

Dec 09

ISF penalty phase begins in less than 46 days

Please be reminded that the importer security filing (ISF) will go into the penalty phase on January 26, 2010. The ISF applies to **all** merchandise arriving in the U.S. by ocean vessel. The “flexible enforcement period” will continue until then, but Customs has repeatedly stated that importers that did not make a good faith effort during the majority of this period will not be granted any mitigation when the penalty phase begins. The ISF is required to be filed with Customs **at least** 24 hours before the goods are loaded on the vessel in the foreign port. This means we must have the information at least 3 working days prior to vessel loading to insure a timely, accurate, and complete ISF for you. This will help to avoid penalties, and further, if the ISF has not been filed 24 hours prior to loading, Customs will issue a “Do not load” message for your cargo, probably resulting in demurrage charges in addition to a penalty.

Also, **ONLY** the party filing the ISF can change it should that be necessary. Because the “ISF importer” is responsible for the filing, and because the information on the ISF and the Customs entry must match, we recommend that you allow us, your customs broker, to file your ISF’s. To avoid potential penalties, please contact us immediately with any questions or issues with the ISF.

GSP, ATPA and ATPDEA to expire at year end

Please be reminded that the Generalized System of Preferences (GSP), the Andean Trade Preference Act (ATPA), and the Andean Trade Promotion and Drug Eradication ACT (ATPDEA), are all set to expire December 31, 2009. We are doubtful of renewal this year. Historically, Congress has retroactively renewed these special access programs, but if not renewed before December 31, importers must pay duty beginning January 1, 2010.

Manifest data is publicly available

A ship’s manifest is in the public domain, and several services gather and sell this information. If you want your manifest information kept confidential, we can file a request with Customs to not release it. Please contact us, and we will gladly file the request.

British Airways announces new cargo screening fee

British Airways World Cargo announced on Dec 7 it would implement a screening charge of USD0.05/kg on actual weight for USA originating freight, effective December 21st, 2009. The charge is based on the execution date on the Air Waybill and will be listed on the AWB due carrier separate from EHC fee.

The screening charge is in response to the screening mandate that took effect February 1st, 2009, requiring 50% screening of cargo on all passenger aircraft. A further increase to 100% screening is required in August 2010. Look for other carriers to follow suit.

Trade name registration with Customs

If your trade name is registered with the U.S. Patent & Trade Office, we urge you to register it with Customs as well. They will help keep unauthorized or counterfeit product from entering the country. Please contact us if you wish to register with Customs.

Please contact us with any questions.

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