

DIAZ

TRADE LAW

YOUR CUSTOMS AND INTERNATIONAL TRADE LAW EXPERT



JENNIFER DIAZ

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Practice Areas

- Cuba
- Customs & International Trade
- Federal Administrative & Regulatory Compliance
- Import/Export Pre-Compliance
- Other Government Agency Compliance



Professional Experience

Jennifer Diaz is a Board Certified International Attorney, professor and professional speaker, considered an expert in international law by the Florida Bar. She is proud to be part of an elite group of Board Certified International attorneys in Florida specializing in Customs and International trade law. She is results oriented and regularly assists clients with issues relating to the import and export of merchandise to and from the United States and expediting supply chains with robust pre-compliance programs.

Ms. Diaz is an expert in working with the many Federal agencies that regulate trade, including the U.S. Food & Drug Administration (FDA), U.S. Customs and Border Protection (CBP), U.S. Department of Homeland Security (DHS), U.S. Environmental Protection Agency (EPA), and Alcohol and Tobacco Tax and Trade Bureau (TTB).

She handles issues relating to “pre-compliance” including ensuring compliance with federal government agencies prior to importation or exportation. She assists clients with intellectual property right (IPR) protection, including registration of trademarks and copyrights with the U.S. Patent and Trademark Office (USPTO) and thereafter, recordation with CBP. Ms. Diaz successfully assists clients in navigating and ensuring compliance with CBP laws and regulations. This includes proper assessment of the Harmonized Tariff Schedule of the United States (HTSUS), compliant country of origin labeling, valuation and free trade agreement usage. She routinely requests Binding Rulings from CBP to assist her clients with all necessary pre-compliance needs to ensure the use and documentation of “reasonable care”.

She is passionate about assisting clients with successfully navigating CBP detentions, seizures, forfeitures, and mitigating of fines and penalties assessed by CBP. She has vast experience in assisting with responding to CBP Requests for Information (CBP Form 28), responding to Notices of Action (CBP Form 29), and submitting Protests to CBP. Ms. Diaz frequently assists companies in applying for and being accepted into the Customs-Trade Partnership Against Terrorism (C-TPAT) program, assisting with validations, as well as yearly updates and ongoing training.

She ensures companies are in compliance with FDA by reviewing product labeling, assisting with registration and any necessary pre-market approval requirements for food, cosmetic, over the counter drug, dietary supplements, alcohol, tobacco and medical device products. She specializes in assisting in mitigating the impact of enforcement actions by federal government agencies. She successfully handles FDA detentions, refusals, voluntary recalls, removal from FDA’s import alert list, and responses to warning letters and FDA 483 inspection observations.

Ms. Diaz is an adjunct Professor at Broward College teaching International Business Law and active in the community. She relishes in customizing personalized training to organizations and companies on topics of import and export compliance.

Customs and international trade law has been Ms. Diaz's exclusive focus since law school. She practiced law at Becker & Poliakoff’s Customs and International trade department upon

graduation. She also gained valuable experience as a Senior Associate with KPMG's Trade and Customs practice in Miami working with Fortune 500 companies to develop large scale compliance programs for consumer products under the Consumer Product Safety Improvement Act (CPSIA); creating importer policy and procedure manuals and assisted importers with binding ruling request submissions. She chaired the Customs and International Trade department at Becker & Poliakoff for 3 years prior to starting her own law firm.

Notable Client Accomplishments:

Compliance Successes:

- After successfully resolving a CBP seizure case, assisted a major electronic importer with developing a “pre-compliance” program reviewing intellectual property rights prior to importation and reporting the same to CBP proactively and thereby decreasing intensive examinations and detentions of merchandise by CBP.
- Assisted importer in filing numerous successful Protests with CBP after receiving Requests for Information (CBP 28) and Notices of Action (CBP 29) from CBP for free trade agreement verification, resulting in continued duty free treatment of merchandise and refunds of overpayment of duties.
- Assisted in applying for and getting approval for one of the first alternative site framework applications for Port Miami’s Foreign Trade Zone (FTZ) No. 281.
- Successfully assist importers in filing perfected prior disclosures to CBP for underlying violations of CBP regulations resulting in the prior disclosure being accepted and no penalties being assessed.
- Obtained importer permits and COLA approvals for alcohol and tobacco importers with the Alcohol and Tobacco Tax and Trade Bureau (TTB).
- Successfully assist importers in C-TPAT applications, yearly updates and training programs.
- Assist companies with specific internal compliance training programs.

Articles & Publications

- "Criminal Liability for Corporate Officers—The Resurrection of the Park Doctrine in Food & Drug Cases," Practical Trade & Customs Strategies, Thompson Reuters, Volume 2, Number 7, April 15, 2013.
- “Changes In Gluten Free Labeling: A Closer Look at TTB and FDA Regulations,” FDLI Update Magazine, Publication January/February 2013.
- “For \$190 U.S. Customs Will Police Your Brand,” The Florida Bar, International Law Quarterly, Special China Edition, Fall 2010.
- CoAuthor, "U.S. Customs Seized My Merchandise: Now What?," The Florida Bar, International Law Section Quarterly, Spring/Summer 2010 Vol. XXV No. 1.
- CoAuthor, “For \$190 U.S. Customs Will Police Your Brand,” China IP Magazine, Issue 36, April 25, 2010.

Sample Presentations

- Miami, Florida, "Update on U.S. laws regarding commerce with Cuba," Caribbean - Central American Action (CCAA) 39th Annual Conference, November 17, 2015.

- Online Webinar, OWIT International, “Business Opportunities in Cuba, What’s Next?”, June 23, 2015.
- Tampa, Florida, “Meet the Expert,” International Trade Certification Program of the Small Business Development Center at the University of South Florida, May 12, 2015.
- Broward County, Florida, Urban Land Institute, Cuba – Infrastructure Needs and Opportunities for South Florida, April 29, 2015.
- Washington DC, The Food and Drug Law Institute (FDLI) Annual Conference, “Moving Food Commodities Across National Borders: Compliance, Tips, and Strategies,” April 21, 2015.
- Online Webinar, National Customs Brokers and Forwarders Association of America (NCBFAA), “Pre-Compliance – What You NEED to Know to Stay Compliant and Penalty Free,” February 12, 2015.
- Washington DC, The Food and Drug Law Institute (FDLI) Enforcement, Litigation, and Compliance Conference, “International Enforcement and Compliance Initiatives,” December 8, 2014.
- Washington DC, U.S. Department of Commerce’s SABIT Program and Office of South Asia Webinar for Pakistan’s Surgical Instruments industry entitled: “How to Import your Medical Devices in Compliance with the U.S. Food and Drug Administration and U.S. Customs and Border Protection,” October 21, 2014.
- Fort Lauderdale, Florida, “11 Steps to Exporting,” Broward County Office of Economic and Small Business Development, September 24, 2014
- Miami Beach, Florida, “How to Effectively Resolve Typical U.S. Food and Drug Administration (FDA) and U.S. Customs and Border Protection (CBP) Issues for Medical Devices,” and “Streamlining the Process – How to Expedite Clearance of Your Medical Devices with U.S. Food and Drug Administration (FDA) and U.S. Customs and Border Protection (CBP),” FIME International Medical Expo – Miami Beach Convention Center, August 11, 2014.
- Online Webinar, NCBFAA, “Export Penalties Already Total \$184 MILLION in 2014 – Learn Who, What, Why and How to Stay Compliant,” April 24, 2014
- New York, American Bar Association, International Law Section, Spring Meeting, Moderate “Are We Adequately Protecting Our Food Supplies? A Primer for Those with Discriminating Taste,” April 2, 2014.
- Santo Domingo, Dominican Republic, Santo Domingo Chamber, ‘Business Opportunities in Florida’ – “Top Tips When Importing and Exporting in Compliance with U.S. CBP”, February 25, 2014
- Miami Beach, Florida, IFE Americas – 17th Americas Food and Beverage Show, “Top Tips When Importing Food Products into the U.S.,” October 28, 2013.

- Miami, Florida, National NAWBO Women’s Business Conference, “A World of Difference: What To Do Once The Door Is Opened”, October 3, 2013.
- Washington D.C., American Conference Institute’s 8th National Forum on Import Compliance & Enforcement, “BROKER SELECTION & MANAGEMENT-Lessons Learned for Vetting and Managing Brokers in the U.S. and Abroad: How Much Due Diligence is Required to Minimize Liability Risks and Detect Warning Signs,” June 11, 2013.

Activities & Memberships:

- Organization of Women in International Trade – International, Executive VP, 2016-2017, VP Strategy, 2014-2015
- Organization of Women in International Trade – South Florida, Immediate Past President/Chairman of the Board and OWIT International Representative 2012-2014, President 2010-2011, Treasurer 2007-2009, Board of Directors 2006-2015
- Appointed to The Florida Bar’s International Law Certification Committee, 2013-2016
- Appointed to American Bar Association:
 - Deputy Technology Officer, 2014-2016
 - International Section, International Trade Committee, Vice Chair, 2012-2014, Steering Group, 2010-2012
 - Young Lawyers Network, Co-Chair, 2012-2014, Vice-Chair, 2010-2012
 - Liaison, Organization of Women in International Trade (OWIT), 2013-2015
 - Customs Committee, Steering Group, 2010-2012
- Elected to Miami Council for International Visitors’ Board of Directors, 2012-2014
- Florida Customs Brokers & Forwarders Association, Government Affairs Committee 2012-2014, Customs Committee 2010-2014, Education Committee 2009-2014, Membership Committee, 2006-2008
- Elected to Council of Supply Chain Management Professionals (CSCMP) Board of Directors as Marketing and Networking Co-Chair, 2012-2013
- Appointed by Mayor Matti Bower to the City of Miami Beach’s Sister Cities, 2012-2013
- Florida Bar, International Law Section, Meetings Co-Chair, 2011-2012
- Cuban Hebrew Congregation, Vice President 2012-2013, Board of Directors
- Greater Miami Chamber of Commerce, Leadership Miami Graduate, 2010
- Greater Miami Jewish Federation, Leadership Development Institute (LDI) Graduate

Press

- Miami Herald, Booming vape shops in South Florida brace for new rules, July 26, 2015, <http://www.miamiherald.com/news/local/article28764616.html>.
- Daily Business Review, Carnival to Cruise to Cuba, With Lots of Strings Attached, July 7, 2015, <http://www.dailybusinessreview.com/id=1202731522476/Carnival-to-Cruise-to-Cuba-With-Lots-of-Strings-Attached?slreturn=20150609171646>.
- Boating Industry, “Florida Yacht Brokers Association aims to boost marine economy through legislative change,” July 1, 2015, <http://www.boatingindustry.com/top->

[stories/2015/07/01/florida-yacht-brokers-association-aims-to-boost-marine-economy-through-legislative-change/](http://www.stories/2015/07/01/florida-yacht-brokers-association-aims-to-boost-marine-economy-through-legislative-change/).

- Soundings Trade Only Today, Florida brokers seek change to foreign flagged law, June 23, 2015, http://www.tradeonlytoday.com/2015/06/florida-brokers-seek-change-foreign-flagged-yacht-law/?utm_source=trade-ewsletter&utm_medium=email&utm_content=textlink&utm_campaign=ewsletter-062315.
- North American Economic Herald, Importing Seminar for Chinese Business Professionals, June 7, 2015, http://mp.weixin.qq.com/s?_biz=MzA4MTc1NDIwOQ==&mid=207173778&idx=1&sn=99587475f73aee5f5bc94e29b7a2a352&scene=5#rd.
- Daily Business Review, “What Does End of Cuban Embargo Actually Mean,” January 6, 2015, <http://www.bplegal.com/webfiles/pdf/100011501Becker.pdf>.
- Journal of Commerce, American Apparel & Footwear Association sign MOU with China Chamber of Commerce, October 22, 2014, http://www.joc.com/regulation-policy/customs-regulations/us-customs-regulations/us-china-trade-groups-work-ease-apparel-footwear-shipments_20141022.html.
- Journal of Commerce, US importers poised to gain from Customs intellectual property pilot, October 1, 2014, http://www.joc.com/regulation-policy/customs-regulations/us-customs-regulations/us-importers-poised-benefit-customs-intellectual-property-pilot_20141001.html.
- Journal of Commerce, New US Customs program addresses C-TPAT criticism, July 8, 2014, http://www.joc.com/regulation-policy/customs-regulations/us-customs-regulations/us-customs%E2%80%99-trusted-trader-program-seen-bold-step-forward_20140708.html.
- Journal of Commerce, New Cuba Port Could Become Hub for US Cargo, December 9, 2013, http://www.joc.com/port-news/us-ports/port-miami/cbp-aims-improve-cargo-clearance-miami_20131125.html.
- Journal of Commerce, CBP Aims to Improve Cargo Clearance at Miami, November 25, 2013, https://www.joc.com/port-news/us-ports/port-miami/cbp-aims-improve-cargo-clearance-miami_20131125.html.
- Yahoo Finance, Becker & Poliakoff Attorney Jennifer Diaz Recognized as OWIT 2011 Member of the Year, March 28, 2012, <http://finance.yahoo.com/news/becker-poliakoff-attorney-jennifer-diaz-140000474.html>.
- MSNBC, A Second Chance for Faulty Food? FDA Calls it “Reconditioning,” November 28, 2011, <http://vitals.nbcnews.com/news/2011/11/23/8982673-a-second-chance-for-faulty-food-fda-calls-it-reconditioning>.

Awards & Recognition

- 2015, “40 Under 40 Outstanding Lawyers of South Florida” award, Cystic Fibrosis Foundation
- 2015, Winner of 2015 AXA Advisors Global Businesswomen of the Year Award, Coral Gables Chamber of Commerce

- 2014, “Outstanding Committee Outreach Award,” Young Interest Network (YIN) Co-Chair, American Bar Association
- 2014, Woman of Outstanding Leadership, International Women’s Leadership Association (TheIWLA)
- 2014, International Women’s Day Honoree, World Trade Center
- 2013, Rising Star, Daily Business Review
- 2013, Top Rated Lawyer in International Law & International Trade, American Lawyer Media and Martindale-Hubbell™
- 2012-2015, Super Lawyers, Rising Stars List
- 2012-2015, AV Rated, Martindale-Hubbell
- 2012, “Outstanding 2012 Fall Meeting Program Award,” American Bar Association
- 2012, Selected to Participate in Becker & Poliakoff’s Leadership Program
- 2012, Becker & Poliakoff, “Community Service” Award
- 2012, Coral Gables Chamber of Commerce, “Model Star” Award
- 2011, OWIT Member of the Year
- 2011, OWIT-South Florida Chapter of the Year
- 2011, latinbiz Women of Virtue Award

Bar Admissions

- Florida

Court Admissions

- United States Court of International Trade
- United States District Court for the Southern District of Florida

Education

- Nova Southeastern University, J.D.
- University of Miami, B.A.