

NEWS IN BRIEF

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CIT Holds that USTR Complied with the Administrative Procedure Act in China 301 Duty Case

The Court of International Trade (CIT), in a decision on March 17, has held that the Office of the U.S. Trade Representative (USTR) complied with the Administrative Procedure Act when it set up the lists 3 and 4(a) of the Section 301 duties assessed against China. This decision is a blow to the litigation filed by thousands of importers for refunds of 301 duties filed for goods from China under lists 3 and 4a.

We have seen numerous comments made by attorneys decrying this decision. Plans are already in motion to appeal this decision to a higher court. We recommend that any importer that has filed a court case on this issue should immediately contact their attorneys to discuss the course of the case and be ready for any new actions.

Bill Introduced to add Ecuador to CBERA

The Senate Foreign Relations Committee leaders have introduced a bipartisan bill to add Ecuador to the to qualify as a beneficiary of the Caribbean Basin Economic Recovery Act (CBERA). This would reduce tariffs on almost 50% of Ecuador's exports to the United States, including apparel if the fabric or yarn if supplied from the United States. It is intended to give a boost the Ecuador's economy and great jobs that could help with illegal immigration from this country. A copy of this simple two-page bill can be found at: [Here](#)

CITES has Issued a Trade Suspension for Trade in CITES Species with Mexico

The Convention on International Trade in Endangered Species (CITES) is an agreement between governments that regulates the international trade of endangered wildlife and fauna and products made of them. The leadership of CITES has suspended trade with Mexico for any wildlife and plant products subject to CITES documentation for import and export trade.

Mexico faces these sanctions for not doing enough to protect the vaquita, a small porpoise that is the world's most endangered marine mammal. Mexico is working with the leaders of CITES to develop an action plan to fulfill requirements by the international group. A copy of the announcement can be found here: [Here](#)

APHIS will Launch Phase VII of Lacey Act Enforcement

The U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS) has issued a notice that they are preparing to launch Phase VII of the enforcement of the Lacey Act. This latest phase will include a Lacey declaration for all remaining plant products. APHIS has said that Phase VII will include wooden, wicker and rattan furniture of chapter 94 along with more essential oils of chapter 33 and cork and cork products of chapter 45. APHIS will have a more detailed complete list of HTS numbers affected ready in the fall. The new phase will go into effect in the spring of 2024. APHIS issued this notice to allow importers time to start reviewing their supply chain and what information they will need when Phase VII does go into effect.

~ more on next page ~

Importers of items that contain plant products should start to prepare to be ready. A copy of the notice can be found at: [Here](#)

By **Todd Boice**, President

A handwritten signature in black ink, appearing to read 'Todd Boice', with a horizontal line extending to the right.