

March 09

USTR announces modifications to 100 % duty treatment of certain EU-origin products (From our friends at Grunfeld Desiderio)

On January 14, 2009, the USTR announced a significant number of modifications to the goods covered by the list of articles subject to 100% retaliatory duties on certain EU products, primarily foodstuffs. The modifications will (1) remove some products from the list of goods subjected to the 100% *ad valorem* duty rate, (2) impose 100% *ad valorem* duties on a new set of products, (3) alter the list's coverage with respect to particular EU member states, and (4) raise the duty rate for one product that has remained on the list. All of the announced changes will apply to goods entered, or withdrawn from warehouse for consumption, on or after March 23, 2009. Please contact us if you think your EU products may be involved.

Reminder: USDA's COOL Rule to Take Effect March 16

USDA's final rule on mandatory country of origin labeling (COOL) will go into effect as scheduled March 16. Under the COOL regulation muscle cuts and ground beef, pork, lamb, goat, and chicken, wild and farm-raised fish and shellfish, fresh and frozen fruits and vegetables, peanuts, pecans, macadamia nuts and ginseng must be labeled at retail to indicate their country of origin. The final rule outlines requirements for labeling covered commodities and the recordkeeping requirements for retailers and suppliers, prescribes specific criteria that must be met for a commodity to bear a "United States Country of Origin" declaration and contains provisions for labeling covered commodities of foreign origin.

Food Safety Legislation Introduced in Senate

(From NCBFAA Monday Morning Briefing)

Senate Majority Whip Richard Durbin (D-IL) introduced new food safety legislation March 3. The FDA Food Safety Modernization Act, S. 510, is intended to give the agency new authorities, tools and resources to comprehensively reform the nation's food safety system. With both Democratic and Republican cosponsors, the Durbin bill is expected to enjoy strong bipartisan support in the Senate. While it imposes an array of new requirements on food importers, the bill is considered a more acceptable alternative to the more far-reaching legislation introduced last month in the

House by Rep. John Dingell (D-MI). In fact, the Grocery Manufacturers Association applauded the Senators' efforts, calling the bill a "sensible" approach. We will keep you posted as the bill moves through Congress.

Importer Security Filing report cards will be issued for filers and importers

During the “flexible reporting period”, reports cards will be issued to both filers and importers to determine the progress of compliance over the ISF phase-in period. Please be reminded that importers must make a good faith effort during this period to comply with ISF provisions. CBP is telling us that the report card results will be used in determining if mitigation of future penalties is warranted. We will be happy to help you with this important filing.

Coalition for GSP

The Coalition for GSP in Washington, DC, which represents U.S. companies that import under the Generalized System of Preferences (GSP), is seeking additional members to support their lobbying efforts. If you import from a GSP country, you may want to visit their website at

http://tradepartnership.com/site/coalition_gsp.html.

New I-9 required

The requirement for this revised employment form takes effect April 3. For more information on this, please visit the website of our friends at Fisher & Phillips at

<http://www.laborlawyers.com/shownews.aspx?Show=11174&Type=9871>

Please contact us with any questions.

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