

ALBANY
 AMSTERDAM
 ATLANTA
 AUSTIN
 BOSTON
 CHICAGO
 DALLAS
 DELAWARE
 DENVER
 FORT LAUDERDALE
 HOUSTON
 LAS VEGAS
 LONDON*
 LOS ANGELES
 MEXICO CITY+
 MIAMI
 NEW JERSEY
 NEW YORK
 ORANGE COUNTY
 ORLANDO
 PALM BEACH COUNTY
 PHILADELPHIA
 PHOENIX
 SACRAMENTO
 SAN FRANCISCO
 SHANGHAI
 SILICON VALLEY
 TALLAHASSEE
 TAMPA
 TYSONS CORNER
 WASHINGTON, D.C.
 WHITE PLAINS

*Strategic alliance
 with an independent
 law firm***

MILAN
 ROME

Food Exports Allowed to Iran and Sudan Under New General License

On October 12, 2011, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) issued two important General Licenses (GLs) authorizing the export and reexport of "food" to Iran and Sudan, respectively. The new GLs effectively eliminate for certain items the one-year OFAC license requirement administered under the Trade Sanctions Reform and Export Enhancement Act of 2000, as amended (TSRA) (22 USC 7201 *et seq.*). The GLs are effective immediately.

The new GLs are limited in scope, and are available **only** for items that meet the definition of "food," which is defined as "items that are intended to be consumed by and provide nutrition to humans or animals in Sudan or Iran — including vitamins and minerals, food additives and supplements, and bottled drinking water — and seeds that germinate into items that are intended to be consumed by and provide nutrition to humans or animals in Sudan or Iran."

The GLs authorize the export and reexport of food to Iran and Sudan, receipt of payment for the exports and certain extremely limited related activities, such as making shipping arrangements and obtaining insurance.

The new GLs do **not** authorize the following:

- Export of alcoholic beverages, cigarettes, gum, live animals, fertilizer or certain other items specifically excluded from authorization;
- Export or reexport to Iranian or Sudanese military or law enforcement purchasers or importers;
- Transactions with Specially Designated Nationals (SDN);
- Other business activities such as marketing, training of distributors, new investment or other conduct involving food sales in Iran and Sudan.
- Export and reexport of medicine, medical devices, and agricultural commodities that do not meet the definition of "food."

These GLs are of particular importance to companies currently seeking and maintaining OFAC licenses to export and reexport food to Iran and Sudan, and to companies that may be interested in exporting food items to Iran or Sudan. Careful review of proposed transactions remains essential. Violations of the GLs could constitute U.S. sanctions and export control violations that are subject to civil, criminal and administrative penalties (including denial of export privileges).

Even with the available GLs, exporters are reminded to carefully review all proposed activities involving Iran and Sudan given the limited scope of the GLs, narrow definition of "food," remaining sanctions on related activities, and prohibitions against dealing with prohibited parties in a transaction.

This *GT Alert* was prepared by GT’s [Export Controls Group](#). Questions about these regulatory changes, or about other export controls or U.S. sanctions matters, can be directed to:

- [Kara Bombach](#) – 202.533.2334 (bombachk@gtlaw.com)
- [Michael Marinelli](#) – 202.530.8503 (marinellimx@gtlaw.com)
- [Renee Latour](#) – 202.533.2358 (latourr@gtlaw.com)
- [Julia Sorrentino](#) – 202.533.2376 (sorrentinoj@gtlaw.com)
- Or your [Greenberg Traurig](#) attorney

Greenberg Traurig’s [Export Controls Practice](#) places an emphasis on meeting both the transactional and U.S. regulatory requirements for clients selling internationally in highly regulated commercial, defense, aerospace and other high-tech sectors.

Albany 518.689.1400	Denver 303.572.6500	New Jersey 973.360.7900	Sacramento 916.442.1111
Amsterdam + 31 20 301 7300	Fort Lauderdale 954.765.0500	New York 212.801.9200	San Francisco 415.655.1300
Atlanta 678.553.2100	Houston 713.374.3500	Orange County 949.732.6500	Shanghai +86 21 6391 6633
Austin 512.320.7200	Las Vegas 702.792.3773	Orlando 407.420.1000	Silicon Valley 650.328.8500
Boston 617.310.6000	London* +44 (0)203 349 8700	Palm Beach County No. 561.650.7900	Tallahassee 850.222.6891
Chicago 312.456.8400	Los Angeles 310.586.7700	Palm Beach County So. 561.955.7600	Tampa 813.318.5700
Dallas 214.665.3600	Mexico City+	Philadelphia 215.988.7800	Tysons Corner 703.749.1300
Delaware 302.661.7000	Miami 305.579.0500	Phoenix 602.445.8000	Washington, D.C. 202.331.3100
			White Plains 914.286.2900

*This Greenberg Traurig Alert is issued for informational purposes only and is not intended to be construed or used as general legal advice. Please contact the author(s) or your Greenberg Traurig contact if you have questions regarding the currency of this information. The hiring of a lawyer is an important decision. Before you decide, ask for written information about the lawyer’s legal qualifications and experience. Greenberg Traurig is a service mark and trade name of Greenberg Traurig, LLP and Greenberg Traurig, P.A. ©2011 Greenberg Traurig, LLP. All rights reserved. *Operates as Greenberg Traurig Maher LLP. **Greenberg Traurig is not responsible for any legal or other services rendered by attorneys employed by the strategic alliance firms.+Greenberg Traurig’s Mexico City office is operated by Greenberg Traurig, S.C., an affiliate of Greenberg Traurig, P.A. and Greenberg Traurig, LLP.*