



EIB World Trade Headlines

Evolutions In Business • www.eib.com • (978) 256-0438
Fax: (978) 250-4529 • P.O. Box 4008, Chelmsford, MA 01824

June 2012- Vol4, Issue 12

Voluntary Self-Disclosure

BIS encourages the submission of Voluntary Self Disclosures (VSDs) by parties who believe they may have violated the EAR. VSDs are an excellent indicator of a party's intent to comply with U.S. export control requirements and may provide BIS important information on other ongoing violations. BIS carefully reviews VSDs received from disclosing parties to determine if violations of the EAR have occurred and to determine the appropriate corrective action when violations have taken place. Most VSDs are resolved by means other than the issuance of an administrative penalty. Of the VSDs received and resolved in fiscal year 2005, 97% were resolved with either a finding that no violation of the EAR had occurred (55%) or with the issuance of a warning letter (42%). Of VSDs received and resolved in fiscal year 2006, 100% were resolved with either a finding that no violation of the EAR had occurred (52%) or with the issuance of a warning letter (48%).

In instances in which BIS determines that the issuance of an administrative penalty is appropriate for the resolution of a VSD, BIS affords the submission of a VSD "great weight" in assessing and mitigating the penalty. In appropriate cases, fines and other administrative penalties may be significantly reduced. Guidance regarding administrative penalties is provided in Supplement No. 1 of Section 766 of the EAR. Additional information is also available at Voluntary Self-Disclosures.

Pursuant to Part 764.5 of the EAR, one copy of the information constituting a VSD or any other correspondence pertaining to a VSD may be submitted to:

Director, Office of Export Enforcement 1401 Constitution Avenue Room H4514 Washington, DC 20230 Tel: (202) 482-1208 Facsimile: (202) 482-5889

NEWSLETTER NOTES

- *Voluntary Self-Disclosure
- *USITC Posts HTS Revision #2
- * CBP Posts Chart Listing MPF Exemptions for FTAs and Trade Preference Programs
- *(CBP Bulletin 5/16/12) Homeopathic Remedies, Thermal Oxidizers, Perforating Gun Assemblies, SCT Livewire Flash Device
- *Census Reminds Filers of AES Not to Use Employer Identification Numbers in Emails
- *DoD Issues Interim Rule Implementing US-UK Defense Trade Cooperation Treaty
- * EPA Issues Proposed Rule to Add Cadmium Compounds in Consumer Items to TSCA Priority Testing List
- *-UPDATE- New Names Added to the Denied Persons List

USITC Posts HTS Revision #2 (Includes Colombia and Korea FTA Changes)

The International Trade Commission (ITC) posted Revision 2 of the 2012 Harmonized Tariff Schedule (HTS) containing the rates for the new U.S.-Colombia Trade Promotion Agreement (TPA), which is effective for qualifying goods entered or withdrawn from warehouse for consumption on or after 03/15/12. The ITC also issued ITC Report 4320, which contains the annexes to the Proclamation, listing all the 2012 and later year amendments to the HTS for the U.S.-Colombia TPA.

ITC notice HTS Rev 2 (5/18/12):
<http://www.usitc.gov/tata/hts/bychapter/index.htm>

CBP Posts Chart Listing MPF Exemptions for FTAs and Trade Preference Programs

U.S. Customs and Border Protection (CBP) posted a table and memorandum providing information on whether the Merchandise Processing Fee (MPF) is paid, or exempt from payment, for goods entered under free trade agreements (FTAs) or trade preference programs (TPPs).

CBP chart:
http://www.cbp.gov/linkhandler/cgov/trade/trade_programs/international_agreements/merchandise_fee/merchandise_pf_table.ctt/merchandise_pf_table.doc

CBP Posts Updated FAQ on Centers of Excellence and Expertise

U.S. Customs and Border Protection (CBP) posted an updated listed of frequently asked questions on the Centers of Excellence and Expertise (CEE). CBP advised another update is expected shortly.

CBP FAQ:
http://cbp.gov/xp/cgov/trade/trade_transformation/industry_int/asked_questions.xml#

OTEXA Posts Information on Qualifying Industrial Zones

The International Trade Administration's Office of Textiles and Apparel (OTEXA) posted a new web page detailing information about the Qualifying Industrial Zones (QIZs) authorized by Congress in 1996. QIZs allow Egypt and Jordan to export products to the U.S. duty-free, as long as the products contain inputs from Israel. In order for QIZ products to be eligible for duty-free entry, the article must be a new and different article of commerce that has been grown, produced or manufactured in the zone, and at least 35 percent of the appraised value of a product at the time it enters into the U.S. must consist of the cost or value of materials produced and direct cost of producing operations performed in the QIZ. According to OTEXA, U.S. tariffs on textile and apparel goods are generally relatively high which makes production of these goods in QIZs especially attractive.

OTEXA web page:
<http://web.ita.doc.gov/tacgi/fta.nsf/7a9d3143265673e85257a0700667a6f/196ed79f4f79ac0085257a070066961d?OpenDocument>

Canadian Pacific Railroad May Face Strike

As reported, just days after William Ackman, an activist investor, wrested control of Canadian Pacific Railroad, the honeymoon is already over. The Teamsters Canada Rail Conference, a union representing 4,800 engineers, conductors and rail traffic controllers, could cause a labor disruption soon if an agreement with railroad management isn't reached before then. Ackman, principal of Pershing Square Capital Management, overwhelmingly recently won a proxy fight with CP management after shareholders approved his seven-director slate.

The union voted to launch a strike anytime after 05/22/12 if CP didn't stop trying to shift workers to a cheaper pension plan. The railroad noted changes need to be made to the legacy pensions and post-retirement benefits to make CP competitive with other railroads. CP contributed about \$1.9 billion of solvency deficit contributions to its pension plan in the last three years. Ackman's campaign to shake up management at CP centered on boosting earnings at the least profitable major railroad in North America.
www.joc.com (5/21/12)

ITDS Posts Updated List of Participating Government Agencies

The Website for the International Trade Data System (ITDS) posted an updated ACE Portal Access Application and an updated PGA Roster. The updated roster lists all Participating Government Agencies (PGAs) in ITDS as of 05/17/12. PGAs include:

*Department of Agriculture – Agricultural Marketing Service (AMS), Animal and Plant Health Inspection Service (APHIS), Foreign Agricultural Service (FAS), Food Safety and Inspection Service (FSIS), Grain Inspection, Packers & Stockyards Administration (GIPSA).

*Department of Commerce – Bureau of Industry and Security (BIS), U.S. Census Bureau, Foreign Trade Zones Board (FTZB), Import Administration (IA), National Marine Fisheries Service (NMFS).

*Department of Defense – Army Corps of Engineers (USACE), Defense Contracts Management Agency (DCMA), Office of Naval Intelligence (ONI).

*Department of Energy – Office of Fossil Energy (OFE), Energy Information Administration (EIA), Office of General Counsel (OGC).

*Department of Justice – Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Drug Enforcement Administration (DEA).

*Department of the Interior – Fish and Wildlife Service (FWS).

*Department of Labor Bureau of Labor Statistics (BLS)

*Department of Homeland Security – United States Coast Guard (USCG), U.S. Customs and Border Protection (CBP), Transportation Security Administration (TSA).

*Department of Transportation – Bureau of Transportation Statistics (BTS), Federal Aviation Administration (FAA), Federal Highway Administration (FHA), Federal Motor Carrier Safety Administration (FMCSA), Maritime Administration (MARAD), National Highway Traffic Safety Administration (NHTSA), Pipeline Hazardous Materials Safety Administration (PHMSA).

(Continued above)

*Department of Health and Human Services – Centers for Disease Control and Prevention (CDC), Food and Drug Administration (FDA).

*Department of Treasury – Internal Revenue Service (IRS), Office of Foreign Assets Control (OFAC), Alcohol and Tobacco Tax and Trade Bureau (TTB), Financial Crimes Enforcement Network (FinCEN), Office of Intelligence and Analysis (OIA).

*Department of State – Bureau of Administration, Office of Logistics Management (A/LM), Directorate of Defense Trade Controls (DDTC), Bureau of Ocean and International Scientific Affairs (OES/OCM), Office of Foreign Missions (OFM).

*Independent Agencies – Consumer Product Safety Commission (CPSC), Environmental Protection Agency (EPA), Federal Communications Commission (FCC), Federal Maritime Commission (FMC), International Trade Commission (ITC), Nuclear Regulatory Commission (NRC), U.S. Agency for International Development (USAID), Office of the United States Trade Representative (USTR).

ITDS roster

http://www.itds.gov/linkhandler/itds/toolbox/organization/pgas/pga_roster.ctt/pga_roster.pdf

The ACE Portal Access

http://www.itds.gov/linkhandler/itds/toolbox/library/resource_documents/portal_access.ctt/portal_access.doc



(CBP Bulletin 5/16/12)
**Homeopathic Remedies, Thermal
Oxidizers, Perforating Gun Assemblies, SCT
Livewire Flash Device**

U.S. Customs and Border Protection (CBP) posted CBP Bulletin (Vol. 46, No. 21); CBP is:

*revoking a ruling on the classification of homeopathic remedies;

*revoking a ruling on the classification of Thermal Oxidizers;

*proposing to revoke ruling on Perforating Gun Assemblies; and

*proposing to revoke rulings on SCT Livewire Flash Device.

This notice covers any rulings on this merchandise which may exist but have not been specifically identified. CBP cautions that an importer's failure to advise CBP of such rulings, decisions, or substantially identical transactions may raise issues of reasonable care on the part of the importer or its agent.

Homeopathic Remedies - Homeopathic remedies for various psychosomatic ailments. The products are prepared from plant material, flower heads, and natural spring water, and are sold in different forms (solid pills, lozenges, or liquid sprays/droplets). The liquid remedies are 27% alcohol by volume and 70% water. The products are regulated as drugs under the Federal Food, Drug, and Cosmetic (FD&C) Act.

CBP commented since the subject homeopathic products contain an active ingredient officially included in the Homeopathic Pharmacopoeia of the U.S. (HPUS) and are packaged with statements of the specific ailments or symptoms for which the product is to be used; the recommended dosage; etc., CBP finds they are classified as medicaments in heading 3004. Therefore, CBP advises its earlier ruling in this case is in error and that, by application of GRI 1, the subject homeopathic products are properly classified in subheading 3004.90.91.

*Old HTS/Rate: Liquid form: 2208.90.80, 21.1¢/pf.liter (Other undenatured ethyl alcohol of an alcoholic strength by volume of less than 80% volume), Lozenge form: 2106.90.99, 6.4% (Other food preparations not elsewhere specified or included)

(Continued above)

*New Ruling: HQ H145541 (dated 4/4/12), revokes HQ H086082 (dated 2010)

*New HTS/Rate: 3004.90.91, free (Other medicaments consisting of mixed or unmixed products for therapeutic or prophylactic uses, put up in measured doses or in forms or packings for retail sale)

Thermal Oxidizers - these machines treat waste gases to destroy pollutants known as volatile organic compounds (VOCs). A stream of air laden with VOCs enters the oxidizers. The air stream is later ignited by an electrical spark. Due to the heat, a chemical reaction occurs whereby the VOCs react with the oxygen and are converted into water and carbon dioxide. The resulting output is 99.99% free from VOCs. CBP advises that HTS heading 8417 covers incinerators and similar apparatus specially designed for the burning of waste. The subject merchandise use a heated chamber to burn up waste gases, as such, CBP notes they could be classified as a furnace of heading 8417.

*However, the merchandise could also be classified as a purifier of heading 8421. Therefore, the merchandise is multi-function machines. According to CBP, it could not determine the principal function of the merchandise. Thus, by application of GRI 3(c), the merchandise is classified under heading 8421 because it appears last in numerical order.

*Old HTS/Rate: 8417.80.00, 3.9% (other industrial or laboratory furnaces and parts thereof)

*New Ruling: HQ H118895 (dated 04/23/12), modifies NY J84466 (2003), revokes NY K88616 (2004)

*New HTS/Rate: 8421.39.80, free (other purifying machinery and apparatus for gases)

(Continued below)

Perforating Gun Assemblies - the assemblies are used to perforate oil wells and consist of a tube-like device called a charge holder with holes cut out to exact specifications, which is then combined with perforating gun. Detonation of the gun then blows holes in rock. CBP previously ruled perforating gun assemblies as classified as a firearm or other devices, however CBP now advises the perforated gun assemblies don't meet the definition of a firearm; it isn't a firearm because it does not use an internal firing or triggering mechanism to fire a projectile from a barrel nor is it capable of re-use as are the articles and is used for oil drilling.

*Current: 9303.90.8000, (Free) (Other firearms and similar devices which operate by the firing of an explosive charge) and 9305.90.4000, (Free) (Of shotguns or rifles of heading 9303)

*Proposed for revocation: N012463 (2007), NY C83105 (1998), NY C82398 (1997)

*Proposed: 7326.90.85, 2.9% (Other articles of iron or steel)

*Proposed new ruling: HQ H053672, HQ H102845 and HQ H102847

According to CBP, before taking this action, consideration will be given to any written comments received by 06/15/12.

Flash Device - Livewire Flash Device. The instant flash tuner is designed to work with Powertrain Control Modules (PCM) to help the user diagnose potential problems, adjust certain performance settings, and record performance data. It features 128MB of total memory, internal PCB assembly, LCD display, indicator lights, and directional buttons housed in plastic housing with a push/scroll jog wheel. The product is fitted with a USB plug and other connectors that allow it to be mounted in a Ford vehicle.

CBP reports the Livewire device is different than devices that receive, collect, store and display data on the way the vehicle functioned, data that allowed the user to ascertain whether the vehicle was functioning properly.

By contrast, the Livewire, while it performs these functions, is used mainly to change a vehicle's performance via a separate mechanism, irrespective of how well the vehicle may be functioning.

(Continued above)

*CBP proposes HTS 8517.62.00, (Free) (Telephone sets, including telephones for cellular networks or for other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communications in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528.

*9031.80.80, 1.7% (Measuring or checking instruments, appliances and machines, not specified or included elsewhere in this chapter; profile projectors; parts and accessories thereof: Other instruments, appliances and machines: Other.)

*Proposed for revocation: HQ H097095 (2010)

*CBP proposes HTS 8517.62.00, (Free)

*Proposed new ruling: HQ H126020
According to CBP, before taking this action, consideration will be given to any written comments received by 06/15/12.

CBP Bulletin (5/16/12)

http://www.cbp.gov/xp/cgov/trade/legal/bulletins_decisions/bulletins_2012/vol46_05162012_no21/

China Files WTO Compliant against United States on 22 CVD Orders (Including Solar Cells)

China requested WTO consultations with the U.S. about U.S. countervailing duty (CVD) orders on 22 Chinese products. According to a statement by China's Ministry of Commerce, the CV orders are inconsistent with WTO rules in many aspects, including application of the term of public bodies, specificity, facts available and U.S. consideration of export restriction measures as subsidies. Products at issue in China's complaint include solar cells, on which the U.S. imposed preliminary CV rates of 2.9% - 4.73% on 03/26/12, as well as oil country tubular goods, coated paper, and steel wheels.

As reported, China's challenge will focus on the U.S. practice of considering all Chinese firms partially owned by the government of China as "public bodies," regardless of the size of the government stake.

(Continued below)

By considering such firms public bodies, the International Trade Administration (ITA) is able to allege that any goods or funds provided by these firms constitute government subsidies. WTO has previously ruled in China's favor on this issue in March 2011, when an appellate body found that U.S. consideration of Chinese state-owned suppliers and banks as public bodies was inconsistent with the U.S.' WTO obligations.

Press release:

http://news.xinhuanet.com/english/china/2012-05/25/c_131611418.htm

Census Reminds Filers of AES Not to Use Employer Identification Numbers in Emails

The Census Bureau reminded exporters to be mindful of electronically transmitted information, particularly sending the Employer Identification Number (EIN) via email to Census in requests for Automated Export System (AES) information. Census advises the Internal Transaction Number (ITN) is directly linked to the EIN, and can be used by Census to safely and securely identify a company's information. According to Census the EIN information should never be transmitted to the Census Bureau via email.

Although Census requires an EIN to identify a company's profile in the AES and to service a company's AES needs, there are other ways to provide this information to Census indirectly. Census advises, the best, and safest, way to send this information is by providing a previously accepted Internal Transaction Number (ITN). EINs are directly linked to ITNs, so once Census has the ITN it can safely and securely identify a company's information. Other business practices to protect companies' EINs include:

*Do not reply or forward an email message that contains an EIN in the thread history;

*Do not include your company's EIN in the subject line of your email message; and

*Do not submit your EIN as an attachment within a message.

Census notice:

<http://globalreach.blogs.census.gov/2012/05/23/back-to-the-basics-ensuring-your-privacy-leave-the-ein-out/>

Labor Department Issues FR Notice on Review of Alleged DR-CAFTA Labor Rules Violations in Honduras

The Labor Department announced it accepted and will review a submission by the AFL-CIO and 27 Honduran civil society and worker organizations alleging violations of the Labor Chapter of the Dominican Republic-Central America--U.S. Free Trade Agreement (DR-CAFTA) by the government of Honduras. Labor's Office of Trade and Labor Affairs (OTLA) will issue a public report, including findings and recommendations, to the Secretary of Labor within 180 days, unless circumstances require an extension of time. OTLA advised it received a submission in March 2012 alleging violations of the Labor Chapter (Chapter 16) of the CAFTA-DR stemming from the Government of Honduras' actions or failure to act.

The submission alleges that the Government of Honduras' actions or lack thereof denied workers at factories in the apparel and auto parts manufacturing sectors, plantations in the agricultural sector, and enterprises at the Port of Cortez their rights under Honduran labor law relating to freedom of association, the right to organize, the right to bargain collectively, child labor, and acceptable conditions of work. The submitters also allege a violation of the CAFTA-DR due to recently passed legislation, which weakens workers rights and ongoing deficiencies in its laws and legal system.

According to OTLA, its decision to accept the submission for review is not intended to indicate any decision on the validity or accuracy of the allegations. Instead the objective of the review of the submission will be to gather information so that OTLA can better understand the allegations therein and publicly report on the issues raised by the submission.

OTLA FR Notice

<http://www.gpo.gov/fdsys/pkg/FR-2012-05-22/pdf/2012-12406.pdf>

News on Satellite Exports

Senator Michael Bennet, D-Colo., introduced on May 22 the Safeguarding United States Leadership and Security Act of 2012 (S. 3211). This bill would give the president the discretion to transfer certain less-sensitive satellites and satellite components from the U.S. Munitions List to the Commerce Control List, thus regulating them “in a manner consistent with other items that could serve both a commercial and military purpose.”

It would also prohibit the transfer of any satellite or related item (either directly or indirectly) to China, North Korea, Cuba, Iran, Sudan, Syria or any state sponsor of terrorism identified under the Export Administration Act. Similar provisions have been added to the National Defense Authorization Act for fiscal year 2013 in the Senate. In both cases the changes are based on recommendations from a joint report from the departments of Defense and State.

- Announcement -
(June 7, 2012)

BIS and State Department Publish Proposed Rules Addressing Personal Protective Equipment, Shelters, and Related Items that the President Determines no Longer Warrant Control on the United States Munitions List.

[BIS Proposed Rule](#) | [State Proposed](#)

PHMSA Issues FR Notice on Proposed Revisions to Hazmat Shipping Rules

The Pipeline and Hazardous Materials Safety Administration (PHMSA) issued a notice of proposed rulemaking seeking comment on proposals to amend the Hazardous Materials Regulations (HMR) to revise, remove or add proper shipping names, the hazard class of a material, packing group assignments, special provisions, packaging authorizations, packaging sections, air transport quantity limitations, and vessel stowage requirements for hazardous materials shipments. The amendments are necessary to align the HMR with recent revisions to international standards for the transport of hazardous materials by all modes.

PHMSA advised the amendments are a result of administrative appeals submitted in response to various amendments adopted in the 01/19/11, final rule. The notice also addresses recent actions taken by the International Civil Aviation Organization's (ICAO) Dangerous Goods Panel about lithium ion battery-powered mobility aids such as wheelchairs, travel scooters offered by passengers for air transport. Amendments to the HMR as a result of two administrative appeals submitted by an appellant in response to a rule that revised shipper responsibilities related to packaging design variation, manufacturer notification, and recordkeeping requirements for certain packaging types is also included in the proposal.

Comments are due by 07/24/12 to docket number PHMSA-2009-0126 at <http://www.regulations.gov>, or to Docket Management System; U.S. Department of Transportation, Dockets Operations, M-30, Ground Floor, Room W12-140, 1200 New Jersey Avenue, S.E., Washington, DC 20590-0001.

Contacts: Michael Stevens, 202-366-8553, or Shane Kelley, 202-366-0656

“As a small businessperson, you have no greater leverage than the truth”.

John Greenleaf Whittier

DoD Issues Interim Rule Implementing US-UK Defense Trade Cooperation Treaty

The Department of Defense (DoD) issued an interim rule, effective 05/22/12, amending the Defense Federal Acquisition Regulation Supplement (DFARS) to implement requirements of the U.S.-U.K. Defense Trade Treaty and its implementing legislation. The Treaty and statute establish an approved community that includes members of the U.S. government and the government of the U.K. DoD's interim rule also contains information collection requirements that require the approval of the Office of Management and Budget. Comments on the interim rule and the information collection are due by 07/23/12 to DoD and OMB, although DoD said comments on the information collection to OMB would be most useful if submitted by 06/21/12.

As reported, the Treaty Between the Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland Concerning Defense Trade Cooperation was signed in 2007 and implemented by the Security Cooperation Act of 2010. The U.S. and U.K. subsequently exchanged diplomatic notes on 04/13/12, bringing the treaty into force. On that date, the State Department's final rule amending the International Traffic in Arms Regulations (ITAR) to implement the Treaty went into effect. The Treaty establishes an Approved Community that includes members of the U.S. government and the government of the U.K., including various Ministries, Departments, and Agencies, as well as selected defense and security companies and facilities.

DoD advised exports of most U.S. defense articles, including technical data and defense services, are generally permitted to move freely within this community, without the need for government approvals and licenses, provided that all persons comply with all other statutory and regulatory requirements concerning the import of defense articles and defense services or the possession or transfer of defense articles, when in support of:

*Combined U.S.-U.K. military or counterterrorism operations;

*U.S.-U.K. cooperative security and defense research, development, production, and support programs;

*Mutually agreed to security and defense projects that are for U.K. government use only; and

*U.S. government end use.

According to DoD, under the Treaty, instead of a U.S. exporter preparing and requesting approval from State of an export license or Technical Assistance Agreement for a project, which would normally take around 45-60 days, the exporter will verify information on the State Department's website that:

1. The U.K. industry member is a member of the Approved Community;
2. The project is on the list of approved projects and items are for U.S. Government end use; and
3. The defense article is not on the Exempted Technology List

If the members of the U.S. Community and the U.K. Community, the project, and the technology are verified, then the U.S. exporter and the U.K. member may proceed without export license. An exporter still must comply with any applicable related ITAR requirements and other applicable U.S. laws and regulations, including marking and recordkeeping, as well as DFARS requirements that relate to exports. Comments are requested by DoD, to be submitted to OMB, on:

1. whether this collection of information is necessary for the proper performance of functions of the DFARS, and will have practical utility;
2. whether its estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology;
3. ways to enhance the quality, utility, and clarity of the information to be collected; and
4. ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

DoD FR Notice: <http://www.gpo.gov/fdsys/pkg/FR-2012-05-22/pdf/2012-11560.pdf>

(Continued above)

USTR Posts Information on Talks with EU on Eliminating Tariff Barriers

U.S. Trade Representative (USTR) Ron Kirk announced that teams of American and European negotiators are working to examine a wide range of possibilities to boost U.S.-EU trade. This includes:

- *eliminating conventional barriers to trade in goods, such as tariffs and tariff-rate quotas;
- *reducing barriers to trade in services, and to transatlantic investment; promoting regulatory approaches that facilitate trade;
- *reducing, eliminating, or preventing in the first place behind-the-border barriers to trade in all categories; and
- *developing rules and principles on other global issues that are of common concern.

Kirk advised the U.S. thinks such talks "would need to achieve full liberalization of market access for all categories of goods, and expand transatlantic flows of services and investment. The United States also believes an ambitious approach should identify new approaches to non-tariff barriers. For example, if food and agricultural imports are blocked by health- or safety-related measures, then those measures must be supported by sound science and risk assessments. Tackling those non-tariff barriers successfully would constitute a major breakthrough."

Kirk also noted "a shared sense of responsibility and opportunity is driving our joint work to promote trade and investment integration in transitioning economies in the Middle East and North Africa."

USTR Kirk's speech: <http://www.ustr.gov/about-us/press-office/speeches/transcripts/2012/may/remarks-ambassador-kirk-london-school-economics>

EPA Issues Proposed Rule to Add Cadmium Compounds in Consumer Items to TSCA Priority Testing List

The Environmental Protection Agency (EPA) announced its proposing adding the category of cadmium compounds, including any chemical that contains cadmium as part of that chemical's structure, 6 non-phthalate plasticizers, 25 phosphate ester flame retardants, two other flame retardants, nine chemicals to which children living near hazardous waste sites may be exposed, and a category of 69 diisocyanates and related compounds (including 14 Action Plan chemicals and 55 related compounds) to the Toxic Substances Control Act (TSCA) Priority Testing List. The TSCA Interagency Testing Committee's recent report to the EPA Administrator noted the International Trade Commission (ITC) is also removing 103 cadmium compounds and 14 High Production Volume (HPV) Challenge Program orphan chemicals from the Priority Testing List.

The changes for cadmium compounds will provide a more comprehensive approach to assessing cadmium compounds' safety. The EPA and the Consumer Product Safety Commission (CPSC) asked that the ITC add the category cadmium compounds to the Priority Testing List to obtain health and safety studies on cadmium compounds that are present in any consumer product. The cadmium compounds category includes any chemical that contains cadmium as part of that chemical's structure.

The supporting information for cadmium and cadmium compounds is described in the 68th ITC Report at: http://ofr.gov/OFRUpload/OFRData/2012-12493_PI.pdf

Comments are due by 06/22/12, identified by docket ID number EPA-HQ-OPPT-2011-1020, to <http://www.regulations.gov> or by mail to Document Control Office (7407M), Office of Pollution Prevention and Toxics (OPPT), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001.

EPA Contact: John D. Walker, 202-564-7527 or walker.johnd@epa.gov

EPA FR Notice:
http://ofr.gov/OFRUpload/OFRData/2012-12493_PI.pdf

-UPDATE-

New Names Added to the Denied Persons List

*Zhen Zhou Wu Currently incarcerated at: Inmate Number: 40887-424 FMC Devens Federal Medical Center P.O. Box 879 Ayer, MA 01432

*Alex Wu Currently incarcerated at: Inmate Number: 40887-424 FMC Devens Federal Medical Center P.O. Box 879 Ayer, MA 01432

*Zhen Zhou Wu 2127 Sungang Building 19/F Luohu District, Shenzhen, 518001 China

*Alex Wu 2127 Sungang Building 19/F Luohu District, Shenzhen, 518001 China

*Yufeng Wei 165 Beech Street Belmont, MA 02378

*Annie Wei 165 Beech Street Belmont, MA 02378

*Chitron Electronics, Inc. 102 Clematis Avenue, Suite 7 Waltham, MA 02453

*Chitron Electronics Company Limited 2127 Sungang Road Huatong Building 19/F Luohu District, Shenzhen, 518001 China

*Chi-Chuang Electronics Company Limited 2127 Sungang Road Huatong Building 19/F Luohu District, Shenzhen, 518001 China

*Shenzhen Chitron Electronics Company Limited 2127 Sungang Road Huatong Building 19/F Luohu District, Shenzhen, 518001 China

*Chitron (HK) Electronics Company Limited Room 05 13/F Nanyang Plaza No. 57 Hung To Road, Kwum Tong Kowloon, Hong Kong

*C.I.C. Electronics (HK) Limited Room 05 13/F Nanyang Plaza No. 57 Hung To Road, Kwum Tong Kowloon, Hong Kong

Please visit <http://www.bis.doc.gov/dpl/default.shtm>

or on our new BETA website at <http://beta-www.bis.doc.gov/index.php/policy-guidance/lists-of-parties-of-concern/denied-persons-list> for more information.

You can unsubscribe by clicking this [URL](#)

This email was sent at your request, based upon your subscription to the BIS Email Notification service.