

The J-REPORT

Information and News from the World of Compliance and Logistics

John S.
James Co.

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IMPORT Beer Labeling

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Recently, the Federal Register published a notice for solicitation of comments regarding a draft guidance for labeling of certain beers subject to the labeling jurisdictions of the Food and Drug Administration (FDA). *But, isn't alcohol labeling under the scope of the Bureau of Alcohol and Firearms (ATF)?* Well no, not entirely. Let's rewind to the year 1987 when the ATF, who is now the Tobacco Tax and Trade Bureau (TTB) and the FDA issued a memorandum of understanding between the two agencies that advised the TTB is responsible for the issuance and enforcement of regulations with respect to the labeling of *distilled spirits, wines, and malt beverages* under the Federal Alcohol Administration Act (FAA Act). The TTB recently clarified that certain beers, which are not made from both malted barley and hops but are instead made from substitutes for malted barley (such as sorghum, rice or wheat), or are made without hops do not meet the definition of a "malt beverage" under the FAA Act. The TTB stated in its ruling that such products aren't subject to the labeling, advertising, and other provisions under the FAA Act. Therefore, these beers are subject to the labeling requirements under the FDA's laws and regulations.

This draft guidance is intended to assist manufacturers in labeling beers that are subject to FDA's labeling laws. In general, FDA requires that food products under its labeling jurisdiction be truthfully and informatively labeled in accordance with the Federal Food, Drug and Cosmetic Act (FD&C Act) and the Fair Packaging and Labeling Act (FPLA). With respect to the following collection of information, FDA invites comments on the following topics:

1. Whether the proposed collection of information is necessary for the proper performance of FDA's functions, including whether the information will have practical utility.
2. The accuracy of FDA's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.
3. Ways to enhance the quality, utility, and clarity of the information to be collected.
4. Ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques, when appropriate and other forms of information technology.

For information regarding to the draft guidance, labeling requirements, terminology, definitions or other insights, you can visit the FDA website at:

<http://www.fda.gov/Food/GuidanceComplianceRegulatoryInformation/GuidanceDocuments/FoodLabelingNutrition/ucm166239.htm>



U.S. Food and Drug
Administration



Charlotte, NC Exporting Hazardous Material Seminar

This seminar will be given by the Department of Commerce (DOC) and geared for exporters that are currently shipping hazardous materials. The Charlotte U.S. Export Assistance Center and Central Piedmont Community College are conducting this program. While the focus of this seminar is understanding the exporter's role in the shipment and transport of HAZMAT by air, highway, rail and water; other useful information will be discussed. Here is the agenda:

8:30 —Registration

8:45-9:00—Welcoming Remarks

9:00-9:45—How to Comply with Federal HAZMAT Regulations; Requirements for transporting hazardous materials: *Art Ramsey, Special Agent HazMat Program Specialist, Federal Motor Carrier Safety Administration, SC & NC Division*

10:00-10:45—The Regs...EAR, ITAR, OFAC, U.S. Customs & Their application to Exporting: *Deb Howard, Biological Safety Officer, Environment Health & Safety, University of North Carolina, Chapel Hill*

10:45-11:00—Shipping and Labeling Dangerous Materials Correctly: *Mike Murdock, Dangerous Goods Specialist, Protection Industries*

11:30-12:00—Question and Answer Panel Discussion

Questions? Contact Shannon Christenbury at 704-333-4886 Ext 225 or email her at: shannon.christenbury@mail.doc.gov



When: Tuesday, Sept. 15, 2009. 8:30 a.m.—12:00 p.m.

Where: CPCC Harris Campus Auditorium
3216 CPCC Harris Campus, Dr.
Charlotte, NC 28208

Registration: <https://emenuapps.ita.doc.gov/ePublic/newWebinarRegistration.jsp?SmartCode=9QA4>

Cost: \$25

CHINA New inland depot benefits Chinese factories

Yantian International Container Terminals announced last month the opening of its first inland container depot designed to give shippers a more convenient drop off and pick up location for empty containers.

The inland container terminal is located in Dongguan City. The government of Shenzhen pushed for the new facility to help factories that are moving into China's interior.

The facility is located near the intersection of two main highways and provides storage, cleaning and repair for up to 8,000 TEUs.

The inland depot saves shippers and logistics providers from having to send trucks back to the Port of Yantian with empty containers after picking up imports and unloading them at the factory.

Companies can now return the empties to the local container yard.

Yantian International Container Terminals is a joint venture between Hutchison Port Holdings and Shenzhen Yantian Port Group.



Charleston, SC Drawback Seminar & ISF Outreach

The Charleston Customs Brokers and Freight Forwarders Association will host Maryanne Carney, National Field Drawback Specialist with CBP

When: *Thursday, Sept 17th, 2009*
9:00a to 1:00p

Where: *Radisson Hotel Charleston Airport*
5991 Rivers Ave
N. Charleston, SC

If you are interested in attending, please contact Rick Jones at:
Ph# 843-554-6400 Ext 111

-or-

rick.jones@johnsjames.com

Cost: \$35.00 p/p = CBFFAC Members

\$25.00/pp—2 or more members from same company

\$50.00/pp Non-Members

This comprehensive seminar will cover:

Drawback Compliance

Penalty / Recordkeeping

Update on the Drawback Simplification Bill

CBP update on entire drawback program



This event qualifies for 4.5 CCS points



REMINDER: CBP is hosting trade outreach events in various locations around the country to provide the trade community with an opportunity to learn more about the new Importer Security Filing and Additional Carrier Requirements (a.k.a. ISF/"10+2") interim final rule. These events are intended to give the importing and filing community a basic understanding of how to fulfill the new requirements. Space is limited so please pre-register using the CBP on-line registration process, available via the following link:

http://www.cbp.gov/xp/cgov/trade/trade_outreach/09_outreach_schl.xml

John S. James Co. Employee Anniversaries

We would like to acknowledge the contributions of the following JSJ employees, wishing them a happy anniversary in September!

Jan Fields	35 yrs	Tonya Hughes	13 yrs
Larry Thompson	28 yrs	Lee Dillon	5 yrs
Margie Levander	23 yrs	Gary Sanderson	1 yr
Amy Weatherford	16 yrs	Jim Hughes	1 yr

