

# FTZ Developments

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## Sharing FTZ-related News and Updates

### New Draft CATAIR for e214

CBP has posted an updated DRAFT CATAIR for e214. The ACE Certification environment is available for all e214 participants to begin testing. The NAFTAZ Automation Committee is currently reviewing the DRAFT CATAIR and will provide comments to the NAFTAZ for submission to CBP. [CSMS #42507148](#).

### USMCA

In January, the Senate approved the U.S.-Mexico-Canada Agreement ("USMCA") and President Trump signed the USMCA Implementation Act (H.R. 5430). It is reported that Canada & Mexico respectively provided notification on April 3rd & 4th, that each country had completed all internal steps to enter USMCA into force. Once the U.S. provides notification of same, the agreement will enter into force on the "first day of the third month following the last notification". This means USMCA could enter into force anywhere between July & September depending on the U.S. notification date. [Fact Sheet](#)

### CBP Modifications to the Section 321 Pilot

In December 2019, CBP announced modifications to the Section 321 Data Pilot to include shipments arriving by ocean and international mail shipments. Additionally CBP modified the provisions governing misconduct under the pilot and extended the duration of the pilot an additional twelve months. [See Federal Register Notice here](#). CBP also issued a CSMS Message on January 10, 2020 clarifying that shipper information should be entered into the seller party field for type 86 entry filings under the pilot. See [CSMS #41257565](#).

### Do you have an ITACS Account?

If you import FDA-regulated products and do not yet have an FDA Import Trade Auxiliary Communication System ("ITACS") account to view current entry status and to receive FDA notices electronically, instructions for set up can be found in [CSMS #42253103](#)

### APHIS Publishes Final Rule Establishing "De Minimis" Exception to Lacey Act Declaration

APHIS is establishing an exception to the Lacey Act import declaration requirements for products containing a minimal, or "de minimis," amount of plant material. The Lacey Act, which combats trafficking in illegally taken wildlife, fish, or plants, requires importers to prepare an import declaration for certain plants and plant products. The import declaration must include the scientific name of the plant, value of the importation, quantity of the plant, and name of the country where the plant was harvested. To date, the Lacey Act did not address whether declaration requirements are necessary for otherwise non-plant products that contain a minimal amount of plant material, such as wooden buttons on a shirt. The new de minimis rule became effective on April 1, 2020. For more information on how the de minimis rule will be implemented, [click here](#).

### Generalized System of Preferences ("GSP")

On March 2, USTR announced initiation of the 2020 GSP Annual Review process, which will allow USTR to consider petitions to modify the GSP status of GSP beneficiary developing countries ("BDCs"), add or remove products from GSP eligibility from one or more countries, etc. The deadline to submit a petition was March 26, 2020. [See FR Notice here](#). Additionally, in October 2019 USTR announced that \$1.3 billion in GSP trade preferences for Thailand would be suspended effective April 25, 2020 based on Thailand's failure to adequately provide internationally recognized work rights. The list of products to be excluded is available [here](#).

### Launching of CBP's COVID-19 Webpage

CBP has launched the CBP COVID-19 Updates and Announcements webpage specifically dedicated to the most recent trade-related information and messaging on the impacts of COVID-19. See [CSMS #42231420](#)

# APHIS Takes Next Step Toward Paperless Clearance of Agricultural Imports

APHIS has announced implementation of the APHIS Core Message Set in ACE. Beginning in August 2020, APHIS will activate Core Message Set flags in ACE. What does this mean for the trade? It means that importers and brokers using ACE to submit entries will be required to use the APHIS Core Message Set to provide APHIS-required import data for APHIS-regulated plants, plant products, animal products, or live dog imports. This phase does not include other live animal imports. What does this mean for FTZ users? For the time being, it appears that FTZ Type 06 entries are excluded from the mandatory APHIS Core Message Set roll out in August. ([Click Here](#)) APHIS has indicated that it eventually intends to require the Core Message Set at the time of FTZ admission (CBPF 214) when available in ACE. For more information, [click here](#).

# DOJ Releases a Revised Policy for Voluntary Disclosures of Export Control & Sanctions Violations (VSD Policy)

Effective December 13, 2019, a revised DOJ VSD policy encourages companies to voluntarily self-disclose all potentially willful export control and sanction violations related to the Arms Export Control Act ("AECA"), 22 U.S.C. §2778, the Export Control Reform Act ("ECRA"), 50 U.S.C. §4801 et seq., and the International Emergency Economic Powers Act ("IEEPA"), 50 U.S.C. §1705. The VSD policy includes three key changes, all of which provide further incentives for corporations to voluntarily self-disclose violations. [Click here to see the full release.](#)

# APHIS Lacey: New Products to Require Import Declaration

USDA AHIS will require Lacey Act import declaration for new products beginning October 1, 2020. Comments on this proposed action can be filed by June 1st.

Please review the list of products below and consider how you will file the declaration. If you import products for admission to your FTZ, please contact us. There are specific guidelines and procedures for submitting Lacey Act declarations for FTZ admissions.

Chapter 33 (essential oils)

- 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)
- 3301.29.5150 (other essential oils)

Chapter 42 (trunks, cases, suitcases)

- 4202.29.2000 (trunks, cases, and suitcases of wood)
- 4202.99.2000 (other, of wood, not lined)
- 4202.99.3000 (other, of wood, lined)

Chapter 44 (wood and articles of wood)

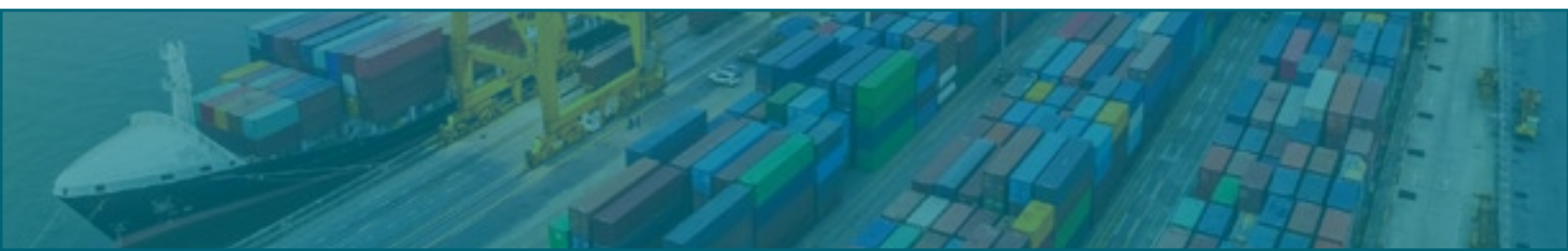
- 4410.12 (oriented strand board)
- 4415 (cases, boxes, crates, drums, containers, pallets, box- pallets, etc.)

Chapter 92 (musical instruments)

- 9205.90.2000 (bagpipes)
- 9205.90.4020 (clarinets)
- 9205.90.4080 (other woodwind instruments)
- 9205.90.4060 (flutes and piccolos)
- 9206.00.2000 (drums)
- 207.90.0040 (fretted string instruments)
- 9209.92 (parts and accessories for musical instruments of heading 9202)
- 9209.92.8000 (parts and accessories for musical instruments)
- 9209.99.2000 (parts and accessories for bagpipes)
- 9209.99.4040 (parts and accessories for other woodwind instruments)
- 9209.99.8000 (parts and accessories for musical instruments of heading 9202, other)

Chapter 96 (miscellaneous manufactured articles)

- 9620.00.5500 (monopods, bipods, tripods and similar articles of wood)



## Are the UOQ Changes for Some HTS Numbers Causing Issues?

With the latest Unit of Quantity (“UOQ”) changes, you may be experiencing difficulties within your FTZ software and will need to make updates to the UOQ. CBP has published [CSMS #40901710](#), which includes a link to their fact sheet. Feel free to contact us if you need assistance.

## ACE Drawback Deployment

On February 2, CBP deployed a new error message for Drawback entries. Specifically, “I576” is a new informational message for Drawback submissions with import entries that are entry type 06. The new message will prompt filers to either upload a copy of the original FTZ admission/CBPF 214 or provide the FTZ admission number via DIS.

## US Fish & Wildlife Service

On April 4, US Fish & Wildlife Service deployed its PGA Message Set in ACE in pilot status. Registered pilot participants will be able to submit FWS PGA data on entry submissions. Filers who are not registered will get a “reject” if they try to submit PGA data. FTZ Type 06 entries are excluded from the pilot. See [CSMS #42200234](#)

## USCIS: New Version of Form I-9

Beginning January 31, 2020, a new version of the Employment Eligibility Verification form is available for use to verify the identity and employment authorization of employees. The USCIS made minor changes to the form and its instructions. The prior version of the form will be obsolete effective April 30, 2020. [Download the new form here.](#)

## ACE Truck Manifest-Phase 1

On February 29, 2020, CBP deployed enhancements to ACE Truck Manifest. [CSMS #41878470](#) includes links to additional information and resources including accessing the Truck Manifest Trade Portal, ACE Truck Manifest Webpage, and the Phase 1 testing environment.

## Rockefeller Group FTZ Academy

With the ongoing administration of multiple trade remedies (Section 301, Section 232) and their corresponding product exclusions, we are aware that many FTZ operator/users are experiencing difficulties with managing, preparing, and filing numerous weekly Type 06 CBPF 3461/7501s to accommodate an increase in entry lines. RGFTZS offers a “Type 06 Entry” training module aimed at assisting FTZ filers with compliantly and efficiently filing their Type 06 entries in the current complex import environment. We also offer a “Type 06 Weekly Entry Process Improvement Review” service aimed at identifying compliance issues and opportunities to improve your FTZ entry procedures. Please contact us for more information.

## Recent CBP Messages

Please review the following recent pipeline and CSMS messages from CBP to determine how they may impact your import, export and/or FTZ operations:

[CSMS #42203908](#) - **UPDATED** Information on Trade Remedy Questions and Resources. CBP continues to update & provide info on compliance & trade remedy issues related to Section 201, 232, & 301 through its trade remedies webpage ([click here](#)).

[CSMS #41840326](#) - REMINDER: Enhancements to ACE Truck Manifest - Phase 1: Deployment on February 29th

[CSMS #41836997](#) - POSTPONED to March 16, 2020: Realignment of El Paso (2402) and Ysleta (2401)

[CSMS #41527274](#) - February 7 Quota Opening: Solar Cells/Modules, Large Residential Washing Machines & Covered Parts

[CSMS #41630831](#) - Update to US Fish and Wildlife Service Implementation Guide

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We welcome your ideas for topics. Questions or information can be sent to [RGFTZS@rockefellergroup.com](mailto:RGFTZS@rockefellergroup.com).

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