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JOHN B. BREW

PARTNER

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PRACTICES

- International Trade
- Advertising & Product Risk Management
- Foreign Corrupt Practices Act
- Automotive
- WTO, FTAs & Market Access
- Unfair Trade Investigations & Litigation
- Sanctions & Embargoed Countries
- Export Controls
- Customs Law
- Antiboycott Legislation
- OFAC & AML
- Government & Internal Investigations

John Brew is a partner in Crowell & Moring's International Trade Group and focuses his practice in the area of Customs. He has extensive experience in import and export trade regulation, and he regularly advises corporations, trade associations, foreign governments, and non-governmental organizations on matters involving customs administration, enforcement, compliance, litigation, legislation and policy.

John represents clients in proceedings at the administrative and judicial levels, as well as before Congress and the international bureaucracies that handle customs and trade matters. He advises clients on all substantive import regulatory issues handled by U.S. Customs and Border Protection, and Immigration and Customs Enforcement, such as classification, valuation, origin, marking, tariff preference programs, other agency regulations, admissibility, import restrictions, quotas, drawback, audits, penalties, investigations, Importer Self Assessment and Customs-Trade Partnership Against Terrorism programs, importations under bond, the Jones Act, vessel repairs and foreign trade zone matters.

John has assisted clients in a broad array of industries (chemical, pharmaceutical, petroleum, textile, apparel and footwear, food and agricultural, machinery, equipment and electronics, and household goods) providing creative solutions that enable clients to obtain significant duty savings and mitigate draconian customs penalties.

His practice also includes representation of clients in other international trade areas, such as export controls, sanctions, market access, World Trade Organization-related matters, bilateral, multilateral and regional trade agreements, foreign corrupt practices, anti-boycott, anti-dumping and countervailing duty actions, short supply proceedings, Section 201, Section 301, Section 337, and other import relief actions.

John is a co-editor and author for the ABA's International Practitioner's Deskbook, "U.S. Customs: A Practitioner's Guide to Principles, Processes and Procedures," and

the interview editor for Kluwer Law International, Global Trade and Customs Journal. John has been recognized by Chambers USA, in the area of International Trade: Customs, Best Lawyers in America in the area of International Trade and Finance Law, and Who's Who Legal, in the area of Trade and Customs.

Representative Experience:

- Assisting clients establish import compliance and cargo security programs and become C-TPAT and ISA members.
- Representing a home textile manufacturer in a favorable classification decision before Customs, the U.S. Court of International Trade and the Court of Appeals for the Federal Circuit, and advising the company on multilateral and bilateral textile agreements.
- Counseling U.S. importers on Customs valuation issues, including audits, intracompany transfer pricing, three-tiered transactions, buying agency agreements and assists.
- Advising U.S. importers and exporters of automobile, food, chemical, pharmaceutical, plastic, textile, apparel and petroleum products during NAFTA verifications conducted by United States, Canadian and Mexican Customs officials.
- Assisting a U.S. computer manufacturer obtain export licenses for encryption technology, terminate an investigation on alleged OFAC embargo violations, and negotiating the inclusion of the company's products as part of the Information Technology Agreement providing duty-free treatment for imports and exports.
- Defending U.S. importers and manufacturers against Customs penalty, liquidated damages, detention, seizure and forfeiture actions.

Admissions/Affiliations

Admitted to practice: District of Columbia, Pennsylvania, U.S. Court of Appeals for the Federal Circuit, U.S. Court of International Trade

Education

- City of London Polytechnic (1983)
- Bucknell University, B.A. (1985)
- The Dickinson School of Law, J.D. (1988) staff editor, *Dickinson Law Review*

Speaking Engagements

- "Understanding the Food Safety Modernization Act's Impact on your International Supply Chain," Grocery Manufacturer's Association, Science Forum, Washington, D.C. (April 3, 2013). Presenter: John B. Brew.
- "Getting Customs Valuation Right," ACI's U.S. Customs Compliance Boot Camp, Washington, D.C. (November 27-28, 2012). Speaker: John B. Brew.

- "Solving International Business Challenges -- Maximizing Opportunities and Minimizing Risks," Association of Corporate Counsel CLE, Santa Clara and San Francisco, CA (November 13-14, 2012). Presenters: John B. Brew, Adelicia R. Cliffe, and Christopher Wilson.
- "Joint CPSC/Customs Inspections," Sporting Goods Manufacturers Association Webinar (June 21, 2012). Panelist: John B. Brew
- "Preparing for Customs Audits: How to Minimize the Risk of Non-Compliance during Focused Assessments," ACI's 6th Advanced Forum on Import Compliance & Enforcement, Washington, DC (May, 17-18, 2011). Co-Presenter: John B. Brew.
- "Bringing Value: Turning a Cost Center into a Profit Center," International Compliance Professional Association Annual Conference, Phoenix, AZ (March 21, 2011). Presenter: John B. Brew.
- "Maximizing FTA Savings Opportunities," 6th Advanced Forum on Global Customs Compliance, Washington, D.C. (June 28, 2010). Co-Presenter: John B. Brew.
- "Customs 101: Successful Advocacy in Customs Administrative Practice," Trade & Customs Law - Basics You Need to Know, Georgetown University Law Center, Washington, DC (February 24, 2010). Panelist: John B. Brew.
- "Maximizing Duty Saving Opportunities with Valuation and Classification," ACI's 5th Advanced Forum on Import Compliance & Enforcement (October 2009). Speaker: John B. Brew.
- "Overview of African Growth and Opportunity Act (AGOA)," Workshop sponsored by The Leitner Center for International Law and Justice at the Fordham School of Law, and the Faculty of Law at Kwame Nkrumah University of Science and Technology, Ghana, Africa (August 2009). Speaker: John B. Brew.
- "U.S. Customs 101 & How to Leverage Customs to Stop Counterfeit and Gray Market Goods at the Border," ACC Roundtable Luncheon, Anaheim, CA (February 25, 2009). Speakers: John Brew and Kimberly Chen Nobles.
- "How to Handle Customs Audits and Penalty Proceedings," Compliance Online Webinar (June 12, 2008). Presenter: John B. Brew.
- "Country of Origin Laws: Marking Obligations and Duty Savings Opportunities," Valve Manufacturers Association of America CFO Seminar, Crystal City, VA (May 17-18, 2007). Presenter: John B. Brew.
- "Recent developments in Customs and International Trade," 2nd Annual Global Customs Summitt, Boehringer-Ingelheim Pharmaceuticals, Ridgefield, CT (March 6, 2007). Presenter: John B. Brew.
- "Roundtable Discussion of Free Trade Agreements," Advanced Import Compliance Forum, marcus evans, Chicago, IL (September 15, 2006). Moderator: John B. Brew.
- "Guidelines for Preparing and Defending Quick Response Audits," Advanced Import Compliance Forum, marcus evans, Chicago, IL (September 14, 2006). Presenter: John B. Brew.
- "Performing an Audit of Your Company's Import Compliance: A Complete Guide for a Successful Self-Assessment," 2nd Advanced Forum on Import Compliance, American Conference Institute, Washington, D.C. (March 23, 2006). Presenter: John B. Brew.
- "How Can Canadian Companies Prepare for United States' Customs and Border Protection Programs?," 9th Annual Conference: Customs Compliance, The Canadian Institute, Toronto (February 16, 2006). Presenter: John B. Brew.

- "Customs 101 for 2006: How U.S. Customs and Border Protection Regulates Commercial Imports," Trade and Customs Law Introduction/Refresher, Georgetown University Law Center and American Bar Association Section on International Law, Washington, D.C. (February 1, 2006). Presenter: John B. Brew.
- "Navigating the Trade Triangle: Importer's Master Class in Maximizing the Benefits and Duty Savings Available Under NAFTA," Import Compliance Forum, marcus evans, San Francisco, CA (December 7, 2005). Conference Chair and Presenter: John B. Brew.

Publications

- "Border Control Limbo: Saving your Product From Seizures, Forfeitures, Fines and Delays," Crisis Management Handbook, Ch. 7, Crowell &Moring Advertising and Product Risk Management Group (March 2013). Author: John B. Brew.
- "Global Trade and Customs Journal," Interview of Kunio Mikuriya, PhD, Secretary General, World Customs Organization, *Kluwer* (September 2011). Interviewed By: John B. Brew.
- "New Trade Legislation — Opportunities And Challenges," *International Trade Law360* (November 3, 2011). Co-Authors: John B. Brew, Melissa Coyle, Jini Koh, Ke Ji, David "DJ" Wolff and Joshua Boswell.
- "Customs 101: Importation Process Basics," Trade & Customs Law - Basics You Need to Know, Georgetown University Law Center (February 2010). Co-Authors: John B. Brew and Nicole M. Jenkins.
- "African Growth and Opportunity Act, Navigating the International Trade Process: A Guide to AGOA Eligibility," The Leitner Center for International Law and Justice at the Fordham School of Law (2009). Contributor: John B. Brew.
- "U.S. Customs: A Practitioner's Guide to Principles, Processes, and Procedures," *International Practitioner's Deskbook Series,* American Bar Association (2009). Co-Editor, Co-Author (Ch. 6: Duty Savings Opportunities), Author (Ch. 8: Administrative and Judicial Review of U.S. Customs and Border Protection Decisions): John B. Brew.
- "New Importing Laws May Affect Retailers," *Floor Covering Weekly*, Vol. 57, No. 27 (November 2008). Co-Authors: Jeffrey W. King and John B. Brew.

Alerts & Newsletters

- "Recent Happenings in Advertising & Product Risk Management - May 2013," *Advertising & Product Risk Management Alert* (May 17, 2013). Contacts: John B. Brew, Daniel T. Campbell, Christopher A. Cole, Cheryl A. Falvey, Lynn R. Levitan, Natalia R. Medley, Ann Mason Rigby, Ariel Applebaum-Bauch, Jini Koh, Jason Crawford.
- "CPSC Proposed Significant Changes and New Obligations for Importers Relating to Certificates of Compliance," *Advertising & Product Risk Management Alert* (May 15, 2013). Contacts: Cheryl A. Falvey, John B. Brew, Jini Koh, Natalia R. Medley.
- "This Month in International Trade - April 2013," *International Trade Bulletin* (May 3, 2013). Contacts: John B. Brew, Alan W. H. Gourley, Lorraine B. Halloway, Laurent Ruessmann, Cari N. Stinebower, Christopher Wilson, Jochen Beck, Francesca Condello, Maria Alejandra (Jana) del-Cerro, Jini Koh, Michael Larmoyeux, Christopher Monahan.

- "This Month in International Trade - March 2013," *International Trade Bulletin* (March 29, 2013). Contacts: John B. Brew, John Fuson, Laurent Ruessmann, Jochen Beck, Francesca Condello, Jini Koh, Michael Larmoyeux, David Wolff, Melissa Coyle.
- "This Month in International Trade - February 2013," *International Trade Bulletin* (February 28, 2013). Contacts: John B. Brew, Alan W. H. Gourley, Mark A. Klapow, Michael J. Songer, Jonathan S. Kallmer, Christopher Wilson, Francesca Condello, Jini Koh, Michael Larmoyeux, James (J.J.) Saulino, David Wolff.
- "FDA Adopts Final Rule Authorizing Broad Authority to Detain Food," *Advertising & Product Risk Management Alert* (February 7, 2013). Contacts: John Fuson, Cheryl A. Falvey, John B. Brew, Michael L. Kuppersmith.
- "This Month in International Trade - January 2013," *International Trade Bulletin* (January 31, 2013). Contacts: John B. Brew, Christopher A. Cole, Ian A. Laird, Laurent Ruessmann, Jonathan S. Kallmer, Cari N. Stinebower, Christopher Wilson, Francesca Condello, Michael Larmoyeux, James (J.J.) Saulino, David Wolff.
- "FDA Issues Sweeping New Regulations Targeting Food Manufacturers, Processors, Packers, Holders, and Farms," *Advertising & Product Risk Management Alert* (January 8, 2013). Contacts: John Fuson, John B. Brew, Michael L. Kuppersmith.
- "This Month in International Trade - November 2012," *International Trade Bulletin* (December 17, 2012). Contacts: John B. Brew, Alan W. H. Gourley, Laurent Ruessmann, Jeffrey L. Snyder, Cari N. Stinebower, Christopher Wilson, Francesca Condello, Jini Koh, Michael Larmoyeux, David Wolff.
- "This Month in International Trade - October 2012," *International Trade Bulletin* (November 9, 2012). Contacts: John B. Brew, Laurent Ruessmann, Jonathan S. Kallmer, Cari N. Stinebower, Francesca Condello, Jini Koh, Michael Larmoyeux, James (J.J.) Saulino, Melissa Coyle.
- "This Month in International Trade - September 2012," *International Trade Bulletin* (October 10, 2012). Contacts: John B. Brew, Laurent Ruessmann, George D. Ruttinger, Daniel Cannistra, Jonathan S. Kallmer, Cari N. Stinebower, Francesca Condello, Jini Koh, Michael Larmoyeux, Christopher Monahan, James (J.J.) Saulino, Daniel W. Wolff.
- "This Month in International Trade - August 2012," *International Trade Bulletin* (September 7, 2012). Contacts: John B. Brew, Daniel Cannistra, Jonathan S. Kallmer, Cari N. Stinebower, Michael Larmoyeux, David Wolff.
- "This Month In International Trade - July 2012," *International Trade Bulletin* (August 10, 2012). Contacts: John B. Brew, Kathryn L. Clune, Laurent Ruessmann, Jonathan S. Kallmer, Cari N. Stinebower, Paul Burkhead, Christopher Wilson, Ian A. Laird, Jini Koh, Michael Larmoyeux, James (J.J.) Saulino, David Wolff.
- "This Month In International Trade - May 2012," *International Trade Bulletin* (June 11, 2012). Contacts: John B. Brew, Alan W. H. Gourley, Jeffrey L. Snyder, Adelicia R. Cliffe, Jini Koh, Christopher Monahan, James (J.J.) Saulino, David Wolff, Michael Larmoyeux.
- "This Month In International Trade - April 2012 ," *International Trade Bulletin* (May 4, 2012). Contacts: John B. Brew, Laurent Ruessmann, Jeffrey L. Snyder, Alan W. H. Gourley, Alexander H. Schaefer, Daniel Cannistra, Cari N. Stinebower, Michael Larmoyeux, James (J.J.) Saulino, Jini Koh, Lindsay Denault, David Wolff.
- "New Presidential Order Aims to Help Bridge International Regulatory Discrepancies," *International Trade Bulletin* (May 3, 2012). Contacts: Christopher Wilson, John B. Brew, Laurent Ruessmann.
- "This Month In International Trade - March 2012 ," *International Trade Bulletin* (April 10, 2012). Contacts: John B. Brew, Laurent Ruessmann, Francesca Condello, Jini Koh, James (J.J.) Saulino, David Wolff, Michael Larmoyeux.

- "This Month In International Trade - February 2012," *International Trade Bulletin* (March 7, 2012). Contacts: John B. Brew, Alan W. H. Gourley, Daniel Cannistra, Alexander H. Schaefer, Cari N. Stinebower, Jini Koh, James (J.J.) Saulino, David Wolff, Michael Larmoyeux.
- "This Month In International Trade - January 2012," *International Trade Bulletin* (February 8, 2012). Contacts: Laurent Ruessmann, Kristof Roox, Michael J. Songer, John B. Brew, Alexander H. Schaefer, Cari N. Stinebower, Jini Koh, Francesca Condello, David Wolff, Michael Larmoyeux.
- "This Month In International Trade - December 2011," *International Trade Bulletin* (January 9, 2012). Contacts: John B. Brew, Alan W. H. Gourley, Jeffrey L. Snyder, Alexander H. Schaefer, Jini Koh, Lindsay Denault, David Wolff, Christopher Monahan, Michael Larmoyeux.
- "This Month In International Trade - November 2011," *International Trade Bulletin* (December 6, 2011). Contacts: John B. Brew, Alan W. H. Gourley, Laurent Ruessmann, Jeffrey L. Snyder, Jini Koh, Michael Larmoyeux.
- "This Month In International Trade - October 2011," *International Trade Bulletin* (November 2, 2011). Contacts: Jeffrey L. Snyder, Laurent Ruessmann, Alan W. H. Gourley, John B. Brew, Melissa Coyle, Daniel Cannistra, Jini Koh, David Wolff, Michael Larmoyeux.
- "Long-Stalled Trade Legislation Finally Passes Congress," *International Trade Bulletin* (October 17, 2011). Contacts: John B. Brew, Melissa Coyle, Daniel Cannistra, Jini Koh, David Wolff.
- "This Month In International Trade - September 2011," *International Trade Bulletin* (September 30, 2011). Contacts: Jeffrey L. Snyder, Laurent Ruessmann, John B. Brew, Alan W. H. Gourley, Daniel Cannistra, Jini Koh, David Wolff, Michael Larmoyeux.
- "This Month In International Trade - August 2011," *International Trade Bulletin* (August 31, 2011). Contacts: Laurent Ruessmann, Jeffrey L. Snyder, John B. Brew, Alan W. H. Gourley, Michael Larmoyeux, David Wolff.
- "This Month In International Trade - July 2011," *International Trade Bulletin* (July 29, 2011). Contacts: Alan W. H. Gourley, Laurent Ruessmann, John B. Brew, Alexander H. Schaefer, Michael Larmoyeux.
- "EU Relents on Duty Free Status for Technology Products, But Limited Scale Will Result in Continued Litigation," *International Trade Bulletin* (July 6, 2011). Contacts: Laurent Ruessmann, John B. Brew, Daniel Cannistra.
- "This Month In International Trade - June 2011," *International Trade Bulletin* (July 1, 2011). Contacts: John B. Brew, Laurent Ruessmann, Alexander H. Schaefer, Michael Larmoyeux, David Wolff.
- "This Month In International Trade - May 2011," *International Trade Bulletin* (May 31, 2011). Contacts: John B. Brew, Laurent Ruessmann, Patricia L. Wu, Adelicia R. Cliffe, Michael Larmoyeux.
- "Are You Leaving Duty Refunds on the Table? Pursuing Duty-Free Imports Under the Information Technology Agreement," *International Trade Bulletin* (May 18, 2011). Contacts: John B. Brew, Daniel Cannistra, Melissa Coyle, Emmanuel Gybels, Laurent Ruessmann.
- "ITC Issues Customs Value First Sale Rule Report – Are Importers Missing Duty Savings Opportunities?," *International Trade Bulletin* (January 7, 2010). Contacts: John B. Brew, Daniel Cannistra.
- "FDA Debars Food Importer as Tougher Food Safety Legislation Looms," *Advertising & Product Risk Management Alert* (December 29, 2009). Contacts: John B. Brew, Jennifer G. Knight.
- "Customs Proposes Regulations to Allow Offsets of Duty Overpayments in Audits and Disclosures," *International Trade Bulletin* (November 5, 2009). Contacts: John B. Brew, Daniel Cannistra, Alexander H. Schaefer.

- "USTR Invites Public Comments on 2008 Import Statistics and Review of Country Practice Petitions under the Generalized System of Preferences Program," *International Trade Bulletin* (March 17, 2009). Contacts: John B. Brew, Alexander H. Schaefer.
- "Customs and CPSC Offer Benefits to Importers that Join New Import Safety Compliance Program," *Advertising & Product Risk Management Alert* (November 14, 2008). Contacts: John B. Brew, Bridget E. Calhoun, Jennifer G. Knight.
- "Deadline for Costa Rica to Join CAFTA-DR Extended ," *International Trade Bulletin* (November 4, 2008). Contacts: Daniel Cannistra, Alexander H. Schaefer, John B. Brew.
- "USTR Commences Annual GSP Review of Competitive Need Limits," *International Trade Bulletin* (October 22, 2008). Contact: John B. Brew.
- "APHIS Publishes Notice on the Implementation and Enforcement of New Lacey Act Requirements on Imports of Plant and Plant Products," *International Trade Bulletin* (October 15, 2008). Contacts: John B. Brew, Alexander H. Schaefer.

Press Releases

- *The Best Lawyers in America 2013* Recognizes 44 Crowell & Moring Attorneys (Sep.04.2012)
- Chambers USA Ranks 45 Crowell & Moring Attorneys and 18 Leading Practice Areas Among Best in U.S. (Jun.07.2012)
- *The Best Lawyers in America 2012* Recognizes 43 Crowell & Moring Attorneys (Aug.30.2011)
- *The Best Lawyers in America 2011* Recognizes 44 Crowell & Moring Attorneys (Aug.03.2010)