



10th Advanced Forum on

IMPORT COMPLIANCE & ENFORCEMENT



Earn CPE Credits

Earn CLE Credits

January 21 & 22, 2016 | Westin Washington DC City Center | Washington, DC

TPP, TTIP and TFA Update

Marianne Rowden
President & CEO
American Association of Importers and Exporters

How to Minimize Counterfeiting, Trademark and Grey Market Risks

Charles Stuart
Chief, IPR Branch, Regulations and Rulings
Office of International Trade
U.S. Customs and Border Protection

Hear from the FDA on How to Comply with Import Requirements

Domenic Veneziano
Director, Division of Import Operations
Food and Drug Administration

Benchmark and Network with Cross-Industry Decision-Makers from:

- 3M
- E & J Gallo Winery
- Eli Lilly
- Google
- The Hershey Company
- Swatch Group
- Facebook
- The Home Depot
- US Steel Corporation
- Cisco Systems
- United Technologies Corporation
- S. C. Johnson & Son
- Danfoss
- Schnitzer Steel
- Flowserve
- Hitachi High Technologies America
- Choice Logistics

This advanced conference is uniquely designed to maximize benchmarking on how to resolve the most complex, pressing import compliance issues affecting industry.

- ✓ Highly focused sessions on Valuation, Classification and Origin:
 - The finer points of post entry price adjustments, related party transactions, and assists that can lead to costly mistakes
 - The complexities of classification of parts, accessories and sets and the role of principal use
- ✓ Special focus on executive liability post *Trek Leather* and the explosion of *Qui Tam* whistleblower cases
- ✓ Audits:
 - What you need to do to impress the toughest auditor: Do's and don'ts for surveys, QRAs and Focused Assessments
 - Audit case studies and audience participation: How to handle common and unanticipated CBP requests
- ✓ Statistical sampling in prior disclosures: Inside methods and benefits and how to avoid common errors
- ✓ A strategic discussion on ISA: Weighing the benefits of ISA with the rigors to remain in the program
- ✓ Import Compliance 2.0: What leading companies are doing to keep their program up to date and respond to heightened enforcement risks

Need a Refresher on Core Import Issues? Attend Practical and Interactive Working Groups – January 20, 2016

- A** **The Fundamentals of Classification and Origin** – A Deep Dive into Core Origin and Classification Requirements
- B** **Getting Customs Valuation Right** – A Practical Working Session on How to Meet Increasingly Complex Valuation Challenges

Register now: 888-224-2480 • Fax: 877-927-1563 • www.AmericanConference.com/Import

Come join us in DC for the 10th anniversary celebration of ACI's acclaimed Import conference.

Join senior government officials, industry leaders, and legal experts at what is regarded as the premier import compliance benchmarking event of the year.

Meeting U.S. customs law requirements can be challenging, time-consuming, and very costly for importers if not done right. Non-compliance with customs laws can result in **civil and criminal penalties, denial of entry, seizure and destruction of goods**. It is imperative for importers to have a solid protocol for applying the critical rules on a day-to-day basis.

American Conference Institute's highly acclaimed 10th Advanced Forum on Import Compliance & Enforcement is a sophisticated and practical conference that will guide you through the challenges of import compliance and how to interact with and respond to U.S. Customs and Border Protection and other government agencies.

Highly complex issues such as **valuation, assists, classifying parts of product, and FTAs** continue to challenge even the most seasoned import compliance professionals. At the same time, *Centers of Excellence, ISA, and recent CBP penalty trends* will surely impact importers' compliance programs going forward. This unique event is designed to provide attendees with a comprehensive benchmarking experience, where participants can exchange best practices and lessons learned to put into practice now.

Unlike other conferences, a diverse faculty of CBP, FDA, leading importers, and private practice experts will provide you with tools to use in your day-to-day work, along with the opportunity to network and benchmark with your peers.

The agenda will cover the most critical compliance issues impacting your import operations. The program has been uniquely designed to delve into your most pressing compliance issues through practical insights, case studies, Q&A and hands-on exercises. Key sessions include:

- **Advanced Topics in Customs Valuation- Focus on Post-Entry Price Adjustments, Related Party Transactions, Assists and Other Complex Issues that Can Lead to Costly Mistakes**
- **Advanced Topics in Classification – How to Decipher Intricate Classification Issues**
- **Statistical Sampling in Prior Disclosures: Understanding the Methods and Benefits while Avoiding Common Errors**
- **How to Properly Classify and Value Goods Related to Research & Development**

A Comprehensive Forum Designed for:

VPs, Directors, and Managers of:

- Import/Trade Compliance
- Customs Compliance
- Customs Administration and Operations
- International Trade Compliance
- Import/Export Compliance
- Global Trade Policy
- Worldwide Import/Export
- Supply Chain Security
- Import/Export Logistics
- Compliance Auditing

Corporate Counsel

- International Trade Counsel
- Customs, Trade and Regulatory Counsel
- General Counsel

Freight Forwarders and Customs Brokers

- Managers, Brokerage Services
- In-house Counsel

Private Practice Attorneys specializing in:

- Import and Customs compliance and enforcement
- International trade

Maximize your learning by participating in practical, hands-on Working Groups – January 20, 2016

Benefit from interactive panels designed for those who need a refresher on the fundamentals of import compliance and those who are newer to the import compliance field. Industry experts and legal specialists will focus on the core issues of customs compliance. Working groups will lay the foundation for the main conference's advanced panels and offer extra time for Q & A and discussion with workshop leaders.

A The Fundamentals of Classification and Origin – How to Correctly Classify Your Goods and Determine the Proper Country of Origin

B Getting Customs Valuation Right – A Practical Working Session on How to Meet Increasingly Complex Valuation Challenges

Don't miss this opportunity to hear directly from government officials and gain best practices from industry leaders. Register now by calling 1-888-224-2480 or save your seat online at www.AmericanConference.com/Import. Group pricing is available. Train your entire team!

9:00 a.m. – 12:30 p.m. (Registration Begins at 8:30 a.m.)

A **The Fundamentals of Classification and Origin – A Deep Dive into Core Origin and Classification Requirements**

Billie Henry

Senior Import Export Analyst
Eli Lilly (Indianapolis, IN)

Bianca Marosi

Customs Compliance Manager
Swatch Group (Weehawken, NJ)

Richard Mojica

Counsel
Miller & Chevalier Chartered (Washington, DC)

This interactive working group is designed to provide you with a comprehensive overview of the fundamental US classification and country of origin regulations. During this practical working session, the workshop leaders will use practical examples to illustrate fundamental classification and origin issues, focus on the “nuts and bolts,” and supply you with a solid foundation for dealing with day-to-day import compliance issues.

CLASSIFICATION:

- Classifying your goods by industry. Key considerations for consumer goods, pharma, food, electronics and other sectors
- Common problems with Chapters 84, 85, 90 to avoid:
 - How to classify unusual products
 - The benefits of Generalized System of Preferences
 - Tactics for handling gray areas in tariff classification
 - Filing binding ruling requests
- How to properly use the Harmonized Tariff Schedule and common mistakes companies make
 - Understanding the structure of HTSUS structure
 - Processes of evaluation for tariff classification
- How to classify items shipped internationally for repair and brought back to the US
 - Applying relevant section and chapter notes, heading and subheading notes, general notes and explanatory notes, and using the rulings as guides

ORIGIN:

- What to look for when determining the origin of a product
- The U.S. rule of substantial transformation
- Applying the rules to specific products (e.g. machinery, packaging, cosmetics)
- Understanding specific rules for textile products
- Working with multiple-origin products

Whether you are new to the area of trade compliance or are a senior professional in need of a comprehensive refresher, this practical and interactive working group will provide the foundations that will help you benefit from the hallmark and more advanced discussions of the main conference.

1:30 p.m. – 5:00 p.m. (Registration Begins at 1:00 p.m.)

B **Getting Customs Valuation Right – A Practical Working Session on How to Meet Increasingly Complex Valuation Challenges**

Ruta Riley

Senior International Trade Analyst
E & J Gallo Winery (Modesto, CA)

Christopher Skinner

Principal
Squire Patton Boggs (Washington, DC)

US Customs valuation remains a major challenge for import compliance professionals. It is also high on the “hit list” during CBP’s Focused Assessments. This practical workshop will guide you through many of the Customs valuation issues encountered in day-to-day operations. Subjects covered will include:

Workshop leaders will bring a practical perspective to these and other valuation issues with an emphasis on constructive real-world information.

- Making sense of valuation methodologies and when they should be applied: transaction value of identical merchandise, transaction value of similar merchandise, deductive value, computed value, derivative method
- Identifying the different types of deductions and how deductions are determined
- Valuation Checklist: Regulations, process, methodologies, forms
- Developing alternative methods of valuation for returns, defectives, inventory movements, zero dollar transactions, and no charge shipments
- Do you have a “price paid or payable”?
- Putting together a Computed Value calculation
- Valuation of non-purchased articles
- What to do when Customs rejects a declared value
- What can be learned from recent valuation rulings

MOCK EXERCISE: How to Value Your Goods Using the Transactional Value Methodology

Attendees will get an opportunity to apply what they learned in the valuation workshop. Speakers will guide you through a practical transaction value scenario, where you will learn to correctly value your goods. Get a deeper understanding on related part transactions and assists and royalties as part of dutiable value. Ask questions and walk away with a better understanding of this critical topic.

Headlines



“Trek Leather Opens Pandora’s Box On US Customs Penalties”

- Law 360

“Trade Authority Bill Wins Final Approval”

- NY Times



7:30 Registration Begins and Continental Breakfast

8:30 **Opening Remarks from Conference Co-Chairs**

Jennifer Rodgers

Manager – Customs Compliance – International United States Steel Corporation (Pittsburgh, PA)

Robert Pisani

Partner
Pisani & Roll (Washington, DC)

8:45 **Advanced Topics in Customs Valuation – Focus on Post-Entry Price Adjustments, Related Party Transactions, Assists and Other Complex Issues that Can Lead to Costly Mistakes**

Jennifer Rodgers

Manager – Customs Compliance – International United States Steel Corporation (Pittsburgh, PA)

Danko Neuschul

Customs and Trade Manager
Facebook (Menlo Park, CA)

Lars-Erik Hjelm

Partner
Akin Gump Strauss Hauer & Feld LLP (Washington, DC)

- First sale rule
- Related parties/transfer pricing
- Additions to value
 - Tracking and valuing assists
 - Common misinterpretations of “assists”
 - Depreciating and apportioning assists
 - Key differences between a royalty and an assist
- Customs entry reconciliation and Post-entry corrections

10:15 Refreshment Break

10:30 **Practical Review of Trek Leather and Recent Qui Tam Whistle Blower Cases: Their Impact on Customs Compliance Programs and Executive Liability**

Alan Cohen

Former Attorney
U.S. Customs and Border Protection (Washington, DC)

Robert Pisani

Partner
Pisani & Roll (Washington, DC)

- Why the Trek Leather decision is so significant to individuals involved in importing
- Post Trek: Penalty cases against individuals are being made
- Are there steps that corporate officers and Customs compliance managers can take to minimize Trek liability?
- What is Customs current position on Trek liability?
- Qui Tam cases and whistleblowers – what import managers need to know

11:15 **Statistical Sampling in Prior Disclosures: Understanding the Methods and Benefits while Avoiding Common Errors**

Ann S. Taylor

Senior ITC Manager, Customs
UTC Aerospace Systems (Washington, DC)

John Brew

Partner
Crowell & Moring LLP (Washington, DC)

- What sampling methods may be used to determine loss of revenue (LOR) in PDs – an in depth review of sampling terms, rules and methods
- Why and when to use sampling in PDs – the cost/benefit analysis
- How to offset duty overpayments and underpayments to reduce LOR through sampling
- CBP review of PDs and how to ensure your sampling methodology is accepted by CBP
- Real world examples of sampling in PDs – failures and success stories
- Using statistical sampling to measure and improve compliance as part of your PD corrective action plan

12:00 **ADD/CVD – Examining Anti-Dumping and Countervailing Duty Enforcement Trends**

Melvin Schwechter

Partner
Baker Hostetler (Washington, DC)

- Overview of the intricacies of anti-dumping compliance
- How to know when your goods are subject to ADD and CVD
- ADD/CVD enforcement post Ethan Allen
- Understanding the consequences of ADD/CVD violations
- Best practices for setting up ADD/CVD internal controls

12:30 Luncheon for Attendees and Speakers

1:45 **Status Update on Single Window & CEEs**

*Senior Representative** (Check website for program updates)
U.S. Customs and Border Protection

2:15 **Advanced Topics in Classification: Tricky Tariff Issues and Compliance Considerations**

Kenneth G. Weigel

Partner
Alston and Bird LLP (Washington, DC)

Deanna Clark-Esposito

Associate Director & Counsel, Global Trade Solutions
Choice Logistics (New York, NY)

- Special tariff rules on parts and accessories, including “parts of general use”
- When is a part not a “part”?
- Avoiding overuse of basket provisions
- Considerations for classifying sets, kits, and composite articles
- Principal use versus actual use
- Importance of accurate commercial invoice descriptions
- Tips for effective management of your classification database

3:30 Refreshment Break

3:45 **Keynote Address - TPP, TTIP and TFA Update**

Marianne Rowden
President & CEO
American Association of Importers and Exporters
(Washington, DC)

4:15 **How to Properly Classify and Value Goods Related to Research & Development**

George Tuttle III
Partner
Law Offices of George R. Tuttle, A.P.C. (Larkspur, CA)

- Understanding the provision for “prototypes” under HTSUS 9817.85 duty free
- What is a “prototype” under HTSUS 9817.85?
- What are “samples” under HTSUS 9811.00?
- Customs valuation of R and D products; what happens when Transaction Value does not apply?
- Foreign R & D for imported products and its impact on customs valuation
- Real world examples of how importers track and use tariff provisions for prototypes and samples

4:45 **The Rise in IPR Enforcement at the Border: How to Minimize Counterfeiting, Trademark and Grey Market Risks and What Can Trigger Detention and Seizures**

Charles Stewart
Chief, IPR Branch, Regulations and Rulings,
Office of International Trade
U.S. Customs and Border Protection (Washington, DC)

Carla Ackley Cravalho
Senior Global Tax & Customs Manager
Cisco Systems (San Jose, CA)

Stuart Seidel
Partner
Baker & McKenzie LLP (New York, NY)

- Understanding difference between registration and recordation
- Discussing IPR enforcement as it relates to imports, exports and goods in-transit
- Intra-corporate information exchange and sharing with CBP
- What to do when U.S. Customs detains and seizes counterfeit merchandise
- How to record trademarks and copyrights with U.S. Customs
- How to get U.S. Customs to search for suspected counterfeit merchandise
- Examining IPR enforcement trends abroad

5:45 **Conference Adjourns**

Main Conference Day 2 – January 22, 2016

8:30 **Opening Remarks from Conference Co-Chairs**

8:35 **KEYNOTE ADDRESS – FDA**

Domenic Veneziano
Director, Division of Import Operations and Policy
U.S. Food and Drug Administration (Washington, DC)

9:05 **A Strategic Discussion on ISA – Weighing the Benefits of ISA with the Rigors to Remain in the Program**

Ian Kahoro
Sr. Global Trade Compliance Specialist
The Hershey Company (Harrisburg, PA)

Joel Rogers
Senior Counsel, International Supply Chain and Regulatory
The Home Depot (Atlanta, GA)

- Core elements and requirements of the Importer Self-Assessment Program (ISA)
- How to determine if your company is “Trusted Trader ready”
- Examining the benefits of participation in the ISA Program
- Discussion of the rigors of ISA

10:00 **CBP Audits Keynote Address**

*Senior Representative** (Check website for program updates)
U.S. Customs & Border Protection

10:30 **Refreshment Break**

10:45 **Industry Roundtable – Import Compliance 2.0: What Leading Companies Are Doing to Keep Their Program Up to Date and Respond to Heightened Enforcement Risks**

Beata Spulher
Trade Compliance Counsel
3M (St. Paul, MN)

Michelle Welsh
Customs Compliance Senior Counsel
Google (Mountain View, CA)

Audrey Garrett
Import Compliance Manager, Americas FCO / EPO
Flowerserve Corporation (Raleigh, NC)

- How to tailor your customs compliance program to your company’s risk profile, industry risks and geographic scope
- How to raise awareness of your compliance program at all levels of your company
- Building effective internal controls and customs SOPs
- Pre and post entry process
- Incorporating record keeping, auditing, and testing into your compliance program
- How to effectively monitor for violations
- Benchmarking to ensure a well-balanced program

* Denotes invited speakers at time of print. Please check website for speaker updates.

11:45 **Avoiding the Pitfalls in Using FTA and Special Duties Provisions**

Jane Taeger

Import/Export Compliance Manager
Danfoss (Baltimore, MD)

Georgia Barr

Global Trade Compliance Manager
S. C. Johnson & Son, Inc (Racine, WI)

Matthew Nolan

Partner
Arent Fox LLP (Washington, DC)

- Coping with multiple FTAs and COO requirements
- The changing landscape with TPP and NAFTA
- Requirements for claiming GSP benefits
- Chapter 98 US goods returned tracing requirements
- When to consider using an FTZ
- Applying the proper rules of origin
- Keeping up with changing sourcing patterns
- Using internal controls and recordkeeping to keep up
- Some key issues and common missteps to avoid

12:45 **Lunch for Attendees and Speakers**

2:00 **Deciphering Duty Drawbacks Rules: How to Maximize Refunds**

Brenda Sweetman

Vice President
C.J. Holt & Co., Inc. (Oradell, NJ)

Duty drawbacks are available to importers as a way to help domestic companies compete internationally. In this session you will learn how to take advantage of the common duty drawbacks. Benefit from this comprehensive overview on how to use duty drawbacks to benefit your company's bottom line.

Topics to be covered:

- Understanding the requirements and benefits of duty drawbacks
- How to determine if your company should participate
- What types of duty drawbacks are available
- Understanding CBP duty drawback oversight

2:30 **How to Prepare for a Customs Audit (Survey / QRA / FA) and Impress Your Auditor**

Callie Pappas

Chief Compliance Officer
Schnitzer Steel

Alison Hughes

Trade Compliance Officer
Hitachi High Technologies America

- How critical are the 5 components of internal control?
- How critical is ACE data to the preparation process?
- How to ensure your Customs Compliance Manual passes muster during an audit
- A candid discussion on the types of records required to satisfy auditors
- How your Risk Assessment & Post Entry Audit process can make or break your compliance program and audit results

3:45 **Refreshment Break**

4:00 **AUDIT CASE STUDIES and Audience Participation – What Would You Do If.....**

Jennifer Rodgers

Manager – Customs Compliance – International
United States Steel Corporation (Pittsburgh, PA)

Robert Pisani

Partner
Pisani & Roll (Washington, DC)

This interactive panel will present practical and tricky scenarios frequently encountered during a customs audit. Panel leaders and attendees will work through real-world issues encountered by companies during the audit process.

- When is outside counsel necessary?
- CBP red flags
- Examining how CBP chooses its “sample selection” of entries to audit

5:15 **Conference Concludes**

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Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

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You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

Continuing Professional Education Credits



American Conference Institute (ACI) will apply for Continuing Professional Education credits for all conference attendees who request credit. There are no pre-requisites and advance preparation is not required to attend this conference.

Course objective: Update on U.S. import regulations and procedures on how to comply with U.S. Customs and Border Protection requirements. Recommended CPE Credit: 14.5 hours for the main conference and an additional 4.0 hours for workshops A/B.

ACI is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417 or by visiting the web site: www.nasba.org

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ADMINISTRATIVE DETAILS

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Date: January 21 & 22, 2016

Time: 7:30 – 18:00

VENUE: Westin Washington, DC City Center

ONLINE: <http://tinyurl.com/ImportHotel>

ADDRESS: 1400 M Street NW, Washington, DC 20005

TELEPHONE: (202) 429-1700

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10th Anniversary

10th Advanced Forum on

IMPORT COMPLIANCE & ENFORCEMENT

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TPP, TTIP and TFA Update

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- | | | |
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