

CLIENT ALERT

This Month in International Trade - July 2015

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CUSTOMS / IMPORTS / TRADE REMEDIES

U.S. Steelmakers Allege Dumping, Subsidizing Cold-Rolled Steel from Brazil, China, India, Japan, South Korea, the Netherlands, Russia, and the UK

On July 28, U.S. steelmakers filed two sets of trade remedy petitions (see [here](#) and [here](#)) with the U.S. Department of Commerce and the U.S. International Trade Commission against foreign producers of cold-rolled steel.

The domestic U.S. steel industry posted a \$261 million net loss in the second quarter of this year due in large part to foreign competition. In their petitions to the trade agencies, the U.S. companies claim producers in Brazil, China, India, Japan, South

Korea, the Netherlands, Russia and the United Kingdom have sold their cold-rolled steel in the U.S. at unfairly low prices and should therefore be subject to anti-dumping duties.

The petitioners are AK Steel Corp., ArcelorMittal USA LLC, Nucor Corp., Steel Dynamics Inc., and United States Steel Corp.

In the second series of petitions, the companies are seeking countervailing duties in response to allegedly illegal government subsidies provided to producers in Brazil, China, India, South Korea and Russia, which at present are alleged to be above a de minimis level.

This is the second round of trade remedy cases brought by the U.S. flat rolled steel industry this year. In early June, many of the same companies filed petitions against corrosion-resistant steel products imported from China, India, Italy, Korea, and Taiwan. The government has already agreed to initiate those investigations.

For more information, contact: Dan Cannistra, Pierce Lee

Congress Acts to Repeal Country of Origin Labeling for Meat

Both the House and the Senate are advancing measures to repeal mandatory Country of Origin Labeling (COOL) for meat to avoid \$3.2 billion in trade retaliation from Canada. An earlier push for voluntary labeling from Senator (D-MI) Debbie Stabenow and Senator (R-ND) John Hoeven met strong resistance from Canada's Agriculture Minister Gerry Ritz, who called it "short-sighted" and would not prevent Canada from retaliating.

Senate Agriculture Committee Chairman Pat Roberts (R-KS) introduced legislation on July 23 to fully repeal COOL requirements for meat. Identical legislation recently passed the U.S. House of Representatives and has been publicly endorsed by Canada and Mexico as adequate to prevent retaliation.

In comments on the Senate floor on July 23, Senator Roberts told his fellow Senators, "A recent ruling from the World Trade Organization (WTO) found, for the fourth and final time, that our Country of Origin Labeling program for meat, or COOL to which it is often referred, violates our trade agreements with our two closest trading partners ... whether you support COOL or oppose COOL, the fact is retaliation is coming unless the Senate acts to stop this program that the WTO has found to be discriminatory."

For more information, contact: Jini Koh, Edward Goetz

ITA Issues Final Results of Chinese Solar Cell Antidumping Review

Solar cells (known as "crystalline silicon photovoltaic cells") made in both the People's Republic of China (PRC) and Taiwan, have been the focus of a heated trade remedy investigation by the Department of Commerce (DOC) and the U.S. International Trade Administration (ITA) since 2011. On July 13, the ITA issued the final results of its antidumping administrative review for these solar cells from 2012-13.

The ITA's administrative review covered two mandatory respondents, Yingli Energy (China) Company Limited and Wuxi Suntech Power Co., Ltd. (Wuxi Suntech), which was found to be ineligible for a separate rate in the ITA's Preliminary Results. Based on its analysis of comments received, the ITA made certain changes to the margin calculations for Yingli Energy (China) Company Limited. Additionally, it found Wuxi Suntech eligible for a separate rate.

The ITA decided on a dumping margin of 9.67 percent for nearly 20 Chinese solar panel companies, down from 25.96 percent determined in October 2012, while settling on a 33.08 percent margin for Wuxi Suntech, up from an initial margin of 31.73 percent, 0.79 percent for Yingli Energy down from 25.96 percent and 238.95 percent for the People's Republic of China-wide entity down from 249.96 percent.

This case is one of two overlapping antidumping duty cases on Chinese solar cells & panels—both are the subject of continuing administrative and Court of International Trade litigation. The rates on imports of these products are frequently in flux, as is the analysis of the relationship between the two cases.

For more information, contact: Alex Schaefer

CIT Finds Commerce Abused its Discretion in Ball Bearing Antidumping Review

On July 8, [Judge Jane A. Restani of the U.S. Court of International Trade \(CIT\)](#) found that the Department of Commerce had abused its discretion when it failed to include a differential pricing analysis in its determination of whether ball bearings were sold at less than fair value.

The judge disagreed with Commerce's attempts to justify its departure from the current methods of antidumping determination without providing sufficient explanation. Agreeing with the defendant in this case, The Timken Co., Judge Restani ruled that Commerce must conduct its review of antidumping duties for ball bearings from the United Kingdom and Japan using its normal method.

In 2011, Commerce issued the preliminary results of its administrative reviews on ball bearings, which were conducted using a methodology known as zeroing. However, the reviews were frozen until 2013 by related litigation in the CIT and the U.S. Court of Appeals for the Federal Circuit. By the time reviews restarted in 2013, Commerce had switched to an average-to-average methodology when comparing export prices to home market prices. This methodology typically included a differential pricing analysis; however, without explanation, this analysis was not included in Commerce's March 2014 post-preliminary results on ball bearings.

The government argued that because the preliminary results were released prior to the change in methodology, it was Timken's responsibility to request a targeted dumping analysis. Judge Restani, however, sided with Timken and noted Commerce never justified its decision to use the average-to-average method and failed to give Timken notice that it was using its discretion to use an alternate method.

For more information, contact: Frances Hadfield, Nick DeLong

ITC Agrees with Commerce: Tires from China Subsidized, Dumped in U.S.

On July 14, the U.S. International Trade Commission (USITC) determined that the U.S. tire industry was materially injured by "reason of imports of certain passenger vehicle and light truck tires from China." This decision matches the Department of Commerce's June 12, 2015 finding that Chinese tires were subsidized and sold in the U.S. at less than fair value.

The domestic tire market was protected from 2009 to 2012 by a safeguard order on Chinese imports that was approved by the Obama administration. However, since the lifting of the order in 2012, the number of passenger and light truck tires imported from China has increased dramatically, prompting the petition from the United Steel Workers (USW) and other unions.

In its June finding, the Department of Commerce called for anti-dumping duties ranging between 14.35 percent and 87.99 percent and countervailing duties ranging from 20.73 percent to 100.77 percent, readying the final set of steep import tariffs on the goods.

The case covers an estimated \$2.3 billion of Chinese tires found on passenger vehicles and light trucks.

For more information, contact: Frances Hadfield, Pierce Lee

SANCTIONS

Iran Nuclear Deal Reached: No Change to Sanctions Anytime Soon

On July 14, a final, comprehensive agreement was reached between the "West" and Iran over its nuclear program when the P5+1 (U.S., UK, France, Germany, Russia, and China) agreed to lift nuclear-related sanctions in return for Iran's agreement to suspend, terminate, and monitor various nuclear-related activities. Sanctions relief under the Joint Comprehensive Plan of Action (JCPOA) will not take effect until the International Atomic Energy Agency (IAEA) verifies Iranian compliance with certain initial steps to dismantle and/or limit its nuclear program. This is known as Implementation Day and is expected in early 2016.

The P5+1 have been negotiating for years and have been seeking to finalize a deal ever since the initial Joint Plan of Action (JPOA) was announced in November 2013. The JPOA was extended several times before the "framework" for the JCPOA was announced on April 2, 2015. Since the framework was announced, the parties have been negotiating the technical parameters related to Iran's commitments with respect to its nuclear programs, as well as the precise scope of sanctions to be relaxed.

These details were finally unveiled in the JCPOA which, with its technical annexes, runs to more than 100 pages. The JCPOA's sanctions-related commitments are summarized below which do not take effect until Implementation Day. The JCPOA contains a detailed timeline of when certain commitments will come into effect, as follows:

- Adoption Day – July 20, 2015; the date the JCPOA was endorsed by the UN;
- Finalization Day – [TBD]; 90 days after Adoption Day and the day on which parties begin making preparations to implement the agreement;
- Implementation Day – To be determined – The date on which the IAEA verifies Iran's compliance with certain of its commitments and on which sanctions will be lifted as described below;
- Transition Day – July 20, 2023 – Eight years after Adoption Day and the date on which certain additional sanctions will be lifted and Iran will sign the Additional Protocol; and
- Termination Day – July 20, 2025 – Ten years after Adoption Day and the date on which the UN Security Council Resolution 2231 will terminate.

What Happens on Implementation Day

United Nations

- On Implementation Day, all previous restrictions will be lifted except the embargo on arms and ballistic missiles which will persist for five and eight years respectively.

European Union

- On Implementation Day, the EU will lift its nuclear-related sanctions related to: enabling establishment of Iranian banks (and correspondent accounts) in the EU; access to the Society for Worldwide Interbank Financial Telecommunication (SWIFT); transfers of funds between EU persons and Iran; import/transport of Iranian crude; export of equipment for oil, gas, petrochemical, and naval sectors; export of graphite, raw and semi-finished metals, gold, diamonds, and precious metals, and several others.
- The EU is not lifting sanctions related to:
 - Human rights (Reg. No. 359/2011 as amended); and
 - Terrorism (portions of Reg. No. 267/2012 as amended).

United States

- The U.S. is not relaxing sanctions on U.S. persons (primary sanctions) except for committing to provide licenses for certain activities related to the importation of Iranian-origin food stuffs and rugs and the export of parts for commercial aircraft.
- Instead, the U.S. will relax the following secondary sanctions:
 - Financial and banking transactions with various specified Iranian banks and financial institutions;
 - Transactions in Iranian rial;
 - Provision of U.S. banknotes to the Government of Iran;
 - Bilateral trade limitations on Iranian revenues abroad, including limitations on their transfer;
 - Purchase, subscription to or facilitation of the issuance of Iranian sovereign debt, including governmental bonds;
 - Financial messaging services to the Central Bank of Iran and Iranian financial institutions set out in Attachment 3 to Annex II of the JCPOA;
 - Underwriting services, insurance or reinsurance;

- Efforts to reduce Iran's crude oil sales;
- Investment, including participation in joint ventures, goods, services, information, technology, and technical expertise and support for Iran's oil, gas and petrochemical sectors;
- Purchase, acquisition, sale, transportation or marketing of petroleum, petrochemical products and natural gas from Iran;
- Export, sale or provision of refined petroleum products and petrochemical products to Iran;
- Transactions with Iran's energy sector;
- Transactions with Iran's shipping and shipbuilding sectors and port operators;
- Trade in gold and other precious metals;
- Trade with Iran in graphite, raw or semi-finished metals such as aluminum and steel, coal and software for integrating industrial processes;
- Sale, supply or transfer of goods and services used in connection with Iran's automotive sector; and
- Sanctions on associated services for each of the categories above.

Implementing regulations and guidance have not yet been issued by the EU or the U.S. so the precise scope of these relaxations is not yet known.

For more information, contact: Cari Stinebower, Salomé Cisnal de Ugarte, Dj Wolff

OFAC Issues New Ukraine Designations and Warns of Evasion Threats

Taking its first action against Russia related to Ukraine in several months, on July 30, 2015, the Department of the Treasury's Office of Foreign Assets Control (OFAC) announced three new actions relating to U.S. sanctions on Russia and the Crimea region of Ukraine (Crimea):

- (1) Adding 26 persons to OFAC's list of Specially Designated Nationals (SDNs);
- (2) Adding 35 persons to OFAC's Sectoral Sanctions Identification (SSI) list; and
- (3) Issuing an 'Advisory' to the trading community about actions being taken to evade OFAC's embargo on Crimea.

Taken together, they are an indication that OFAC continues to pay close attention to activities aimed at circumventing U.S. sanctions on Russia and Crimea, and they further reinforce the importance to U.S. companies of remaining diligent in their review of transactions and ownership structures to identify potential signs of evasion or links to sanctioned parties.

For detailed information, please see [Crowell's Client Alert from July 30](#).

UK Announces Creation of Office for Financial Sanctions Implementation

In its [Summer Budget 2015](#) published on July 8, the UK government announced the creation of a new Office for Financial Sanctions Implementation (OFSI) within HM Treasury.

According to the proposal, OFSI will be established within this financial year and will carry out two main functions:

- Ensure that EU and UK financial sanctions are properly enforced; and
- Ensure that "businesses are made better aware of the rules they have been asked to comply with".

In addition to the creation of OFSI, the UK government announced its intention "to legislate early in this Parliament to increase the penalties for non-compliance with financial sanctions."

The high level of sanctions enforcement in the U.S. appears to have played an important role in the UK government's decision to establish OFSI. In particular, the pre-elections [Summer Budget of March 2015](#) states that in reviewing the structures within HM Treasury for the implementation of financial sanctions, the UK government "will take into account lessons from structures in other countries, including the US Treasury Office of Foreign Assets Control (OFAC)."

The creation of the OFSI could signal an important shift in the implementation of UK sanctions. While businesses should welcome the OFSI's aim of providing additional guidance and clarity regarding the interpretation of often opaque EU and UK sanctions provisions, the agency's mandate to increase enforcement, potentially with increased penalties, gives room for caution. In an era of increasingly coordinated international action on sanctions (*e.g.*, Russia/Ukraine, Iran), the OFSI could also play a role in increasingly coordinated international enforcement cooperation, particularly with OFAC, the agency on which it is modeled.

For more information, contact: *Cari Stinebower, Salomé Císnal De Ugarte, Dj Wolff, Lorenzo Di Masi*

U.S.-Cuba Diplomatic Relations Restored: What Are the Trade Implications?

On July 20, the Cuban flag was raised at the State Department and the Cuban embassy and the old Cuban interest section was reopened in Washington, D.C. for the first time in 54 years. A similar ceremony will occur on August 14 at the US embassy in Havana with Secretary of State, John Kerry, in attendance.

However, reestablishing diplomatic relations will have limited practical effect on the status of international trade between the U.S. and Cuba or the position of U.S. foreign investors on the island. The U.S. embargo on Cuba remains in place and similar restrictions continue to apply to U.S. investors in Cuba. Although Cuban Foreign Minister Bruno Rodríguez has said that relations will not truly be normalized until the U.S. lifts its embargo, during the opening of the Cuban embassy in Washington D.C., Rodríguez praised President Obama for his efforts to end the embargo. Secretary Kerry stated that the lifting the embargo will be a "long and complex" process that will require patience on both sides.

Despite this historic moment, profound disagreements still remain between the two nations. Cuba referred to Guantanamo's occupation, the need for the U.S. to respect Cuban sovereignty, and to compensate for human and economic damages caused by the embargo. The U.S. remains concerned about the Cuban government's lack of respect for human rights and expropriated property.

While the opening of embassies is a step forward for U.S.-Cuba relations, it does not offer U.S. companies any new business opportunities, other than providing the protections and guarantees that diplomatic representation on the ground offer.

For more information, contact: *Cari Stinebower, Dan Cannistra, Mariana Pendas*

OFAC Publishes Venezuela Sanctions Regulations

On July 10, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) issued the [Venezuela Sanctions Regulations](#) to implement the [Venezuela Defense of Human Rights and Civil Society Act](#) of December 2014 and Executive Order 13692 of March 2015.

As Crowell summarized in a [December 22, 2014, Client Alert](#), President Obama signed the Venezuela Defense of Human Rights and Civil Society Act of 2014 (S. 2142), in response to the protests that took place in early 2014. Three months later, President Obama issued on March 8, 2015, an Executive Order "Blocking Property and Suspending Entry of Certain Persons Contributing to the Situation in Venezuela," which enacted a new U.S. sanctions program on Venezuela. The Executive Order imposed sanctions on seven individuals linked with the Venezuelan military, intelligence service, and judiciary. For more details, please see Crowell's [Client Alert on the Executive Order](#).

According to OFAC, the Venezuela Sanctions Regulations were published in an "abbreviated form" to provide guidance to the public. These regulations do not contain new prohibitions or names other than those previously adopted, but provide the following guidance and licenses:

- Interpretative and definitional guidance consistent with the existing restrictions; and
- General Licenses consistent with OFAC's licensing policies in other sanctions regimes for: payments and transfers to blocked accounts in U.S. financial institutions; normal service charges; the provision of certain legal services and the receipt of payment therefore; and the provision of emergency medical services (without payment).

OFAC intends to provide more comprehensive set of regulations, which may include additional interpretative guidance and statements of licensing policy.

The publishing of the Venezuela Sanctions Regulations constitutes a further implementation of sanctions on Venezuelan officials accused of human rights abuses, despite the efforts by the Venezuelan Government urging that such sanctions be repealed.

For more information, please contact: Cari Stinebower, Dj Wolff, and Eduardo Mathison

TRADE AGREEMENTS

TPP Negotiations Make "Significant Progress," but Fail to Close

Trade ministers of countries negotiating the Trans-Pacific Partnership (TPP) failed to reach agreement during a four-day meeting in Lahaina, Hawaii from July 28-31, despite speculation that TPP talks were in their final stages following the passage of Trade Promotion Authority (TPA) legislation in the U.S. last month.

The TPP talks reportedly broke down due to disagreement between the U.S., Canada, Mexico, and Japan over rules of origin and market access for automobiles. Other key unresolved issues include market access for dairy products as well as the data exclusivity rule for biologic drugs.

Nonetheless, TPP countries issued a joint statement after the meeting claiming that "significant progress" was made and expressed confidence that TPP is "within reach." Negotiators reportedly closed negotiations on several difficult chapters, including government procurement, e-commerce, and the environment.

Within the intellectual property chapter, negotiators made progress on the issue of data exclusivity for biologic drugs, though a final deal has not been reached. The U.S., which has sought a 12-year data exclusivity rule for biologics, and Australia, which has sought to maintain its 5-year data exclusivity rule for all medicines, now appear to be closer to a compromise.

TPP negotiators are conscious of the time pressures involved in concluding the talks, given October's national election in Canada, as well as the impending start of the 2016 election season in the U.S. According to TPA procedures, President Obama must notify the U.S. Congress of his intent to sign a trade agreement 90 days before formally signing, which could postpone a formal TPP signing to 2016 if TPP parties do not conclude negotiations by September.

Although a date for the next round of negotiations has not officially been set as of August 3, U.S. Trade Representative Michael Froman has stated that negotiators are seeking to "maintain political momentum" for the negotiations. Japanese Trade Minister Akira Amari suggested that TPP ministers will meet again before the end of August. A round of negotiations could take place in coordination with the annual Association of Southeast Asian Nations (ASEAN) Economic Ministers' Meeting from August 22-25. Market access issues over dairy products and automobiles could also be addressed bilaterally or in smaller groups of TPP parties.

For more information, contact: Dj Wolff, Evan Yu

Most Tariffs to End on 201 IT Products in Update to WTO IT Agreement

In the first major tariff-cutting deal at the World Trade Organization (WTO) in 18 years, 54 WTO members reached a tentative accord on July 18 to expand the 1997 Information Technology Agreement (ITA) to eliminate the majority of tariffs on 201 additional Information Technology (IT) products such as new-generation semi-conductors, GPS navigation systems, medical products which include magnetic resonance imaging machines, machine tools for manufacturing printed circuits, telecommunications satellites and touch screens.

[In a press release](#), WTO Director-General Roberto Azevêdo said annual trade in these items is valued at over \$1.3 trillion and is larger than trade in textiles, clothing, iron, and steel combined.

The tentative agreement requires technical details to be worked out between now and December. If a final agreement is reached, the majority of tariffs are to be eliminated on these products within three years, beginning in 2016. Between now and October 2015, the 54 participating members, including, among others, the U.S., China, Japan, and the EU are required to submit to the other participants a draft schedule describing how the terms of the agreement will be met.

The Director-General noted that all 161 WTO members will benefit from this agreement, as they will receive duty-free market access in the markets of those members who are eliminating tariffs on these products.

The agreement also contains a commitment to work to tackle non-tariff barriers in the IT sector, and to keep the list of products covered under review to determine whether further expansion may be needed to reflect future technological developments.

For more information, contact: Paul Davies, Dj Wolff, Evan Yu, Edward Goetz

AGENCY ENFORCEMENT ACTIONS

Office of Foreign Assets Control (OFAC)

- Great Plains Stainless Co. (GPS) of Tulsa, Oklahoma, [agreed to pay \\$214,000](#) to settle potential civil liability for alleged violations of Executive Order 13382 of June 28, 2005 "Blocking Property of Weapons of Mass Destruction Proliferators and Their Supporters" (E.O.13382) and the Weapons of Mass Destruction Proliferators Sanctions Regulations (WMDPSR). In April 2009, GPS sold goods that its Chinese vendor shipped from Shanghai, China, to GPS's customer in Dubai, United Arab Emirates, aboard the vessel *MN Sahand*, a ship identified as blocked property on September 10, 2008 pursuant to E.O. 13382. In July 2009, GPS engaged in transactions that appear to have been intended to evade or avoid the prohibitions in the WMDPSR when the company requested the creation of new trade documents, with references to the blocked vessel removed, and then transferred the altered documents to its customer to facilitate the release of goods held at port in Dubai.
- OFAC [issued an \\$82,260 penalty](#) to Blue Robin, Inc. for violations of the Iranian Transactions and Sanctions Regulations (ITSR). From on or about January 14, 2009, to on or about July 19, 2010, Blue Robin conducted 33 transactions in which it imported Web Development services valued at \$205,650 from an Iranian company called PersiaBME. PersiaBME worked collaboratively with Blue Robin's computer engineers via a private Internet portal provided by Blue Robin to develop Web-based systems and applications that were used to automate online business processes and operations for Blue Robin's customers.

Bureau of Industry and Security (BIS)

- On July 24, in U.S. District Court in Harrisburg, PA, an officer of Falcon Instrumentation and Machinery FZE, an Iranian corporation formerly known as FIMCO (Falcon/FIMCO), entered a [plea of guilty on behalf of the corporation to conspiracy to evade export licensing requirements](#). The conspiracy was in connection with an attempt to smuggle to Iran

a large horizontal lathe machine with possible military as well as civilian applications. As part of its plea agreement with the U.S., Falcon/FIMCO agreed that the government would recommend a \$250,000 criminal fine. The company also has agreed under a [settlement with BIS](#) to pay an \$837,500 civil penalty to the U.S. Department of Commerce, of which it must pay \$587,500 out-of-pocket, with the remaining \$250,000 suspended for two years. Falcon/FIMCO will also be made subject to a two-year suspended denial of its export privileges.

- On July 28, BIS [amended the Export Administration Regulations \(EAR\)](#) by adding ten persons to the Entity List. The ten persons who were added were determined by the U.S. Government to be acting contrary to the national security or foreign policy interests of the U.S. These ten persons will be listed on the Entity List under the destinations of China and South Korea. This final rule also removes four persons from the Entity List, as the result of requests for removal submitted by those persons, a review of information provided in the removal requests in accordance with the procedure for requesting removal or modification of an Entity List entity, and further review conducted by the End-User Review Committee (ERC).
- On July 28, BIS [renewed the order temporarily denying export privileges](#) to Mahan Airways, Al Naser Airlines, Ali Abdullah Alhay, and Bahar Safwa General Trading and related persons. This renewal is effective for 180 days.

Securities and Exchange Commission (SEC)

- On July 28, [Mead Johnson Nutrition Company](#) agreed to settle charges that its Chinese subsidiary made improper payments to health care professionals at government-owned hospitals to recommend the company's infant formula to patients who were new or expectant mothers. Mead Johnson Nutrition agreed to pay \$12 million to settle the SEC's finding that it violated the Foreign Corrupt Practices Act (FCPA) without admitting or denying the findings.

For more information, contact: Cari Stinebower, Dj Wolff

OTHER AGENCY ACTIONS

U.S. Customs & Border Protection (CBP)

- As part of its June 29 renewal, the Generalized System of Preferences was made retroactive to cover the lapse period of July 31, 2013 to the new law's effective date of July 29, 2015. Recognizing the impact that retroactive renewal and consequent numerous re-liquidations will have on both importers and CBP, CBP developed a mechanism to facilitate refunds for entries submitted during the lapse period and has [posted guidance](#) and [FAQs](#) on its website to aid importers.

Bureau of Industry and Security (BIS)

- On July 13, BIS [posted a final rule to the Export Administration Regulations \(EAR\)](#), making additional clarifications and corrections to the interim final rule that was published on May 13, 2014. The May 13 rule added controls to the EAR for spacecraft and related items that the President determined no longer warrant control under the U.S. Munitions List (USML) Category XV – spacecraft and related items.

- The changes were limited to corrections and clarifications to what was included in the interim final rule;
 - Changes were also informed by comments received in response to the May 13 rule that included a request for comments; and
 - The corrections and clarifications to the May 13 rule were also part of Commerce's retrospective regulatory review plan.
- On July 22, BIS [posted a final rule amending the EAR](#) to implement the rescission of Cuba's designation as a State Sponsor of Terrorism. Specifically, this rule removes anti-terrorism (AT) license requirements from Cuba and eliminates references to Cuba as a State Sponsor of Terrorism, but maintains pre-existing license requirements for all items subject to the EAR unless authorized by a license exception.
 - This rule also removes Cuba from Country Group E:1 (terrorist supporting countries), which makes Cuba eligible for a general 25 percent de minimis level and portions of four license exceptions.

For more information, contact: Edward Goetz, Nicholas DeLong

CROWELL & MORING SPEAKS

Chris Monahan was a panelist on July 30 at [ACI's Economic Sanctions West Coast Forum](#) in San Diego. His panel's topic was "Working with OFAC to Obtain Necessary Licenses or Advisory Opinions in a Timely Manner."

Pierce Lee lectured on international business transactions at the International Law Institute's 2015 Orientation in the U.S. Legal System and Business Law on August 3.

John Brew will be speaking at the [World Customs Organization's 10th Annual PICARD Conference](#) in Baku, Azerbaijan, September 8-10.

Crowell & Moring is an official sponsor of WorldECR's Washington, D.C. and London Export Controls and Sanctions Forums this fall. The [Washington, D.C. event](#) will be held September 21-22 at the Crystal Gateway Marriott, and will be followed by the [London forum](#), being held at the Royal Mint, on October 14-15. For further details, please contact **Cari Stinebower** (Washington, D.C.) and **Alan Gourley** (London).

Alex Schaefer will be a panelist on a September 29 [webinar](#) providing guidance to trade counsel on minimizing the risks associated with importing goods subject to antidumping (AD) and countervailing duty orders (CVD). The panel will discuss new law and its impact for importers, how the courts have recently treated AD and CVD cases, and share best practices for import compliance.

Dan Cannistra will be speaking at the [C5 \(UK\) 2016 International Trade Disputes Conference](#) in Brussels on October 21. His panel's topic is "Demystifying the Multifaceted Calculations: The Drivers of Dumping Duties and How to Control Them."

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For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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