

NEWS IN BRIEF

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Port of Baltimore is Closed Due to Bridge Collapse

Due to the tragic collapse of the Francis Scott Key Bridge, the Port of Baltimore is indefinitely closed to all vessel traffic. Import vessels will be diverted to other ports. Export traffic can be moved by truck or rail and go to other smaller local ports. The terminals at the Port of Baltimore will remain open for the pick-up of cargo that had already entered the Port before this terrible incident. We will watch for announcements on the progress of removing the debris so that the Port can reopen.

National Organic Program Became Effective on March 19

This is a reminder that the National Organic Program (NOP) went into effect on March 19. This program is intended to protect the integrity of “organic” claims in the marketplace. The program has two certification requirements. Any product that claims to be “Organic” or has an organic label on the goods or packages must have NOP Import Certification data. That certification must be obtained by the shipper/exporter who can apply for the certificate from a USDA Agriculture Marketing Service AMS approved certifier.

The second certification requirement is that agriculture handlers throughout the supply chain must register with AMS. Information on the NOP and who must register can be found on the AMS website at: [National Organic Program | Agricultural Marketing Service \(usda.gov\)](#)

A memo reminder of Carmichael’s additional service offerings

In this memo, we are highlighting the work we do in helping our customers manage several Duty Saving Programs:

- **Origin Duty Deduction**
 - Provide guidelines on what can and cannot be deducted from the entered value.
 - Ability to capture the origin items (Terminal Handling Charges, Port Security Fees, etc.) which can be deducted from the entered value.
 - Program in place with many of our customers who use a variety of 3PLs.
- **First Sale**
 - Help with evaluating if a First Sale Program is right for your company.
 - Guidelines to be followed and some important, ‘watch outs.’
 - Ability to track savings through our technology.
- **MPF (Merchandise Processing Fee) Savings**
 - How it works and the options on how to manage this program.
 - Understanding the potential risks involved.

New Exemption from ADD and CVD on Certain China Solar Cells

The U.S. Department of Commerce (DOC) has issued a new exemption from antidumping duty (ADD) and countervailing duty (CVD) from certain solar cells from China. The exemptions have been added to the scope of case nos. A-570-979 and C-570-980. The language of the exemption is:

"Off-grid crystalline silicon photovoltaic panels in rigid form with a glass cover, with each of the following physical characteristics, whether or not assembled into a fully completed off-grid hydro panel whose function is the conversion of water vapor into liquid water:

- (A) A total power output of no more than 180 watts per panel at 155 degrees Celsius.
- (B box.) A surface area of less than 16,000 square centimeters (cm²) per panel.
- (C) Include a keep-out area of approximately 1,200 cm² around the edges of the panel that does not contain solar cells.
- (D) Do not include a built-in inverter.
- (E) Do not have a frame around the edges of the panel.
- (F) Include a clear glass back panel.
- (G) Must include a permanently connected wire that terminates in a two-port rounded rectangular, sealed connector.
- (H) Include a thermistor installed into the permanently connected wire before the two port connector; and
- (I) Include exposed positive and negative terminals at opposite ends of the panel, not enclosed in a junction

The exemption for the ADD will be retroactive for entries on or after December 1, 2021. The exemption for the CVD will also be retroactive for entries on or after January 1, 2021

CBP has New Policy for Electronic Entries for Di Minimis Shipments

U.S. Customs and Border Protection (CBP) has issued a message on a change or electronic filing for releases under Sec. 321 de minimis shipments. Di Minimis refers to the regulation that allows shipments valued under \$800.00 to be released with no duty. CBP set up an electronic type 86 to allow entries to be filed efficiently with an electronic transmission. However, CBP is trying to allow more time to review the electronic before an electronic release is given, CBP will require that all electric 86 entries be filed before the cargo arrives. Couriers and large e-commerce filers are prepared for this change

This change will affect individual shipments for commercial importers. The broker filing the 86 entries must receive advance documents for review before the shipment arrives. Currently, individual shipments under \$800.00 need to be reviewed to make sure the goods will qualify. We will see many commercial non-express air shipments that may have been released electronically with an 86 entry will lose this privilege since the documents by air are commonly received too late for the 86 filing. We suggest filing an informal entry to avoid delays on the release and to avoid storage. The CSMS Message with the announcement can be found at: [CSMS # 59889329 - Automated Enforcement of Late Filing of Entry Type 86 Transactions \(govdelivery.com\)](#)



By **Todd Boice**, President