

## NEWS IN BRIEF

### Carmichael's 60th Anniversary

On September 5, Carmichael celebrated its 60th anniversary.

### Follow Carmichael on LinkedIn

Keep up with current trade information and stay up to date with newsworthy updates from Carmichael International Service by following us on LinkedIn!

[Click here](#) to find us on LinkedIn.

### CIT Vacates Repository Order for China 301 Duties on Lists 3 and 4a

The Court of International Trade had issued requirements for a repository list of all the unliquidated entries included in the court filings for refunds of the China 301 duties paid under List no. 3 and 4a. In a court order issued on September 8, 2021, the CIT vacated that order and instructed U.S. Customs and Border Protection (CBP) that they shall liquidate those entries in its usual course. It added that should the Court find that List 3 and/or List 4a duties have been illegally collected and if/when a decision is final, the Court can order the reliquidation of those entries for refunds that were unliquidated at the time of the injunction that has been vacated.

### CBP has Issued a FRN on Continuing Education

U.S Customs and Border Protection (CBP) has issued a Federal Register Notice (FRN) to require continuing education for all licensed brokers to maintain their licenses as brokers. The FRN proposes that each broker must complete 36 hours of education every three years. CBP will not issue specific content requirements but will contract with content accreditors who will review and approve or deny training courses.

The new requirement will apply to all licensed brokers including those that work for importers and consulting firms. There are a lot of details in this lengthy FRN that every licensed broker should become familiar with. CBP is accepting comments before issuing the final rule and those comments are due by November 9.

The FRN can be found on the Federal Register [website](#).

### Legislation for Renewal of GSP and MTB Update

In a recent Memo, we reported that the legislation passed by the Senate for the renewal for the Miscellaneous Trade Bill (MTB) and the Generalized Systems of Preferences (GSP) would probably be reviewed by the House in late August or early September. We have been told by a respected lobbyist that the review has been put back until late November or early December.

### Holds for WRO's are Increasing

The number of detentions for forced labor Withhold Release Orders (WRO) by Customs and Border Protection (CBP) have been increasing this year. So far there have been almost 700 holds placed on shipments this year. When a detention is issued, the cargo can sit for 90 days while the importer reviews documentation for a submission to prove that the product was not made using forced labor in any part of the supply chain and that any material used in the production was also free of forced labor.

If the importer cannot provide the evidence needed, there is the option of re-exporting the shipment within 90 days of the detention. Importers can also destroy the shipment rather than re-export. CBP will allow the shipment to be abandoned, but they will destroy the shipment at the importer's expense.

There are over 50 WRO's that have been issued by CBP. Not all of them are for cotton. CBP expects that all importers should have a social compliance program dealing with forced labor. This includes information about reviews from the importer's vendors and other parties in the product supply chain that no forced labor has been used.

~ more on next page ~

If you do not have a forced labor program, CBP has a lot of information on their website that explains the importer's diligence. You can also look at this site to understand what is needed. It is important to be prepared and not surprised if your shipment is held for a WRO. This information can be found by clicking [here](#).

### **LAX to Open Centralized Exam Site**

U.S. Customs and Border Protection (CBP) has announced its selection of a Centralized Examination Site (CES) for the Los Angeles International Airport (LAX). CBP at LAX will no longer do exams at the airline terminals or at the multitude of Consolidated Freight Station operating in the airport area for imported air freight cargo. Shipments will have to be moved to the CES for CBP to perform the exams.

CBP will publish the exam process soon and we expect the CES to begin operations in late September. We are notifying everyone to be ready for this change. LAX will be the first airport to have a formal CES process. We will share the rates and exam process information later when the final instructions are sent out next week.



By **Todd Boice**, President