



“U.S. Customs’ Basic Procedures for Importing to the United States”

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Introduction to U.S. Customs



U.S. Customs Structure

- Is one of 40 U.S. Government Agencies that regulate International Traffic and Trade.
- Delegates it's operations across 20 Customs Management Centers (CMCs) throughout the U.S.
- Each CMCs governs unique Ports of Entry where Importations are processed.
- In 2010, Los Angeles and Long Beach Ports of entry moved a combined volume of 14,095,401 Teus; Ranked #1 in the U.S and #6 in the world.



U.S. Customs Responsibilities

- Regulates and manages the movement of people, carriers, and commodities in and out of U.S.
- Assesses and collects Duties, Taxes, and Fees on international trade.
- Investigates and prevents the import of illegal and hazardous materials into the U.S.
- Investigates and prevents the illegal trafficking of arms, currency, and terrorist activities through U.S. Ports of Entry.



Expectations on Importers and Exporters



Modernization Act

- Customs enforces at least 400 laws and regulations.
- The most important one that changes the way Customs and the Import community conduct business is the "Modernization Act"
- It is the shared responsibility between Customs and the International Trade Community
- U.S. Customs is required to communicate all legal requirements that the Import community is expected to follow. This is called "Informed Compliance".
- And Importers is expected to take "Reasonable Care", per Customs' definition, in following and meeting those requirements.
- Expeditious flow of trade is achieved; Customs and Importers' needs are satisfied.



Reasonable Care per U.S Customs, Part I

- Retain an expert on U.S. Customs and Importing (ex. Customs Broker or Lawyer) or other access to Customs Laws and Regulations.
- Retain someone in your organization who can review and correct Customs Documentation for Accuracy and Completeness.



Reasonable Care per U.S Customs, Part II

- If Merchandise is eligible for reduced, free, or any special tariff classification, make sure you have documented proof
- Ensure assists, commissions, rebates, and royalties are included in price.
- Ensure correct Country of Origin
- Check if Merchandise is subject to Quotas and/or Visa requirements



Reasonable Care per U.S Customs, Part III

- Make sure Merchandise complies with other agencies requirements (FDA, USDA, EPA, etc.)
- Check if merchandise subjects to Anti-dumping duty or Countervailing duty according to Department of Commerce.



Supplier Responsibilities

- Accurately complete Commercial Invoice with detailed product description and all required information
- Mark and number each package so they corresponds with invoice
- Mark Country of Origin, unless exempted.
- Comply with ANY special U.S. laws that may pertain to the merchandise (alcohol, food, drugs)
- Establish reliable export procedures; incorrect importations are subject to delays, fines, or sanctions



Clearance Procedures



U.S. Customs Brokers

- Merchandise may be cleared through Customs by the Owner, Purchasers, Authorized regular employees, or a U.S. Customs Broker
- U.S. Customs Brokers are licensed by U.S. Customs to prepare and file Customs Entry, pay Duties, and other task related to releasing Goods and other Customs matters on behalf of Importers.
- U.S. Customs Brokers must be given Power of Attorney by Importers to do this.



The Clearance Process, Part I

- U.S. Owner, Purchaser, or Customs Broker must file Documents for clearance when shipment arrives
- Documents include those that let Customs determine if merchandise may be released, and those that assess duty and statistics
- Imported merchandise is not legally entered the U.S until U.S. Customs authorizes delivery and all Duties are paid.



The Clearance Process, Part II

Merchandise that arrives in the U.S. can be processed in 3 different ways:

- It can be entered for immediate delivery and consumption.
- It can be placed in bonded warehouse at the Port of Arrival.
- It can be transported In-Bond to another U.S. Port of Entry.



The Clearance Process, Part III

- Documents must be filed within 15 days of a shipment's arrival at Port of Entry.
- After shipments are Released by U.S. Customs, another documents (Entry Summary for consumption, form 7501) must be filed, and all Estimated Duties must be paid within 10 Days.
- If no document is filed within 15 Days, Customs can put the cargo into Customs bonded-warehouse at importer's expense, and auction the merchandise after 6 Months.



Documents for Customs Clearance

- Customs Form 3461 (Immediate Delivery)
- Evidence of Right to Make Entry (Bill of Lading & Arrival Notice)
- Commercial Invoice
- Packing List
- Additional Documents and Certificates needed to determine merchandise's Release Eligibility.
- Evidence of Posted Bond to cover any potential duties, taxes and other charges.



Mail Entries

- Certain Merchandise valued \$2000 or less can be sent into the U.S. via Mail.
- Duties, Fees, and Clearance is assessed by the Letter Carrier.
- There are exceptions to some products such as Footwear, Toys, Articles of Leather, Pillows and Cushions which have a \$250 limit.
- Textile products must be cleared through the same procedure as shipment arrived by air or ocean, regardless of value.



Customs Duties and Quotas



Customs Valuation

The value of imported merchandise is the price actually paid or payable for the merchandise when sold for exportation to the U.S.

Plus:

- The packaging costs
- Any selling commission incurred by buyer
- The value apportioned as appropriate of any assist
- Any royalty or license fee related to the imported merchandise.
- Costs of transportation and insurance incurred with respect to international transportation, are not subject to import duties



Assessment of Duties

- All products imported to the U.S. are subject to classifications which determine the amount of Duties due to them, or if they are free.
- “Harmonized Tariff Schedule of the U.S.” details the amount of Duty that applies to every item and merchandise that enters the U.S.



Classification of Merchandise

Products are classified by:

- Item Descriptions which name them
- General Descriptions
- Components and Material
- Intended, Actual, or Principal Use of the product in the U.S.



Types of Duty

There are 3 Types of Duties:

- Ad Valorem: Rate based on set percentage of the merchandise's total commercial value (ex. 5% of total merchandise value)
- Specific Rate: Rate levied per unit or weight (ex. 5 cents per Kg.)
- Compound Rate: Combination of Ad Valorem and Specific Rate (ex. 5% of merchandise value AND 5 cents per dozen units)



Import Quotas

- U.S. Customs may impose a quantity control, or **Quota**, on imported merchandise over a certain time period.
- There are two types of Quotas: **Absolute** and **Tariff-Rate**
- Shipment is not qualified for quota status until document has been submitted to Customs and the merchandise is located within U.S Port.



Absolute Quota

- **Absolute quota:** No more than the amount specified will be permitted entry during a quota period.
- Some absolute quotas are global, while, others are allocated to specified foreign countries.



Tariff-Rate Quotas

- **Tariff-rate Quota:** Allows entry of a specific quantity of a product at reduced rate of duty during a given period.
- No limit on the amount of product that may be entered during the quota period, but quantities entered that exceed the quota are subject to Higher Duty based on date and time document for clearance is filed.



Tariff-Rate Quota, Part I

- Anchovies
- Brooms, Corn Brooms
- Ethanol alcohol
- Lamps,
- Line pipes
- Milk and cream, dried, condensed or evaporated milk
- Olives
- Mandarins
- Tuna,
- Peanuts, Peanut butter and paste



Tariff-Rate Quota, Part II

- Sugar (include sugar cane)
- Articles containing more than 65 percent by dry weight of sugar
- Articles containing more than 10 percent by dry weight sugar
- Blended syrups
- Cocoa powder, chocolate
- Mixes and doughs



Tariff-Rate Quota, Part III

- Mixed condiments and mixed seasonings
- Ice cream
- Animal feed
- Cotton
- Fibers of cotton
- Wire rod



Antidumping and Countervailing Duties

- To protect the Domestic Economy from unfair trade or practices, U.S. Customs enforces Antidumping and Countervailing Duties on certain Imported Merchandise.
- Antidumping Duties are assessed on imports that are sold in the U.S. at less than their fair/foreign market value.
- Countervailing Duties are assessed on imports that are subsidized or sold at less than fair value and considered a threat to domestic industries.



Liquidation, Part I

- U.S. Customs can review and reassess any documents submitted for clearance, or samples of the imported products within 1 year after the released date
- Customs can audit and dispute the original classification and value of the merchandise.
- U.S. Customs can then formally invoice Importers the new value.



Liquidation, Part II

- After Liquidation occurs and U.S. Customs issues a new invoice, Importers can pay the new amount or file the protest with Customs within 90 Days.



Damaged and Deteriorated Goods

- If the Merchandise is completely damaged and has no commercial value by the time it arrives at a Port of Entry, U.S. Customs will waive Duties
- For Perishable Goods that have deteriorated in value, allowances in Duty can be made if U.S. Customs is notified within 96 hours of unloading the merchandise and before it's left the Pier.



Customs Examinations



Customs Evaluation and Examination of Shipments, Part I

- The value of the products and their dutiable status
- Are products marked with correct Country of Origin?
- Do Shipments contain any Prohibited Articles or Illegal Narcotics?
- Are products correctly Invoiced and contain the accurate invoice quantity?



Customs Evaluation and Examination of Shipments, Part II

- Do products comply with the standards and regulations of other Government Agencies (ex. FDA, EPA, or USDA)?
- Are there any discrepancies or reason to believe that the Importer or Shipper were negligent in their handling and documentation of the merchandise?
- What is the trade-sensitivity of the Merchandise.



Exam Fees Sample

1. A-TCET ENFORCEMENT EXAMINATIONS:

General merchandise in cartons, or palletized / unitized cargo.
FULL CONTAINER LOAD CARGO (FCL)

CONTAINER SIZE	20'	40'	45' to 48'
MIN. to 1/3 DEVAN	\$295.00	\$340.00	\$370.00
up to 2/3 DEVAN	\$370.00	\$485.00	\$520.00
FULL DEVANNING	\$445.00	\$610.00	\$690.00

2. C.B.P, C.B.P.A., FDA, REFRIGERATED & EXTRA HANDLING EXAMINATIONS

FULL CONTAINER LOAD CARGO (FCL):

Applies to containers requiring examination of refrigerated cargo, herbs and merchandise not in cartons i.e. baskets, bags, loose furniture, rattan ware, bales, rolls, household goods, personal effects, loose auto parts, machinery, equipment, tires, tiles, and fiber or plastic drums (not palletized).

CONTAINER SIZE	20'	40'	45' to 48'
MIN. to 1/3 DEVAN	\$340.00	\$370.00	\$410.00
up to 2/3 DEVAN	\$485.00	\$595.00	\$650.00
FULL DEVANNING	\$545.00	\$785.00	\$860.00

3. FACILITY CHARGE : \$350.00

A \$350.00 fee will apply to full container (FCL) examinations in addition to all other examination charges. This charge covers facility operational requirements and usage, maintenance costs, in and out interchanges, security 24/7/365 with access, yard handling specialized equipment and cargo liability.
This charge will not apply to less-than-container load (LCL) examinations.

3A. SEIZURE / FORFEITURE FEE: \$50.00

To cover the costs of handling, storage and manipulation of seized shipments that are forfeited and destroyed with no proceeds available to cover costs for which C.E.S. services were provided.



Other Things to Know Regarding U.S. Customs



Labeling of Textile Products

- All textiles must be marked, stamped, tagged, or labeled with the following information:
- Generic names and percentages by weight of fibers
- Exclusive of permissive ornamentation, fibers present in the amount of five percent or less must be designated as “other fibers”.
- Name of manufacturer or name or registered identification number issued by FTC.



Trademarks, Trade Names, and Copyright

- Articles bearing counterfeit trademarks are subject to seizure and forfeiture.
- A personal exemption is provided for articles accompanying any person arriving in the U.S. when such articles are for personal use and not for sale.
- Only one item of each type is permitted. An individual may take advantage of this exemption only once within 30 day period.



Miscellaneous Prohibited Merchandise

- Jadeite and Rubies from Burma
- White or yellow phosphorus matches
- Pepper shells, Ground or Unground
- Switchblade knives
- Ivory
- Impure Teas



Fraud

- Attempts to import merchandise into the U.S. with false material and electronically transmitted data, written or oral statement, document or act, or by any omission which is material, will incur a monetary fine, subject merchandise to seizure, the possibility of imprisonment for up to two years, and many other sanctions.



Additional Information Required for Commercial Invoices



Additional Information Required for Commercial Invoices

Articles manufactured of textile materials, coated or laminated with plastics or rubber

- Include a description indicating whether the fabric is coated or laminated on both sides, on the exterior surface or on the interior surface.



Additional Information Required for Commercial Invoices

Bags manufactured of plastic sheeting and not of a reinforced or laminated construction :

- Indicate the gauge of plastic sheeting

Beads:

- Indicate the length of the string if strung, the size of the beads in millimeters, and if beads are made of ex. Ivory, glass, or imitation pearl..etc.



Additional Information Required for Commercial Invoices

Bed Linen and Bedspreads:

- Indicate whether or not the article contains any embroidery, lace, edging, trimming, or appliqué

Footwear:

- Furnished information on CF5523 footwear detail

Cotton Fabrics

- Indicate marks and numbers on shipping packages, exact width, if bleached or unbleached, the number of single threads per square centimeter, and yarn size in the warp.



Additional Information Required for Commercial Invoices

Earthenware or Crockery Ware:

- Includes white granite, semi porcelain earthenware, stoneware, terra cotta and china, but NOT including common brown, gray, red, or yellow earthenware.
- If in sets, detail the kind of articles in each set, the exact maximum diameter in centimeters, of each size of all plates in the shipment, and the unit value for each style and size of plate, cup, saucer, or other separate piece in the shipment.



Additional Information Required for Commercial Invoices

- **Glassware and other glass product:** Indicate the value of each component article in the set
- **Gloves:** Indicate the level of texturing on the fabric and materials.
- **Handkerchiefs:** Indicate the exact dimensions (length and width). If cotton, indicate if it is hemmed, or contains lace or embroidery.



Additional Information Required for Commercial Invoices

Paper:

- The weight of paper in grams per square meter
- The thickness in micrometers if imported in rectangular sheets
- Length and width
- If imported in strips, or rolls, the width in cm.
- If coated or impregnated, and with what materials



Additional Information Required for Commercial Invoices

Plastic plates, sheets, film, foil and strips:

- State whether the plastic is cellular or non cellular, type of plastic, flexible or non flexible, and whether combined textile or other material.

Printed Matter:

- State what kind of books they are (ex. dictionaries, encyclopedias, textbook, newspaper) and if they are paperbound or hardbound

Rubber Products:

- Statement as to whether combined with textile or other material, cellular or non cellular, whether vulcanized or not, hard rubber or not



Additional Requirements for Commercial Invoices

Woven fabric of man-made fibers:

- State the exact width of fabric, detailed description of fabric, bleached or unbleached, if composed of more than one material, list percentage, identify the man-made fibers as artificial or synthetic, filament or staple, yarn size, and how the fabric is woven.



Additional Requirements for Commercial Invoices

Wearing Apparel:

- Component material breakdown in percentage by weight for outer (shell) and lining
- Knit or Not Knit
- If yarn dyed and whether there are two or more colors in the wrap for all-white T-shirts and singlets.
- Indicate whether or not it contains pockets, trim, or embroidery.



Additional Information Required for Commercial Invoices

Textile Fiber Products:

- State the combination of fibers in textile fiber product, the percentage of each fiber, name or other identification registered with the FTC of each fiber manufacturer, and name of country where the final product was processed or manufactured.

Rubber or plastic Tires and Tubes for Tires:

- Specify the kind of vehicle they're intended for.



Additional Information Required for Commercial Invoices

- **Hat or headgear:** State whether or not the article has been bleached or colored, and whether or not the article is sewed or not sewed
- **Iron or Steel:** State the percentage, by weight, of carbon and metallic elements in the article, based on mill analysis
- **Machines, equipment:** State the kind of machine or parts are intended for which machine.



Food and Drug Administration Rules and Regulations



Food and Drug Administration, Part I

Products Regulated by the FDA:

- Food and Beverages
- Dietary Supplements
- Food Additives
- Food Contact Substances
- Drug
- Cosmetics
- Medical Devices
- Biologics (human tissue and blood)
- Radiation Emitting Devices (electronics)
- Tobacco
- FDA also regulates animal products



Food and Drug Administration, Part II

- FDA prohibits articles that are adulterated, misbranded with misleading or false information, defectives, unsafe, filthy, or produced under unsanitary conditions.
- FDA also prohibits pharmaceuticals not approved by FDA.
- Imported products are subject to inspections at time of entry.
- Non-compliant are subject to refusal. They must be brought to compliance, destroyed, or re-exported.



Food Safety Modernization Act (FSMA)

- President Obama signed FSMA into law on January 4, 2011
- FSMA shifts responsibility for verifying safety of imported food to the importers and will eventually require all facilities engaged in the handling of food (manufacture, processing, packaging, holding) to register with FDA and be available for inspection by them.



FSMA Reinspection and Recondition Fees

- In order for Reinspection and Reconditioning to occur, FDA representatives must oversee the project.
- In instances where travel to food facilities in U.S. territories is required, the food facility will be charged \$224 per hour. Where foreign travel is required, the rate is \$325 per hour.
- The Food Facility will also pay for travel, surveys, reports, label examinations, and other expenses required for compliance to be met.



FSMA Automatic Detention Fee

- Importers will be charge where food is detained by an Import Alert and proof is offered to show that the shipment is not adulterated.
- When Exporters apply for removal of an Import Alert they will be charged hourly for evaluating the application, including the cost of inspecting the foreign facility if needed.



FDA Prior Notice of Food Shipments

- FDA must receive prior notice before food is imported into the U.S.
- For shipment arriving by air, prior notice must be submitted no less than 4 hours before arriving, and by water, must be submitted at least 8 hours before arriving at the port of arrival.



Information Required from Shipper for FDA Prior Notice

- Product description
- Estimate quantity
- Manufacturer's name
- Registration number
- City, and country of production.
- If the food is in natural state: name of grower and growing location, if known.



FDA Classification of Drugs and Cosmetics

- **Drug** – An article “intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease” or “intended to affect the structure or function of the body”.
- **Cosmetic** – An article intended to be “applied to the human body for cleansing, beautifying, promoting attractiveness, or altering the appearance.”



Drugs v.s. Cosmetics

- The intended use of a product determines whether it is a “drug”, a “cosmetic, or both. An “unapproved new drug” might be a cosmetic product or dietary supplement that has been labeled in a way that causes FDA to deem it a “drug”. Cosmetics must be labeled properly, registration of Cosmetic Establishments and filing of cosmetic product ingredient statement are voluntary.



Establishing Intended Use

- Claims stated on the product labeling, in advertising, on the internet, or in other promotional materials.
- Consumer perception, which may be established through the product's reputation.
- Ingredients that may cause a product to be considered a drug because they have a well-known (to the public and industry) therapeutic use.



Cosmetics That Are Also Drugs

- Cosmetics that claim to affect the structure or functions of the body are regulated as both drugs and cosmetics, and must meet labeling requirements for both.
- These products must be scientifically proven safe and effective before it is marketed. If the product has not been proven, FDA considers it to be misbranded drug and can take regulatory action.
- A firm may consider certain claims or ingredients to be cosmetics while FDA may consider them to be drugs. In some cases, the differences of opinion may require litigation. (ex. Dandruff shampoos, fluoride toothpastes, sun –block, or foundations with sunscreens)



Herbal Medications

- Herbal medications include herbal teas, mixtures of herbs, vitamins, minerals, amino acids, etc.
- FDA regards herbal products labeled for the cure, treatment, or prevention of disease to be drugs which require approval by FDA for importation and marketing in the U.S.
- FDA may allow some product to be re-labeled by removal of drug claims.



Dietary Supplements

- A Dietary Supplement is a product intended for human consumption to supplement a diet and contains one or more of the following ingredients: vitamins, minerals, herbs or other botanicals, amino acids, or any other dietary substance.



Hazard Analysis and Critical Control Point (HACCP)

- Processor have to examine their facility to for food safety hazards likely to occur for each kind of fish and fishery product processed, and identify preventive measures apply to control hazards.
- HACCP regulations also apply to imported low acid canned food or acidified foods. Importer must verify seafood products imported into the U.S. were processed in accordance with HACCP 's requirements. Foreign processors unable to verify can be placed on automatic detention list.



Good Manufacturing Practice Regulations

- FDA will determine if food has been manufactured, packaged, or held under conditions that make food unsafe and unfit for consumption or been exposed to contamination that would be hazardous to humans.



Reasons for Inspections and Fines by FDA

- Incorrect declarations to FDA
- Circumvention of import alerts
- Repeatedly importing violated articles
- Selling refused products by substituting articles during export or destruction verification exam
- Prematurely distributing articles prior to receiving formal release from FDA.



Automatic Detention

- FDA is allowed to detain cargo without physical examination.
- Can be based on history of violations, failure to meet appearance standards set by FDA guidelines, Import Alert, manufacturer, country, or product itself.



Common Reasons for Refusal

- Labeling issues
- FCE issues
- Unapproved New Drug
- Adulteration
- Insanitary manufacturing,
- Filing of lists of drugs and devices
- No license, registration, or importation is restricted
- Refused articles must be exported or destroyed under Customs' supervision.



Types of Food Processing (FDA)

Part I

- Raw: Product is in its natural state, may include such functions as waxing, polishing, etc. that make the raw product appear better. Product may be fresh packaged, refrigerates, or frozen. Examples: fresh fruit and vegetables, shelled nuts.
- Dried: Product is either dried naturally or by using heat, cold, or chemical. Examples: dried fruit mixes, and raisins.
- Cured or Cultured – Product is culture, fermented, salted (brined), pickled, smoke cured, sugar cured, or has enzymatic reaction which may be the resulted of naturally occurring enzymes or chemicals. Examples: naturally fermented pickle products, or pickled mustard green.



Types of Food Processing (FDA)

Part II

- Canned: Product is packed in hermetically sealed containers and heated to achieve commercial sterility. FDA require processors of low- acid canned food and acidified foods to register their establishment and file their thermal processes with FDA. Examples: canned vegetable (beans, mushrooms, canned tuna, canned sardines). However some of canned fruit, pickled vegetable products do not fall within this process because they are not heated to achieve commercial sterility.
- Acidified foods: Low-acid food to which acid (s) or acid food(s) are added to reduce the PH to 4.6 or lower and the water activity greater than 0.85; these foods include beans, pickle cucumbers, cabbage, and tropical fruits.



Food Not Covered Under Low-Acid Canned Food Regulation, Part I

- Acid foods (natural or normal PH equal 4.6 or below)
- Alcoholic and Carbonated beverages
- Fermented foods (when the PH of the food is reduce to 4.6 or less by the growth of acid producing microorganisms)
- Foods with Water Activity of .85 or Bellow



Food Not Covered Under Low-Acid Canned Food Regulation, Part II

- Foods not packaged in hermetically sealed containers
- Jams, Jellies, or Preserves
- Non-Thermally processed foods
- Foods labeled perishable
- Refrigerated or Frozen Foods



How to Avoid Delays or Detention of Acidified and Low-Acid Canned Foods

Exporters should ensure that invoices, packing lists, or shipping documents include the following information:

- Name and address of the processing establishment as registered with FDA.
- Food Canning Establishment (FCE) number, and process filing (SID) number.
- Product name, form or style, and packing medium as printed on label and also as listed on the filing form. Examples: Tuna (chunk style) in oil, Sardines in tomato sauce, mushrooms (sliced) in brine.
- Container type, can, or glass jar.
- Container dimension for each type, or size in inches



Department of Agriculture Rules and Regulations



Department of Agriculture

Plant and Plant Products:

- Subject to regulations of Department of Agriculture and may be restricted or prohibited.
- Plants and plant products include fruits, vegetables, plants, roots, seeds, cut flowers.
- Import permits are required.
- FDA also regulates plant and plants product, particularly, fruits and vegetables.

Seeds:

- Some Seeds are prohibited or restricted
- Shipments are detained pending the testing of samples



Department of Agriculture

Meat, Meat Products, and Poultry:

- Are prohibited for importation from Thailand
- This includes any packaged food products that may contain small amounts of meat.



Department of Agriculture

Fresh Fruits, vegetables, and nuts:

The following is a list from January 2011 by the USDA of approved fresh fruits and vegetables that are allowed to be imported from Thailand into the U.S. with some restrictions.

THAILAND

ALL	GUAM and CNMI
<p> <i>Allium</i> spp. (bulb) Amaranth (above ground parts) Asparagus (shoot), T101-b-1-1⁵ Basil (leaf, stem) Dasheen (corm, leaf, stem) Durian Eryngo (leaf) Galanga (root) Litchi (fruit or cluster of fruit) (commercial consignments only) T105-a-2 ^{1 2 3} Longan (fruit or cluster of fruit) (commercial consignments only) T105-a-2 ^{1 3 4} Lotus root (seed pod) Mango (fruit) (commercial consignments only) T105-a-2 ^{1 4} Mangosteen (fruit) (commercial consignments only) T105-a-2 ^{1 4} Pineapple (fruit) (commercial consignments only) T105-a-2 ^{1 4} Rambutan (fruit) (commercial consignments only) T105-a-2 ^{1 4} Turmeric (leaf, stem) Yam (tuber), T101-f-3 ⁵ </p>	<p> Asparagus Carrot (root) Celery Lettuce Pineapple ⁶, smooth Cayenne ⁷ cultivar only Radish </p>

- 1 Fruits must be precleared and pretreated (Irradiated) with T105-a-2 in Thailand. The Preclearance Form 203 confirming irradiation must be presented at the time of entry.
- 2 Consignments of litchi must be accompanied by a phytosanitary certificate with two additional declarations stating that:
 - ◆ "The fruit has been treated with irradiation in Thailand."
 - ◆ "The litchis were inspected during preclearance activities and found free of *Peronophythora litchi*"
See the Special Procedures for Precleared Irradiated Fruits and Vegetables.
- 3 Litchi and longan are PROHIBITED ENTRY into Florida. Cartons must be stamped, "Not for importation into or distribution within FL."
- 4 Consignments of longan, mango, mangosteen, pineapple, and rambutan must be accompanied by a phytosanitary certificate (PC) with and an additional declaration (AD) stating that "The fruit has been treated with irradiation in Thailand."
See the Special Procedures for Precleared Irradiated Fruits and Vegetables.
- 5 Because treatment is required, HOLD consignment and CONTACT PPQ through proper channels.
- 6 Pineapples are PROHIBITED ENTRY into Hawaii.
- 7 Only varieties which are at least 50 percent smooth Cayenne by lineage are admissible. The importer or the importer's agent must provide the officer with documentation that establishes the variety's lineage. This document is necessary only with the first importation.





Department of Agriculture

Solid Wood Packing Material:

- Must be completely free of bark and in actual use as packing materials at the time of import, and must be accompanied by an importer statement verifying that solid wood packing materials are totally free of bark and live plant pests.



Department of Agriculture

Phytosanitary Certificates

- Plant and plant product imports must have official documentation issued by the exporting country that certifies that the product is free from pests.
- A Phytosanitary Certificate is not the same as an import permit.
- A Phytosanitary Certificate also does not exempt the product from further detention or examination at the destination port.



Extra Requirements by Other U.S. Government Agencies



Federal Communication Commission (FCC) Requirements

Radio Frequency Devices:

- Radio, tapes recorders, stereos, televisions, citizen band radio, other communications devices are subject to FCC standards.
- Products require FCC declaration (FCC 740) certifying that the device conforms to, will conform to, or is exempt from FCC requirements



Department of Energy Requirements

- Department of Energy is responsible for testing certain household appliances for energy performance. The Federal Trade Commission regulates labeling of appliances.
- Examples: Refrigerators, Air-conditioners, Water heaters, Dishwashers, Clothes washers, Heating equipment, Fluorescent lamps.



Consumer Product Safety Commission Requirements (CPSC), Part I

- U.S. Consumer Product Safety Commission (CPSC) will determine if merchandise is safe enough for entry and use within the U.S.
- Products deemed substantially unsafe, short of standards, or inadequately labeled for safe use will be refused entry.



Consumer Product Safety Commission Requirements (CPSC), Part II

Toys and Children Articles:

- Products intended for children 3 years or younger must not have small parts that present a choking hazard
- Products for 3-6 years must have warning labels if small parts are present
- Electric toys, rattles, pacifiers, and cribs are also subject to additional specific safety regulations.



Consumer Product Safety Commission Requirements (CPSC), Part III

Lead in Paint:

- Paint and other surface coating materials intended for consumer use are banned if they contain more than 0.06% lead.
- This ban also applies to other articles such as furniture, toys, with paint that exceeds 0.06% lead.



Consumer Product Safety Commission Requirements (CPSC), Part IV

Bicycles and Bicycle Helmets:

- Must meet regulations under the Federal Hazardous Substances and Helmets and Consumer Product Safety Compliance.
- Also need to have Certificate of Compliance.



Consumer Product Safety Commission Requirements (CPSC), Part V

Flammable Fabrics:

- Any articles of wearing apparel, fabric or interior furnishing must be conformed to an applicable flammability standard issued under the Flammable Fabrics Act.
- This covers general wearing apparel, children's sleepwear, mattress, carpets and rugs.



Consumer Product Safety Commission Requirements (CPSC), Part VI

Art Materials:

- Must meet labeling requirements of Hazardous Art Materials
- Needs certificate that they have been reviewed by a toxicologist for identifying known hazards.

Cigarette Lighters:

- Disposable and novelty cigarette lighters must meet a safety standard that required them to be child-resistant.



Dept. of Alcohol, Tobacco, and Firearms (ATF) Requirements

Alcoholic Beverages

- Must also have an importer's basic permit from the Bureau of Alcohol, Tobacco and Firearms.



Environmental Protection Agency (EPA) Requirements

Toxic Substances:

- The manufacturing, import, processing, distribution, use, or disposal of any chemical substance mixture must meet standards and certification under Toxic Substances Control Act (TSCA)
- Products that require TSCA certification include food, drugs, cosmetics, and pesticides.



Closing



Disclaimer

While this presentation gives a general overview of current U.S. Customs rules and procedures, please note that U.S. Customs regularly revises their rules and regulations, and every shipment can fall under unique requirements and circumstances. Be sure to consult Customs experts and resources for the most up to date information when importing to the U.S.



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