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## CBP Develops New Online Trade Violation Reporting System – CBP

[http://www.customs.gov/xp/cgov/newsroom/news\\_releases/06172008.xml](http://www.customs.gov/xp/cgov/newsroom/news_releases/06172008.xml)



**Washington** – U.S. Customs and Border Protection’s Office of International Trade has developed a new online trade violation reporting system called eAllegations to provide concerned members of the public a means to confidentially report suspected trade violations to CBP.

Beginning June 17, members of the public may report information regarding suspected violations via a new online form on the CBP Website. ( [e-Allegations](#) ) Please refer to the eAllegations link on the Trade page to access this form. ( [Trade](#) )

CBP has established this reporting system to make it easier for the public to notify CBP of possible trade violations. CBP will confidentially research concerns, determine the validity of the allegations and any actions required based on the subsequent review.

To report a possible violation, an individual must submit the following information: the type of trade violation, description of what has occurred, the products or goods involved and the alleged violator’s name and/or company. Other information may be included on a voluntary basis.

eAllegations is not intended for assertions of security issues such as terrorists or weapons of mass destruction. Violations that may be reported online through eAllegations include misclassification of merchandise, country of origin markings, health and safety violations, intellectual property rights violations, textile or other trade violations.

For example, eAllegations will provide a means to report a possible violator who is importing substandard steel, claiming that it is of a higher grade, therefore creating a potential safety issue. Other possible violations that can be reported include a company claiming a lower than actual value on a product they are importing to pay less duty or a company who is importing textiles from one country but stating that the goods are from another country to avoid quota restrictions.

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Concerned members of the public bring to light many trade violations and it is in the U.S. Government's best interest to make it as easy as possible for the public to report possible violations. All information submitted to CBP is voluntary and confidential.

For additional information please visit the eAllegations "Questions and Answers" on the CBP Website. ([e-Allegations Frequently Asked Questions](#) )

*U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.*

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## What's New on CBP.com regarding Classifications?

### **Classification and Quota Status of Raw Cotton Under the HTSUS-**

[http://www.cbp.gov/linkhandler/cgov/trade/legal/informed\\_compliance\\_pubs/icp002r2.ctt/icp02.pdf](http://www.cbp.gov/linkhandler/cgov/trade/legal/informed_compliance_pubs/icp002r2.ctt/icp02.pdf)

### **Classification of Ribbons & Trimmings under the HTSUS -**

[http://www.cbp.gov/linkhandler/cgov/trade/legal/informed\\_compliance\\_pubs/icp019.ctt/icp019.pdf](http://www.cbp.gov/linkhandler/cgov/trade/legal/informed_compliance_pubs/icp019.ctt/icp019.pdf)

### **Classification: Apparel Terminology under the HTSUS -**

[http://www.cbp.gov/linkhandler/cgov/trade/legal/informed\\_compliance\\_pubs/icp057.ctt/icp057.pdf](http://www.cbp.gov/linkhandler/cgov/trade/legal/informed_compliance_pubs/icp057.ctt/icp057.pdf)

### **Classification of Textile Costumes Under the HTSUS -**

[http://www.cbp.gov/linkhandler/cgov/trade/legal/informed\\_compliance\\_pubs/icp077.ctt/icp077.pdf](http://www.cbp.gov/linkhandler/cgov/trade/legal/informed_compliance_pubs/icp077.ctt/icp077.pdf)



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## **CBP in Texas Uncovers Untreated Wood Packing Materials, Pests and Other Violations** – USCBP

[http://www.cbp.gov/xp/cgov/newsroom/news\\_releases/06132008.xml](http://www.cbp.gov/xp/cgov/newsroom/news_releases/06132008.xml)

**El Paso, Texas** – U.S. Customs and Border Protection officers performing anti-terror exams at ports of entry in El Paso, West Texas and New Mexico were kept busy this past week with dozens of immigration violations, drug seizures and agriculture violations.

On June 9, CBP agriculture specialists working at the Ysleta cargo facility performing an inspection of 500 imported wood pallets found that two pallets in the shipment had not been properly treated to prevent the potential entry of pests in accordance with shipping regulations. The importer was notified and the shipment was returned to Mexico to be treated in accordance with regulations. Since 2006, international standards call for most

wood packing materials to be either heat treated or fumigated with methyl bromide in accordance with guidelines and marked with an approved international mark certifying that treatment.

“Untreated wood poses a significant risk of introducing plant pests, including pathogens, that can be detrimental to agriculture and to natural, cultivated, and urban forest resources,” said Arthur Gonzales, acting El Paso port director for U.S. Customs and Border Protection. “CBP agriculture specialists are working hard to make sure that no untreated wood packing materials enter the U.S.”

CBP officers working at area ports recorded a total of 14 agriculture violations this week, resulting in \$2,875 in penalties being assessed. Prohibited agricultural items seized this week included pork, pork skins, bologna, raw eggs, mangoes, avocados, apricots, pears, apples, grapefruit and oranges. In addition to seizing prohibited food items, CBP agriculture specialists this week also discovered a reportable pepper weevil larva while performing an inspection of imported peppers.

Area border crossers are urged to declare all food items they have acquired abroad to avoid penalties and to help reduce the potential for the introduction of harmful pests and disease. Failure to declare prohibited items can result in a \$300 penalty for an initial offense. If properly declared, prohibited food items can generally be abandoned at the port of entry without consequence.

During the previous week, area CBP officers uncovered 124 immigration violations. Intended immigrants made up the largest group of violators. A total of 61 were identified through thorough document exams. In these cases, individuals will use a legally issued border-crossing card (laser visa) to live or work in the U.S., which is not authorized. CBP officers this week also identified 36 imposters. Imposters generally will use a legitimate entry document assigned to another person and present it as their own. Violators generally lose their documents and are returned to Mexico. CBP officers also recorded 27 cases of people making false claims to U.S. citizenship, people attempting to enter with counterfeit or altered documents, and people attempting to enter without inspection.

In addition to the agriculture and immigration violations, CBP officers working at El Paso area ports confiscated 1,876 pounds of marijuana in 16 seizures.

CBP officers this week also seized counterfeit designer purses, a commercial shipment of undeclared gold jewelry, prescription medications, ammunition, four pairs of manta ray boots and six illegal export violations. While anti-terrorism is the primary mission of U.S. Customs and Border Protection, the inspection process at the ports of entry associated with this mission results in impressive numbers of enforcement actions in all categories.

U.S. Customs and Border Protection is the unified border agency within the Department of Homeland Security charged with the management, control and protection of our nation's borders at and between the official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while enforcing hundreds of U.S. laws.

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**FLOOD UPDATE** - John Lanigan/Executive Vice President & Chief Marketing Officer / BNSF - June 17, 2008

The effects of flooding persist along the Mississippi and its tributaries, as well as at isolated locations on rivers in Iowa and Missouri.

BNSF's east-west main line across southern Iowa is closed due to flooding at Ottumwa. Flooding on the Mississippi River has also closed BNSF's East-West line via Quincy, Ill., and main lines are out of service along the Mississippi at several locations between Burlington, Iowa, and St. Louis, Mo., and between St. Louis and Memphis, Tenn.

Although our Transcon main line remains open at Fort Madison, Iowa, trains through that area are experiencing some delay as we raise our main line tracks to keep them above water. The river is expected to crest at Fort Madison late Tuesday, June 17.

As conditions change and main lines are restored to service, we will provide specific information in BNSF Customer Service Advisories.

BNSF is managing traffic flows through the affected areas, detouring trains where alternate routes are available and making every effort to alleviate the effects of the flooding on your shipments.

Although some shipments through the flooded areas are experiencing major delays, we are continuing to provide service to the extent possible and remain committed to doing so.

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS** - OTEXA -

<http://otexa.ita.doc.gov/>



**Entry of Shipments of Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Apparel in Excess of U.S. - China Bilateral Textile Agreement Limits for 2008.**

June 11, 2008.

**AGENCY:** The Committee for the Implementation of Textile Agreements (the Committee).

**ACTION:** Notice.

**FOR FURTHER INFORMATION CONTACT:** Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Executive Order 11651 of March 3, 1972, as amended; Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

This notice serves to remind interested parties that charges against the limits subject to the U.S. - China Bilateral Textile Agreement signed on November 8, 2005 (the Agreement) are by date of export and not date of entry. A properly completed electronic visa (ELVIS) transmission will be required for all shipments exported prior to January 1, 2009 that are subject to Agreement limits, regardless of the date of entry into the United States. Shipments exported in 2008 in excess of agreed limits are in violation of the terms of the Agreement. Shipments exported from China on and after January 1, 2009 will not require an ELVIS transmission.

The purpose of this notice is to advise the public that CITA reserves the right to permanently deny entry to or to stage entry to goods that have been shipped in excess of the 2008 limits under the Agreement. Overshipments of merchandise subject to the Agreement shall be subject to delayed and staged entry, in a manner similar to the procedures followed for overshipments of 2005 China textile safeguard limits, as published in the Federal Register Notice on December 5, 2005 (70 FR 72427). Any overshipments of the 2008 limits of the Agreement shall be subject to the following procedures:

1. Entry will not be allowed until one month after the expiration date of the agreement limit. Therefore entry will not be allowed until February 1, 2009.
2. At that time, only 5 percent of the 2008 base limit will be allowed entry for a one month period beginning on that date.
3. An additional 5 percent will be allowed entry monthly until all overshipments are allowed entry.

CITA will publish a notice and directive to U.S. Customs and Border Protection (CBP) later this year indicating the categories involved in staged entry and the 5 percent quantities to be allowed in monthly beginning February 1, 2009.

R. Matthew Priest,

*Chairman, Committee for the Implementation of Textile Agreements*



### **FMC 'Clears' LA/LB Ports/MTO Agreement for Clean Trucks Program, Etc.**

The Federal Maritime Commission has concluded its review and has cleared the Los Angeles/Long Beach Port/Marine Terminal Operator Administration and Implementation Agreement (Agreement or AIA)<sup>1</sup>.

The Agreement allows its parties<sup>2</sup> to explore the possibility that terminal operators assist or cooperate in the administration of certain Clean Air Action Plan (CAAP) programs or initiatives, such as the Clean Trucks Program (CTP).

Specifically, the Agreement authorizes the parties to collect and exchange information, engage in discussions, and reach agreement on the administration and operation of port programs related to the CAAP/CTP, among other things.

**No Basis for Determining Agreement Unreasonable** - The FMC concluded that there was no basis at this time to determine that the Agreement is likely to result in an unreasonable increase in transportation costs or decrease in transportation services.

**Agreement in Effect, Future FMC Actions Not Foreclosed** - As the FMC conducted an expedited review (at the request of the Agreement parties), this Agreement is in effect as of June 13, 2008.

The FMC notes that its decision does not foreclose future actions with respect to the Agreement, or the parties' activities under other related agreements, that may contravene the Shipping Act of 1984.

**Other Agreements, Substantive Aspects of Clean Trucks Program Must be Filed with FMC** - The FMC states that further agreements reached pursuant to the Agreement, and related agreements of the Ports of Los Angeles and Long Beach, must be timely filed with the FMC to allow for the competitive review and analysis required by Congress.

In addition, for the second time the FMC is emphasizing to the Agreement parties the need to immediately file with the Commission all substantive aspects of the Clean Trucks Program.

(The FMC met in closed session four times prior to clearing this Agreement: on April 30, 2008, May 7, 2008, June 4, 2008, and June 11, 2008. See *ITT's Online Archives* or *06/09/08 news*, (Ref: [08061600](#)), for BP summary of fourth meeting, with links to meetings 1 – 3. )

<sup>1</sup>FMC Agreement No. 201178

<sup>2</sup>The parties that filed the Agreement are the West Coast Marine Terminal Operator (MTO) Agreement; the City of Los Angeles, acting by and through its Board of Harbor Commissioners; and the City of Long Beach, acting by and through its Board of Harbor Commissioners.

*FMC news release (NR 08-07, dated 06/13/08) available at*

[http://www.fmc.gov/speeches/newsrelease.asp?SPEECH\\_ID=247](http://www.fmc.gov/speeches/newsrelease.asp?SPEECH_ID=247)

*Agreement 201178 available at [http://www2.fmc.gov/agreement\\_lib/201178-000-P.pdf](http://www2.fmc.gov/agreement_lib/201178-000-P.pdf)*

*FMC information on Commission's role in monitoring agreements (FR Pub 12/22/06) available at <http://edocket.access.gpo.gov/2006/pdf/E6-21985.pdf>*

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**CITA Announces Staged Entry for China Textile Quota Overshipments –***Sandler Travis & Rosenberg PA*

The Committee for the Implementation of Textile Agreements has issued a notice concerning the Dec. 31 expiration of quotas established under the 2005 U.S.-China Bilateral Textile Agreement. CITA states that the purpose of this notice is to advise the public that goods that have been shipped in excess of the agreement's quotas for 2008 are in violation of that agreement and will therefore be subject to delayed and staged entry in a manner similar to the procedures followed for overshipments of 2005 China textile safeguard limits. Specifically, any such overshipments will be subject to the following procedures.

- Entry will not be allowed until Feb. 1, 2009.
- At that time, only five percent of the 2008 base limit will be allowed entry for a one-month period beginning Feb. 1, 2009.
- An additional five percent will be allowed entry monthly until all overshipments are allowed entry.

CITA states that it will publish a notice and directive to U.S. Customs and Border Protection later this year indicating the categories involved in staged entry and the five percent quantities to be allowed entry monthly beginning Feb. 1, 2009.

This notice also reminds interested parties that charges against the China quotas are by date of export, not date of entry, and that a properly completed electronic visa (ELVIS) transmission is required for all shipments of goods that are subject to these quotas and exported prior to Jan. 1, 2009, regardless of their date of entry into the U.S. Shipments exported from China on and after Jan. 1, 2009, will not require an ELVIS transmission.

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