



NEWS IN BRIEF

CBP Finalizes Rule for Donations to Assist IPR Enforcement

The Trade Facilitation and Trade Enforcement Act (TFTEA) allows U.S. Customs and Border Protection (CBP) to accept donations for Intellectual Property Rights (IPR) enforcement. CBP has issued a Federal Register Notice (FRN) with its final rule, as required by TFTEA, on how CBP will accept donations to assist it in the enforcement of IPR.

The FRN can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2017-12-15/pdf/2017-27065.pdf>

TTB Delays Require for Special Labeling of Hard Cider

In January of 2017, the Alcohol and Tobacco Tax and Trade Bureau (TTB) implemented regulations for the definition of Hard Cider. This definition also included a lower IRS tax rate for hard cider. With this lower tax rate, the rule called for a special label for any cider declared under this new class tax rate. This labeling requirement was set to go into effect on January 1, 2018.

Due to comments received on the original notice, TTB has issued a Federal Register Notice delaying the implementation of the labeling requirements to allow trade to be better prepared. TTB is looking for further comments on the new requirement.

The FRN can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2017-12-05/pdf/2017-26281.pdf>.

New Seafood Tracking Program in ACE Will Take Effect January

The National Ocean and Atmospheric Administration (NOAA) will soon implement its Seafood Import Monitoring Program (SIMP) to begin tracing imports of 11 different species of seafood and products containing those seafoods. Beginning January 1, new data elements must be submitted through ACE per this program. The program is intended and designed to trace seafood products from their entry into commerce back to the point of harvest or production.

The information that will be required at entry on covered seafood products includes:

- **Information on the harvester or producer:** Name and flag state of the harvesting vessel and evidence of authorization; unique vessel

identifier, if available; type of fishing type of fishing gear; name of farm or aquaculture facility.

- **Information on the fish that was harvested and processed:** The ASFIS number for the species of fish; the product form at time of first landing; name of product; quantity and/or weight.
- **Information on when and where the fish were harvested and landed:** Area(s) of wild capture or aquaculture location; dates of harvest or trips; location of aquaculture facility; point(s) and date(s) of first landing; name of entity to which fish was landed.
- **The International Fisheries Trade Permit (IFTP) number** (issued by NMFS) for the Importer of Record.

The eleven species of seafood that are included in SIMP are:

- Atlantic Cod
- Blue Crab (Atlantic)
- Dolphinfish (Mahi Mahi)
- Grouper
- King Crab (red)
- Pacific Cod
- Red Snapper
- Sea Cucumber
- Sharks
- Swordfish (*Also included in the NMFS HMS program*)
- Tunas: Albacore, Bigeye, Skipjack, Yellowfin, and Bluefin (*Under certain conditions; may also be included in the NMFS HMS and 370 programs*)

Information on SIMP can be found at: <http://www.iuufishing.noaa.gov/RecommendationsandActions/RECOMMENDATION1415/FinalRuleTraceability.aspx>.

A summary of SIMP can be found at: <http://www.iuufishing.noaa.gov/RecommendationsandActions/RECOMMENDATION1415/SIMP.asp>

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A Note from the President

As the year comes to a close I want to thank you for your support of Carmichael in 2017. We sincerely appreciate your business and enjoy working with you. I wish you a Merry Christmas, Happy Holidays, and a Happy New Year. We look forward to continued mutual growth and success in 2018.

A handwritten signature in black ink, appearing to read 'T. Boice', with a horizontal line extending to the right.

By **Todd Boice**, *President*