exploration because “if brand strengthening and business competitiveness are enough for many Members, this could reduce the burden on CTPAT of trying to deliver multiple benefits to diverse entities,” it said. “This refined focus on more targeted benefits can also be used as a marketing tool for the industry.”

CBP leadership is likely to take a close look at the study results, said Brett Laduzinsky, a director at consultancy CT Strategies, which helped with the survey. “The trade missions is a major competent of CBP’s overall mission and CTPAT members represent a significant portion of the stakeholders that are so critical to that trade mission,” said Laduzinsky, who worked at CBP until 2013 and was [speaking](#) during the BTI Institute annual meeting. “And the CTPAT program is such an important driver of the outreach and the engagement that happens with the trade community on behalf of the agency, so ensuring that the program is staying up to date and continuously improving is important, not just at the program level, but I would say at the highest levels of the agency.” — *Tim Warren*

### CBP Wants to Add Forced Labor to CTPAT by September

Although CBP was not able to meet its goal of adding forced labor to the Customs-Trade Partnership Against

#### OFFICE LOCATIONS

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

#### DOMESTIC CARGO OPERATIONS

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

#### 3PL LOCATIONS

Kearny, NJ (Central Ops) \* California \* Joliet, IL

Terrorism program in 2020, as it had planned (see [ITT 07/13/2020](#)), the agency is trying to do so before Sept. 30 this year, according to Valarie Neuhart, CBP deputy executive director in the office of trade relations. Neuhart, who was speaking to a supply chain meeting on June 24, also said the agency will host industry days on the topic of forced labor the week of June 28 to allow people to see demonstrations of technologies that can trace products' country of origin, or can help firms trace goods through complex supply chains.

CBP also set itself a September deadline to present the conclusions of its in-depth regulatory review of how it handles in-bond movements of goods. The agency, in collaboration with industry, wants to identify any customs regulations that are affecting in-bond processes, and is hoping to move away from paper documentation and to ACE. — *Mara Lee*

### **CBP Has Detained 636 Shipments Over Forced Labor Since October**

CBP detained 636 shipments between Oct. 1, 2020, and June 15, 2021, due to the possible use of forced labor on the goods, the agency said in recently updated trade [statistics](#). That marks an increase of 265 stopped shipments from the previous release of statistics, when CBP said it detained 371 shipments between Oct. 1, 2020, and March 31, 2021 (see [ITT 04/16/2021](#)). The total value of the detained shipments for this fiscal year so far is about \$86 million, it said. — *Tim Warren*

---

#### **OFFICE LOCATIONS**

Moonachie, NJ (201-478-4600) \* Long Beach, CA (562-435-2327) \* Schaumburg, IL (630-860-0782)  
Hong Kong • Shenzhen • Guangzhou • Shanghai • Ningbo • Nanjing • Dalian • Tianjin • Qingdao • Xiamen

#### **DOMESTIC CARGO OPERATIONS**

Kearny, NJ (201) 941-4990

[www.shipamerican.com](http://www.shipamerican.com)

#### **3PL LOCATIONS**

Kearny, NJ (Central Ops) \* California \* Joliet, IL