

NEWS IN BRIEF

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CBP Will Deploy New Requirements for MID's from China

CBP has set up a new requirement for Manufacturer Identification Codes for when the country of origin is China for Uyghur Forced Labor Protection Act (ULPFA) enforcement. Here is the current language of the deployment:

“The UFLPA Region Alert will add three new validations that will be performed when Country of Origin is China for Entry and for Manufacturer Identification Code (MID) creation for both Trade and CBP users:

- Postal code will be a required field.
- Users will receive an error message if the postal code provided is not a valid Chinese postal code.
- Users will receive a warning message when a Uyghur region postal code has been provided.
- Includes EDI Impacts”

In a trade call with CBP, they told us that existing MID's will not have to be updated at this time. The postal code will be required for any new MID's setup for companies in China. There were some challenges presented to CBP about using the current MID's for entries because most brokers have programmed to use the MID that are in CBP's system for accurate matching. CBP will review the process for use of MID's from China for the entry. While this review is going on, we strongly suggest that importers who are doing business in China start accumulating the postal codes for all their Chinese suppliers to be ready as more instructions are received from CBP. CBP will update the programming for the code in early November with an actual deployment to start in mid-December.

FDA's Annual Medical Device Establishment Registration is Open

This is a reminder that the Food and Drug Administration requires that all medical device establishments must be registered annually. The registration period is already open and will run through December 31, 2022. Registration must be completed before any importers in 2023. Here are some links to help with the registration process:

FDA Device Registration:

*[Who Must Register, List and Pay the Fee](#)

*[How to Register and List](#)

Registration Page:

*[Establishment Registration & Device Listing](#)

Rail Labor Watch

Agreed to a contract with the railroads, subject to the union members ratification. There are 12 unions involved with the contract. Last week, one of the unions had voted down the acceptance of the contract and five had approved the language. Today we learned that a second local has voted against the contract. There are still 5 locals that are still voting.

The White House and the Departments of Labor, Transportation, and Agriculture are working to keep the rail systems operations open without disruption. The anticipation is that there is a cooling off period until November 19 to allow new negotiations to take place, but that could change.

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USTR Will Not Open 301 Investigation on Mexican Agricultural Products

A proceeding that could have resulted in trade measures against Mexico, including higher tariffs, has been cut short by the Office of the U.S. Trade Representative.

In September, the Office of the US Trade Representative (USTR) received a petition from a bipartisan group of members of Congress requesting a Section 301 investigation into “the flood of imported seasonal and perishable agricultural products from Mexico, specifically, fruits and vegetables grown with subsidized horticultural infrastructure and other forms of Mexican government support.” The petition requested that USTR use its “broad authority to investigate and redress unreasonable trade practices that burden and restrict U.S. commerce” and work with the petitioners to “secure the relief needed to sustain the Florida seasonal and perishable agricultural industry.”

While the petition did not request any relief, Section 301 authority has been used in recent years to impose higher tariffs on hundreds of billions of dollars’ worth of imports from China, European Union member countries, and others; however, USTR announced Oct. 23 that it “could not conclude ... that a formal 301 investigation would be effective and is not opening an investigation at this time.” Instead, USTR will establish a private-sector industry advisory panel to recommend measures to promote the competitiveness of producers of seasonal and perishable produce in the southeastern U.S.

USTR said it will work with this panel and members of Congress “to develop possible administrative actions and legislation that would provide real benefits to this struggling industry.” In an Oct. 20 letter, a handful of senators warned the USTR that opening the

requested investigation could have several negative consequences, including undermining the credibility of Section 301 as an effective tool, increasing the cost of fresh produce for U.S. consumers, and prompting retaliatory measures from Mexico.



By **Todd Boice**, President