

NEWS IN BRIEF

Seattle Office Relocation:

Effective July 1st 2021, the Seattle office mailing address has changed to the following:

Carmichael International Service
21086 24th Avenue South, Suite 124
Seatac, WA 98198

Please send any required original documents to the above address and notify your account representative of the package as our staff will continue to work remotely thru the 2nd quarter of 2022.

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CBP Announces Registration for the Next Broker Exam

U.S. Customs and Border Protection (CBP) has opened registration for the next Broker's Exam that will take place on October 21, 2021. Registration for the exam will close on September 21, 2021. CBP is offering both a remote option for the test and an in-person exam. Details about the exam can be found on CBP's [website](#).

Update on Legislation on 301 Exclusion Extensions, GSP and MTB

A quick update on the U.S. Innovation and Competition Act which includes authority to reinstate the product exclusion process for China 301 duties, reinstating Generalized System of Preferences (GSP) and the Miscellaneous Trade Bill (MTB). The Senate passed this legislation in June and sent it to the House. The House was supposed to start its discussions in August, but we have heard that it has now slipped to late September or early October.

The CIT has Issued a New Extension for the Forming of a Repository Claim for 301 Case

The Court of International Trade (CIT) has extended the preliminary injunction preventing the liquidation of unliquidated customs entries with Section 301 lists 3 or 4a tariff exposure from September 2 to October 4. This is the CIT's third deadline extension. The court had decided that a repository would be the best way to give U.S. Customs and Border Protection (CBP) a way to list and extend the liquidation of unliquidated entries with goods under list 3 and 4a included on them.

There has been a challenge in figuring how a repository list could be used to electronically tag the proper entries to have the liquidations extended. This is the third extension granted by the CIT.

CBP issues Instructions for Entry Under 9801

U.S. Customs and Border Protection (CBP) has issued new instructions via Cargo System Messaging Service that deals with goods entered under Chapter 9801. CMSM #49132200 explains the changes in 9801 that now include foreign goods returned within 3 years of export along with any returned American made goods. It also details the responsibilities for both importers and brokers when claims for duty-free treatment are filed using this HTS number.

Documents are considered waived by the Center Director unless requested. When documentation is required usually through a CBPF 28, the importer is to obtain a declaration by the foreign shipper that the goods were not advanced in value or improved in condition while abroad. This is for American goods being returned. For Corporations, a declaration of the fact signed by an officer of the Company or by an employee authorized by a power of attorney and certification of the corporation who has knowledge of the facts. The CSMS message also includes instructions for U.S. made goods that are not marked with the country of origin. This includes a statement by the U.S. Manufacturer that the goods were made in the U.S.

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For foreign goods returned within 3 years, proof the exportation must be supplied. This includes a copy of the foreign entry or U.S. export documentation such as an invoice or bill of lading/airway bill. Electronic Export Information (EEI) or proof of AES filing may also be accepted.

Special note: Foreign goods exported under a drawback claim or returned overseas closing the filing of a Temporary Importation Bond (TIB) do not qualify to be claimed under 9801 when returned to the U.S.

The CSMS also includes some very specific instructions for the return of aircraft and aircraft parts. A copy of this message can be found by clicking [here](#).

EPA Sets SNURs for 56 Chemical Substances

The Environmental Protection Agency (EPA) has issued a Federal Register Notice (FRN) announcing new Significant New Use Rules (SNURs) under the Toxic Substances Control Act for 56 chemical substances that are to be subject to Premanufacture.

Under the SNURs, any person planning to manufacture, import or process any of the listed chemical substances for an activity designated as a significant new use by this rule are required to notify EPA at least 90 days in advance of the importation. Importers of chemicals subject to these SNURs will need to certify their compliance with the SNURs requirements, and exporters of these chemical substances will now become subject to export notification requirements.

The final rule takes effect on October 18, 2021. The FRN with list of the SNURs can be found [here](#).



By **Todd Boice**, President