

September 09

Lacey Act implementation rescheduled

On September 2, APHIS published numerous changes to the phased implementation of Lacey Act declaration requirements. Numerous products were removed from the previously published requirements for phase III implementation, which begins on October 1. Of particular interest is a delay in requiring the identification of composite and recycled or reused materials until no earlier than September 1, 2010. Note also that phase IV, beginning on April 1, 2010, has been substantially revised. The agency promises in the notice that "There will be no further additions to phases III or IV." A complete listing of products is provided in the Federal Register notice at

<http://edocket.access.gpo.gov/2009/pdf/E9-21216.pdf>

Please contact our office if you have specific questions.

GSP set to expire Dec 31

The Generalized System of Preferences program is scheduled to expire for most countries at year end. A number of Chapter 99 duty-free provisions and the Andean Trade Preference program are also set to expire then. Congress historically has sometimes let these special access programs expire, then reinstate them retroactively the following year. While the recordkeeping for this is fairly easy, importers must pay the increased duties until Congress reinstates the programs. If reinstated, Customs will automatically issue refunds. We urge you to contact your Congressional delegation and make them aware of this situation.

DOL publishes list of products believed to be made with forced or child labor (From our friends at Sandler Travis)

On September 10, 2009, the Department of Labor published a list of 122 products from 58 countries that are believed to be made with child or forced labor. This list should concern global vendors and suppliers because of the adverse publicity that can result from an offending product.

The products on the DOL list include the bricks and charcoal from Brazil, textiles and toys from China, and garments and brassware from India.

For the complete list, please go to:

<http://www.dol.gov/ilab/programs/ocft/PDF/2009TVPRA.pdf>

We urge you to take precautions to insure your vendors comply with applicable laws regarding the importation of affected items.

CPSC issues lead testing exemptions (Also from our friends at Sandler Travis)

The Consumer Product Safety Commission has voted to approve a list of products that are now exempt from lead testing for children's products under the Consumer Product Safety Improvement Act (CPSIA). CPSC commissioners agreed that many items do not exceed the CPSIA lead limits and therefore are not subject to those limits or the related testing requirements. For an abbreviated list of exempt items, please go to

<http://www.strtrade.com/advisory.asp?firm=STTAS&id=382>

The CPSC stated that the determination that these products do not contain lead does not relieve the products from lead testing if the product or material is altered or modified so as to exceed the lead content limits.

Interim Final Rule -social security number (SSN)

The U.S. Census Bureau has issued the Interim Final Rule that revises the Foreign Trade Regulations to eliminate the collection of social security numbers (SSN) for identification purposes of the Privacy Act of 1974. This will ensure that the U.S. Principal Party in Interest ((USPPI's) or U. S. authorized agent's personal information, such as its SSN, is protected. For more information, go to:

http://www.cbp.gov/linkhandler/cgov/trade/basic_trade/export_docs/rule_ss_n.ctt/rule_ssn.pdf

Commerce to reconsider exclusion for novelty candles in ADD order on petroleum wax candles from PRC (From our friends at Grunfeld Desiderio)

On August 21, 2009, the Department of Commerce published a Federal Register Notice requesting comments on whether novelty candles should be included within the scope of the antidumping order on petroleum wax candles from China or whether they should continue to be excluded. If you import novelty candles from PRC, we urge you to make comments by the September 16 deadline.

Please contact us with any questions.

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