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CIAA Bulletin

An Exclusive CIAA Member Update

Reminder - Comment Period on Section 301 Tariffs Ending Soon

There are several upcoming comment deadlines for two proceedings regarding Section 301 tariffs applied to cheeses imported from the European Union and cheeses imported from France.

The first proceeding is to determine what goods should be subject to additional Section 301 duties due to the U.S. Trade Representative's investigation into France's [Digital Services Tax](#). The list of goods includes a little over 20 cheeses imported from France. CIAA members that import cheese from France are encouraged to provide feedback to USTR by:

- Submitting written comments through [regulations.gov](https://www.regulations.gov) ([Docket #USTR-2019-0009](#)) by Monday, January 6, 2020.
- Providing testimony at the public hearing on Tuesday, January 7, 2020. CIAA will be providing its own testimony at the hearing.
- Submitting written post-hearing rebuttal comment to USTR's docket before Tuesday, January 14, 2020. USTR will accept comments from any member of the public up to this date, even if that organization did not testify at the hearing.

The second proceeding is to review the list of goods currently subject to Section 301 duties related to the [large civil aircraft \(Airbus\) dispute](#) with the European Union. Among the tariffs imposed by the U.S. were 25 percent tariffs on agricultural and other products, including a large number of cheeses and dairy products imported from various EU countries. CIAA members are encouraged to provide feedback to USTR by:

- Submitting comments through [regulations.gov](https://www.regulations.gov) ([Docket #USTR-2019-0003](#)) before Monday, January 13, 2020.

If your organization is considering submitting comments, we recommend including information on the following:

- Provide a description of your company (such as the history of your company, whether it is a small or medium sized business, the number of U.S. employees you employ, and the cheeses you import that are impacted by the tariffs).
- The impact these tariffs have on your company (for example, the amount of additional duties paid by your organization, whether you have faced canceled orders or reduced sales, if your customers accepted price increases, and if you had increased operating costs due to the import of extra goods prior to the dates the tariffs went into effect).
- Actions taken by your company to address the uncertainty caused by the tariffs (such as putting in place a hiring freeze, opting not to fund capital investments).
- If USTR adopts both proposals as written, French cheeses and butter will be subject to two separate Section 301 tariffs.
- USTR should address concerns about EU agricultural policies (such as Geographical Indications) in a more appropriate forum, and not in disputes related to large civil aircrafts or taxes on digital services.
- In the large civil aircraft dispute, WTO comments established that a dispute concerning a specific sector should be dealt with sanctions (tariffs or other means) on that sector or its related goods. The majority of the products targeted with higher duty rates in the large civil aircraft dispute, including cheese and other dairy products, are outside of the large civil aircraft and aerospace sectors.

We will continue to monitor developments related to USTR's tariffs. Should you have any questions regarding this alert, contact the Husch Blackwell LLP team at CIAAGeneralCounsel@huschblackwell.com

Dates to Remember

January 19, 2020

CIAA Fancy Food Show Reception
5:00 pm- 7:30 pm
Thirsty Bear Brewery
San Francisco, CA

March 1, 2020 (approximately)

FAS issues final notice of calendar year 2020 licenses to licensees

March 15, 2020

The license fee for each license issued is due and payable in full no later than March 15 of the year for which the license is issued. Licenses issued after March 15 of any quota year are payable in full no later than 10 days from the date of issuance. Fee payments are payable to the Treasurer of the United States and shall be made solely utilizing the electronic software designated for the purpose by the Licensing Authority.

July 2, 2020

Last day for an exporting country that is not designating importers for calendar year 2020 to notify FAS

August 31, 2020

Last day to enter dairy products into U.S. Customs territory that may be used to qualify and establish eligibility for a calendar year 2021 license.

* If a deadline date falls on a Saturday, Sunday, or Federal holiday, the deadline will be the next business day (Section 6.36(a) of the Dairy Tariff-Rate Import Quota Licensing Regulation). This does not apply to dates of entry for eligibility.

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