

NEWS IN BRIEF

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President Trump Announces GSP Changes and Other Changes

President Trump has Issued a Presidential Proclamation announcing changes in Generalized System of Preferences (GSP) status for seven countries. First, the Ukraine has had 138 classifications restored to GSP that had been suspended in 2017. This change went into effect on October 30, 2019. Second, Thailand will have approximately one-third of the HTUS classifications that are currently eligible for GSP suspended from GSP qualification. This suspension will go into effect in six months, on April 25, 2020. The suspension results from failure to respond to a complaint opened in 2015 asking that they provide internationally recognized worker rights.

Separate from GSP, the country of Mali has been granted lessor-developed beneficiary status as a Sub-Saharan African country under the African Growth and Opportunity Act (AGOA). This will allow for special rules on imports of apparel from Mali.

The Presidential Proclamation that includes the lists of classifications affected for both the Ukraine and Thailand can be found by [clicking here](#).

USTR Announces New Exclusions to List 3 of the China 301 Duties

On November 7, the Office of the U.S. Trade representative announced another list of exclusions from the China 301 duties for Tranche 3 (list 3). The Federal Register Notice (FRN) for these changes was just issued yesterday, November 13. However, we cannot file entries for this list until the U.S. Trade Commission updates the HTSUS with the classification changes. This will allow U.S. Customs and Border Protection (CBP) to complete its programming which in turn will authorize the changes to be accepted on entries and refund requests.

The Federal Register Notice with the changes can be found by [clicking here](#).

Please be aware that Carmichael can run a report at your request against your entry history to determine if you have items that qualify for these exclusions.

CBP Issues Mitigation Guidelines for WPM Violations

U.S. Customs and Border Protection (CBP) has issued guidelines for the mitigation of Wood Packing Material (WPM) violations. The guidelines address the assessment of penalties for liquidated damages. First and foremost is the failure to properly respond to and obey an Emergency Action Notification (EAN) issued by a CBP Agriculture Officer. Mitigation can be issued if the EAN is satisfied, but the action taken was later than ordered on the EAN. A WPM penalty can be cancelled if the importer was unable to take the action required under the EAN due to circumstances beyond its control, or if the failure was due to an APHIS/PPQ or CBP error. There are also mitigations set for first time and second time violators with some mitigation for third or greater violations.

The guidelines for WPM violations can be found on [CBP's website](#).



By **Todd Boice**, *President*