



EXCELLENCE. SIMPLY DELIVERED.



UNITED STATES CUSTOMS IMPORT INDUSTRY GUIDE

Updated October 2020



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DHL EXPERTISE

BENEFIT FROM DHL'S RECOGNIZED INTERNATIONAL EXPERTISE

Whether importing or exporting to any of hundreds of international markets, DHL has the experience and services to handle it all.

- Licensed Customs broker in U.S. with on-site Customs clearance at all international gateways
- Progressive training for Customs brokerage agents ensuring DHL is up to date on regulatory matters and industry trends
- Extensive country-by-country knowledge of current Customs regulations through our in-house experts
- Long standing relationship with Customs authorities to enable fast Customs clearance

Thanks to our 'Cleared in Air' process (CIA), the majority of all dutiable shipments are cleared prior to arrival in the U.S.

DHL has dedicated operations personnel at the gateways who examine the paperwork and enter the data into our systems while the shipments are in the air. Then the paperwork is transmitted electronically to the destination gateway before the shipments arrive.



DHL EXPERTISE

LICENSED CUSTOMS BROKERS

- To import shipments into the United States, a “Licensed Customs Broker” must be appointed to facilitate the process between Customs and the consignee
- Unlike other companies and most freight forwarders, DHL Express U.S. has this license internally. This means that the Customs process is controlled “in-house” and not contracted out to a third party
- This ensures faster turn-around and better control of the process



CERTIFIED CUSTOMS SPECIALISTS

In addition to our staffed Licensed Customs Brokers, DHL employs nearly 150 Certified Customs Specialists (CCS). The CCS designation is an industry recognized standard demonstrating progressive knowledge suited to proper import compliance. The CCS is earned via the National Customs Brokers and Freight Forwarders Association (NCBFAA) by attending NCBFAA sponsored events covering critical aspects of the import process.

DHL actively supports employees in this personal development, allowing our customers to recognize and benefit from DHL's commitment to the highest level of compliance competence.

INTERNATIONAL TRADE AFFAIRS AND COMPLIANCE

For Customs brokerage services, trade regulatory compliance and trade promotion services, rely on DHL Express U.S.'s International Trade Affairs and Compliance (ITAC) team. ITAC is the DHL Express U.S.'s licensed corporate Customs broker and supervises all DHL Express U.S. Customs brokerage activities.

International Trade Affairs & Compliance (ITAC)
Contact Information:
Phone: 1.859.817.8010
Email: Tradecompliance.usa@dhl.com

GENERAL REQUIREMENTS

POWER OF ATTORNEY

The Power of Attorney (POA) is the foundation on which Customs brokerage business is built. In some Customs clearance situations, DHL needs a properly-executed POA to clear the goods in your name and to prepare the necessary Customs documents to ensure a smooth clearance process.

POAs are normally only needed when performing formal entries and restricted informal entries. (See Types of Clearance Section 6 and the following POA required situations). DHL must have the POA on file before these types of clearances can begin. It is therefore important to have the POA executed well in advance of arrival in order to prevent clearance delay. DHL will then hold the POA on file as determined by law or by a date determined by the Importer of Record.

Once a POA is completed nominating DHL as the broker, the company who executed the POA, is referred to as the Importer of Record (IOR) and DHL acts as their representative to US Customs. We then take care of the detailed steps necessary to ensure a seamless transaction and to provide you with a single source for your shipping needs.



DHL requires POA for the following clearance situations:

When the consignee requests that entry be processed in their name

Foreign-made goods valued over \$100,000

American goods returned valued over \$10,000

All goods returning to the United States after having been exported for exhibition, used abroad, repaired abroad, further processed abroad, etc.

Shipments containing alcoholic beverages and/or tobacco products

Shipments containing civil aircraft parts (including HTS 8803 and civil aircraft agreements)

All shipment entries that are required to be flagged for Reconciliation

Shipments that require these special types of formal entry:

- Temporary Importation Bonds (TIB)
- Antidumping Duty (ADD)
- Countervailing Duty (CVD)
- Department of State (DOS), including ITAR exemptions
- Toxic Substances Control Act (TSCA)
- Rough Diamonds
- Live Entry
- Shipments subject to Quota/Visa requirements
- Tuna shipments requiring NOAA filing

Shipments of goods regulated by Food and Drug (FDA), Fish & Wildlife (FWS), US Dept of Agriculture (USDA), and Partner Gov't Agency (PGA) valued over \$5,000 USD

Shipments entered duty free under various International Trade Agreements (e.g. GSP, USMCA, DR-CAFTA, Singapore FTA, etc.) when:

- For all textile shipments over \$5,000
- For all non-textile shipments over \$50,000

When an entry is processed for goods that are not legally marked

When assists, royalties, and/or commission are included in the total entered value of an invoice

Shipments for first-time customers generating high duty (\$5,000 USD for businesses and \$2,000 USD for individuals)

Shipments that generate over \$20,000 USD in duty

GENERAL REQUIREMENTS

EMPLOYER IDENTIFICATION NUMBER (EIN), INTERNAL REVENUE SERVICES TAX NUMBER (IRS) OR PORT ASSIGNED NUMBER

All U.S. Customs brokers are required to report the consignee's Employer Identification Number (EIN) or IRS number when the clearance is in that company's name. The Importer of Record's EIN or IRS is provided during the execution of the Power of Attorney (POA), which is a requirement by U.S. Customs & Border Protection (CBP).

When the IOR does not have an EIN or IRS number, a Customs Assigned Number can be obtained. Typically, these customs assigned numbers are for foreign importers of Record and DHL can assist customers with this process.

Since CBP requires an accurate EIN or IRS number; DHL requests certain documentation to validate those numbers. Validation not only protects CBP and DHL, but more importantly, it protects our customer's identity. As this validation is fundamental to the POA execution process, the following types of proof should be provided simultaneously with the POA in order to avoid any customs clearance delay.



Note that CBP validates importer's EIN and Social Security Number (SSN) when importers obtain or renew continuous Customs bonds. As such, DHL Express USA normally will not require proof of EIN when an importer has a Customs bond on file.

Acceptable Proof (Companies)

Copies of IRS forms

- Form 147C
- Form 1040
- Form 2363
- Form 941/941-V
- Form SS-4*
- Form 1065
- Form 8109/8109-C
- Form 7004
- Form 355-ES
- Form 1096
- Form 1120/1120-S
- Form 8879
- Form W-2

*An SS-4 or W4 with IRS validation / approval is acceptable for SS# proof.

Letter from IRS

Acceptable Proof (Individuals)

Copy of front and back of Social Security Card

Front page of IRS 1040 Form

GENERAL REQUIREMENTS

CUSTOMS BONDS

A Customs bond is a contract used to ensure that a person or company will perform obligations related to the entry of merchandise arriving from a foreign origin into the United States. The bond is a requirement for all entries and must be purchased from a CBP approved insurance (surety) company. The bond is used in lieu of posting a cash deposit with the U.S. Government and DHL is ready to assist with this process.

If the entry is made with DHL as the Importer of Record, then DHL's Customs Bond will satisfy the requirements and there is no need for the customer to post their own bond. However, if the customer is the Importer of Record, then the IOR is required to have a Customs Bond.



There are two available bond types for Customs entries

Single Transaction Bond (STB) also known as Single Entry Bond (SEB)	Can only be used for one Customs transaction or entry. DHL is able to produce an STB on your behalf
Continuous Transaction Bond (CTB)	Is used to cover all Customs transactions or shipments within a year. DHL Express is able to assist you in procuring a CTB Should be obtained prior to shipments to help avoid delays in transit

GENERAL REQUIREMENTS

TYPES OF CLEARANCE

There are generally three types of Customs clearances in the United States.

Entry Type	Clearance Parameters	Customs Clearance Process	Importer Requirement
De Minimis	\$0 to \$800 USD General Commodities Restrictions may apply: <ul style="list-style-type: none">• Partner Government Agency• Licensed Goods• Alcohol & Tobacco	Consolidated Manifest Clearance as Section 1321 DUTY FREE clearance	
Informal	\$801 to \$2,500 USD American Goods Returned General Commodities Restrictions may apply: <ul style="list-style-type: none">• Partner Government Agency• Licensed Goods• Alcohol & Tobacco• Goods subject to Section 301 additional duties valued between \$801 and \$2,500 USD require a separate formal entry	Customs Clearance as Express Consignment “Informal” manifest clearance under DHL’s bond DUTY payment required	
Formal	\$2,501 to \$100,000 USD Over \$100,000 and restricted commodities: <ul style="list-style-type: none">• Partner Government Agency• Licensed Goods• Alcohol & Tobacco• Civil Aircraft Parts• American Goods Returned• Free Trade Agreements	<ul style="list-style-type: none"> • Formal entry process • Shipments are held for separate Automated Broker Interface (ABI) entry. Duty and Merchandise Processing Fee (MPF) payment required. <ul style="list-style-type: none"> • Formal entry process • Shipments are held for separate Automated Broker Interface (ABI) entry. Duty and Merchandise Processing Fee (MPF) 	<ul style="list-style-type: none"> • Proof of Tax ID Number (EIN) <ul style="list-style-type: none"> • Power of Attorney (POA) and Customs Bond • Continuous Bond • Single Transaction Bond

GENERAL REQUIREMENTS

PACKAGING REQUIREMENTS

The U.S., like many nations, strictly monitors packaging materials coming into the country. This is done to protect agriculture industries from insects and pests.

Wooden Packaging and Pallets

- All raw wood used in packaging, including pallets, must comply to the ISPM15 standard (International Standards for Phytosanitary Measures #15)
- To demonstrate compliance, all raw materials need to show the ‘debug’ symbol, 2 letter country code and unique number of the manufacturer:

Example: DB - HT GB - FC0000



- These standards do not apply to plywood, particle board or plastic

Failure to comply will result in shipment delays.

Further information

For further details please refer to:

https://www.aphis.usda.gov/aphis/ourfocus/planthealth/import-information/wood-packaging-materials/ct_wood_packaging_materials

GENERAL REQUIREMENTS

REQUIRED PAPERWORK

The Air Waybill (AWB)

The Air Waybill accompanies the shipment and forms part of the paperwork set. It may also include valuable information not mentioned on the invoice.

The form includes sections for:

- Shipment Value Protection details:** Pays account number and Shipment Value Protection details.
- Shipper (Shipper):** Shipment reference (up to 32 characters), Company name, Address, Postcode/Zip Code (Required), Phone, Fax or E-mail (Required).
- To (Receiver):** Company name, Delivery address (DHL cannot deliver to a PO Box), Postcode/Zip Code (Required), Contact person, Phone, Fax or E-mail (Required).
- Shipment details:** Total number of packages, Total weight, Dimensions in inches (Length x Width x Height), and a barcode.
- Full description of contents:** Give account ref. and quantity.
- Non-Document Shipments Only (Customs Requirements):** Attach one original and two copies of a Proforma or Commercial Invoice, Shipment's VAT/GST or Shipment's IIN/ISSN, Declared Value for Customs Tax on non-commercial/invoice insertion, Harmonized Commodity Code if express, ATA Transaction Number, Type of cargo (Performing, Repair/Breakdown, Temporary), Declaration declaration if can break, receive prior permission, and Signature.
- Shipper's agreement (Signature required):** A statement that the shipper agrees to the terms and conditions of carriage, including liability limits and indemnification.
- GREY SECTIONS FOR DHL USE ONLY:** Origin and Destination code, Products & Services (checkboxes for Transportation, International, Domestic, Air, Land, Sea, Rail, Pipeline, Mail, Other), Additional Information (checkboxes for Dangerous Goods, Restricted Article, Radioactive Material, Infectious Substance, Animal Health, Plant Health, Marine Pollution, Other), and Origin/Des.
- OPTIONAL/CHARGEABLE FIELD:** Order ref., Origin Services, Order ref., Payment Value Protection, VAT, CURRENCY TOTAL, Payment Method (DHL/Check/Credit Card No.), Type, Express, Picked up by, Route No., Time, Date.

80% of delayed shipments can be linked directly to missing Consignee information, poor descriptions or incomplete information.

The most common errors when completing paperwork

Content description is vague (See description table below)	The description must be detailed and accurate. For example, 'computer parts' would require the words 'computer parts' AND brand name, model, serial number of the computer, list of all parts and serial numbers, easily understood descriptions (no technical terms)
Shipment documentation is incomplete	Sometimes not all the pages of an invoice are received – values or quantities are missing
Incorrect product code	Incorrect product code on the Air Waybill
Not in English	Invoice or description is not in English
Improper value or quantity	Goods are deliberately under-valued to avoid duties or taxes

Bad description	OK description	Good description	Best description
Spare Parts	Auto Spare Parts	Auto Parts – Pump	Auto Spare Pump, from plastic
Sample	Sample Computer	Sample lap top, HP123	
Part Number XL456	Printing press part	Assay for Printing Press	Part for Printing Press – metal

GENERAL REQUIREMENTS

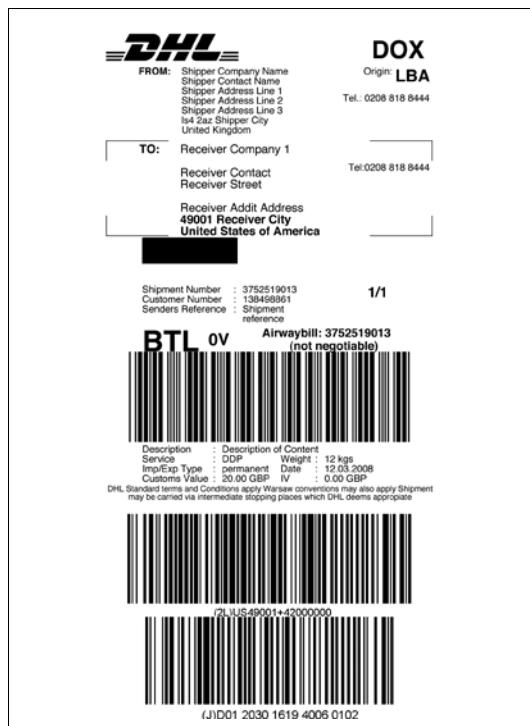
REQUIRED PAPERWORK

The Invoice

A “Commercial Invoice” is required for most imports into the United States. A “Pro Forma Invoice” may be used for certain transactions such as goods not intended for further sale, returned merchandise and goods intended only for temporary import among other purposes.

The Pro Forma Invoice

Sender: Shipper Company Name Shipper Contact Name Shipper Address Line 1 Shipper Address Line 2 Shipper Address Line 3 Is4 2azShipper City	Phone: 0208 818 8444 Fax: 0208 818 8686	Proforma Invoice																																	
<p>Date: 12.03.2008 Airwaybill: 1234567890 Number:</p> <p>Receiver: Receiver Company 1 Receiver Contact Receiver Street Receiver Addit Address Michigan Receiver City 49001</p> <p>Shipment Reference: Shipment reference</p> <p>United States of America Phone: 0208 818 8444 Fax:</p> <p>Sender's VAT No: Vat Number</p> <p>Receiver's VAT No:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Full Description of Goods</th> <th>Qty</th> <th>Unit Value</th> <th>Subtotal Value</th> <th>Unit Net Weight</th> <th>Country of Manufacture/ Origin</th> <th>Comm. Code</th> </tr> </thead> <tbody> <tr> <td>Computer Hardware</td> <td>1</td> <td>20.00</td> <td>20</td> <td>15</td> <td>United Kingdom</td> <td></td> </tr> <tr> <td colspan="4">Total Declared Value: 20.00 GBP</td> <td colspan="3">Total Net Weight: 15 kg(s)</td> </tr> <tr> <td colspan="4"></td> <td colspan="3">Total Gross Weight: 20 kg(s)</td> </tr> </tbody> </table> <p>Type of Export Reason for Export permanent Overseas purchase</p> <p>Currency Code Terms of Trade GBP DDP</p> <p>We hereby certify that the information on this Invoice is true and correct and that the contents of this shipment are as stated above. The exporter of the products covered by this Invoice declares that, except where otherwise clearly indicated, these products are of _____ preferential origin.</p> <p>Signature: _____</p> <p>Position in Company: Manager</p> <p>Company Stamp: _____</p>							Full Description of Goods	Qty	Unit Value	Subtotal Value	Unit Net Weight	Country of Manufacture/ Origin	Comm. Code	Computer Hardware	1	20.00	20	15	United Kingdom		Total Declared Value: 20.00 GBP				Total Net Weight: 15 kg(s)							Total Gross Weight: 20 kg(s)			
Full Description of Goods	Qty	Unit Value	Subtotal Value	Unit Net Weight	Country of Manufacture/ Origin	Comm. Code																													
Computer Hardware	1	20.00	20	15	United Kingdom																														
Total Declared Value: 20.00 GBP				Total Net Weight: 15 kg(s)																															
				Total Gross Weight: 20 kg(s)																															



Most shipments travel with a label.

A Commercial or Pro Forma invoice must contain:

Complete name and address of the:

- Consignee
- Seller or Manufacturer
- Importer, if different from Consignee

Detailed description of the merchandise

Number of pieces (quantities)

Value per Item

Total Value

Country of Origin

Reason for Export (e.g. resale or inter company transfer)

GENERAL REQUIREMENTS

REQUIRED PAPERWORK

The Invoice

<p>IMPORTED BY : AND DELIVERED TO:</p> <p>SUPERTRONICS, LTD. Attn : Mr Jones 17 Great West Road LONDON W43 2BL VAT No : GB123 45678 Phone: +44 208 123 4567</p> <p>runinteractive</p> <p>Run Interactive a.s. 69 Kangaroo Road Sydney NSW 2000 Australia GST No.: 123456</p> <p>Date : 13-05-03 Phone : +61 2 123 4567 INVOICE #: 123456</p>					
COMMERCIAL INVOICE					
Customs Commodity Code	Country of Origin	Complete Detailed Description of Goods	Units	Unit Value	Sub Total
5421.25	United States	VIDEO VHS HIGH-SPEED RECORDER/ DUBBING UNITS - SERIAL NUMBERS: JP89886, JP89887, JP89888, JP89889	4	1,850.00	7,400.00
57.12.9647	United States	BLANK VHS CASSETTES	96	6.88	576.00
TRANSPORTATION COSTS					120.00
					8,096.00
Total Packages : 8 Total Weight : 250.00kg		Total Value : 8,096.00 ALL CURRENCY IN AUD			
MANUFACTURED BY :		HFT ELECTRONICS 256 St. Kilda Road Melbourne Vic 3000 Australia			
REASON FOR EXPORT :		RETAIL SALES			
		VALUATION : DDP			
<p>I/we hereby certify that the information on this invoice is true and correct and that the contents of this shipment are as stated above.</p> <p><u>Joseph Jouda</u> Signature SUPERVISOR</p>					

Listing all parties involved in the transaction

Description of:

- Contents
- Items in the shipment

Transport costs

The 'Commercial Value' and currency

Manufacturer of goods

The terms of trade

Declaration and signature

GENERAL REQUIREMENTS

BINDING RULINGS

Offered through U.S. Customs and Border Protection (CBP), the binding ruling program enables importers and other interested parties to obtain classification decisions prior to importing a product. Additionally, this service provides binding guidance about other CBP regulations such as country of origin marking and valuation questions.

Binding classification advice can only be given by the Office of Regulations and Rulings. The importer submits a letter describing the product in detail and provides a sample to the CBP Information Exchange, National Commodity Specialist for a ruling. The importer generally receives a response within 30 days.

While tariff classifications are binding, duty rates are not. The object is to promote import compliance, uniformity and accuracy in classification of products. The importer should keep in mind that the Binding Ruling Program is just that- binding. Once CBP issues their decision, it is legally binding and enforceable by law. While the initial ruling may be protested, once a decision is finalized it must be incorporated into the importing process.

When submitting a ruling request, include the names, address and other identifying information of all interested parties including the manufacturer. Identify the ports in which the merchandise will be entered and provide a detailed description of the transaction. It always helps to submit a sample of the product when practical.

Before submitting the request, be certain that there are no issues on the commodity pending before either CBP or any court, and check to see whether classification advice had previously been sought from a Customs officer.

Ruling requests for Tariff Classification rulings should be addressed to:

Director, National Commodity Specialist
Division U. S. Customs and Border Protection
Attn: CIE / Ruling Request
One Penn Plaza 10th floor
New York, NY 10119

Further information

For additional ruling information please see the below link: <http://rulings.cbp.gov>

GENERAL REQUIREMENTS

INCOTERMS 2020 CLASSIFICATION

Incoterms are three-letter trade terms that help facilitate a common language in international and domestic buying and selling. Consider incoterms as an integral part of the buying and selling transaction, but not a complete contract of sale. Think of incoterms as a “best practice” application. By clearly defining obligations, Incoterms help to enhance trade. Incoterms are categorized both by terms applicable to any mode of transport, and by terms only to be used by ocean freight/waterway:

The chart below provides a more detailed explanation of each term.

In summary, for proper use of Incoterms:

- 1) Choose the appropriate Incoterms rule. The terms must clearly reflect the following:
 - Should be appropriate for the goods
 - Should be consistent with the mode of transport
 - Should be reflective of the agreed buyer/seller obligations

2) Be Specific:

References to named ports, terminals, places, etc. should be specific and used in conjunction with the term.

Ex: “DAP 123 Main St., Montclair, NJ 07042, Incoterms 2010”

DHL Express standard recognized terms are DTU and DTP.

Incoterms		
EXW	Exworks	(named place)- seller delivers when it places the goods at the disposal of the buyer at the seller's premises or at another named place. The seller does not need to load the goods on the collecting vehicle, nor does it need to clear the goods for export
FCA	Free Carrier	(named place of delivery)- seller delivers the goods to the carrier or another person nominated by the buyer at the seller's premises or another named place
CPT	Carriage Paid To	(named place of destination)- seller delivers the goods to the carrier or another person nominated by the seller at an agreed place and that the seller must contract for and pay the costs of carriage necessary to bring the goods to the named place of destination
CIP	Carriage and Insurance Paid to	(named place of destination)- seller delivers the goods to the carrier or another person nominated by the seller at an agreed place and that the seller must contract for and pay the costs of carriage necessary to bring the goods to the named place of destination. The seller also contracts for insurance cover against the buyer's risk of loss or damage to the goods during the carriage
DAP	Delivered at Place	(named place of destination)- seller delivers when the goods are placed at the disposal of the buyer on the arriving means of transport ready for unloading at the named place of destination
DDP	Delivered Duty Paid	(named place of destination)-seller delivers when the goods are placed at the disposal of the buyer on the arriving means of transport ready for unloading at the named place of destination. The seller bears cost for any duty for both export and import Customs formalities
DPU	Delivered at Place Unloaded	(named place of destination)-seller delivers when the goods unloading at the named place of destination

GENERAL REQUIREMENTS

MARKING REQUIREMENTS

Most imported articles of foreign origin arriving in the United States are required to be marked identifying its country of manufacture. The marks must be in the English language, as legibly, indelibly and permanently as the nature of the article will permit and must be of adequate size. This requirement informs the ultimate purchaser of the article in the United States where the article was manufactured, processed or grown.

U.S. Customs and Border Protection (CBP) allows a number of exceptions to this rule. While not comprehensive, below is a list of some of the most common exceptions:

- Incapable of being marked, such as needles, or marking the item would damage it or cause the importation to be economically prohibitive
- Items for which the marking of the containers will reasonably indicate the origin of the articles
- Strictly for the use of the importer, not intended for sale in their imported or any other form
- Imported for the use of further manufacturing or incorporation into another article
- Goods imported under USMCA, with certain limitations
- Produced 20 years prior to their importation
- U.S. Goods exported and returned
- Duty exempt items valued at less than \$200.00 or a ‘bona fide’ gift valued at less than \$100.00 (Subject to other restrictions)

It should be noted that even with exceptions, the packaging and containers still must be marked with the country of origin.

The following is a variety of approved marking methods. The type of method varies with the article or packaging to be marked.

- Die Stamping, Etching, Engraving, Engraved Metal Plates permanently affixed to the article
- Cast-in-the-mold lettering
- Fabric Labels
- Hang Tags (Plastic, metal)
- Pressure-Sensitive Label or permanent, reliable adhesive paper sticker

When articles are not legally marked, CBP will notify the importer in writing to either properly mark, export or destroy the merchandise.

INTERNET PURCHASES

ONLINE PURCHASES

The Internet has made it easy to find and purchase a variety of items from almost anywhere in the world. However, many people do not realize that purchasing foreign items through the Internet may require declaring and clearing the item through U.S. Customs and Border Protection (CBP).

Many Internet purchases are shipped by express carriers like DHL Express. Most shipments that have a value of less than \$800.00 can be declared and released through CBP without the payment of duty and taxes or the filing of additional paperwork. DHL Express will then deliver the item to you. If the value of the purchase is over \$800.00 or is an item which, due to its nature, requires a formal entry then DHL Express will notify you if you are required to make arrangements for the entry requirements and will hold the item until proper clearance arrangements are made.

Internet purchases can be very complicated and costly if you aren't aware of the process and restrictions. Special requirements, documentation and other government agency participation may be required in order to import items like these:

- Food, plant and dairy products
- Alcohol and tobacco products
- Birds, fish, animals or products thereof
- Goods from embargoed countries
- Firearms and ammunition
- Copyrighted materials
- Prescription Drugs

Here are some questions to keep in mind if you want to purchase from a foreign supplier via the Internet:

- Can you import this product legally?
- Are there any restrictions or special forms that you need to know about?



- Will other government agencies, like the FDA or USDA have to be involved?
- Will you need a “permit” to import what you are purchasing?
- Are you buying the item for your personal use or to put up for sale in your shop?
- What are your “terms of purchase”? Who is paying for the costs such as international freight, Customs clearance services, duty, taxes, delivery?
- What charges and fees are included in the total purchase price?
- Do you KNOW who and where you are buying from to avoid any potential trademark violations?
- Do you KNOW for sure what the country of origin of this item is and does it bear correct country of origin markings?
- Is the item being shipped from a foreign country and will Customs clearance be required?

INTELLECTUAL PROPERTY RIGHTS

PROTECTION AGAINST COUNTERFEIT GOODS

It is vital that the importing community understand the impact of the explosive growth in the sale of counterfeit goods, also known as Intellectual Property Rights (IPR), directly to consumers. U.S. Customs and Border Protection (CBP) takes an active role in the protection of stolen business profits, threats to national security and the serious risk of injury these products pose to the consumer.

Intellectual property refers to creations of the mind: Inventions, literary and artistic works, and symbols, names, images, and designs used in commerce. Under U.S. law, a trademark is defined as any word, name, symbol, device, color or combination thereof used to identify and distinguish goods from those manufactured or sold by others and to indicate the origin and source of goods.

A copyright is a form of intellectual property that protects “original works of authorship,” which include literary, dramatic, musical, artistic, pictorial, graphic and sculptural works, motion pictures and other audio visual works, sound recordings, and architectural works. Copyright protection for U.S. works commences the moment the work is fixed in any tangible medium of expression, and extends only to the expression of ideas – words, pictures, and sounds – but not to the ideas themselves.

Stopping the flow of goods that upon infringe U.S. intellectual property rights (IPR) is a priority for the U.S. Government. CBP is taking a comprehensive approach to the enforcement of IPR that includes seizing volatile goods. CBP also partners with industry and other government agencies to enhance these efforts.



According to CBP, the top 10 categories of IPR-infringing products are pharmaceuticals, health/personal care, eyewear/parts, critical technology components, electronic articles, cigarettes, perfumes/colognes, batteries, exercise equipment and transportation/parts.

DHL understands the importance of keeping our customers informed of IPR and the potential consequences. While DHL and other express carriers do not have either the authority or the means to enforce IPR, DHL works proactively with Customs authorities and law enforcement agencies to address IPR violations.

TOXIC SUBSTANCES CONTROL ACT

WHAT IS TSCA?

Congress enacted the Toxic Substances Control Act (TSCA; the Act) in 1976, giving the Environmental Protection Agency (EPA) broad authority to issue regulations designed to gather health/safety and exposure information on chemical substances, chemical mixtures, and articles. If you import any of these items, you are subject to TSCA and generally must meet the same requirements under TSCA as a chemical manufacturer in the United States.

Common types of industries and sectors covered under TSCA include: companies that are engaged in chemical production and importation, petroleum refining, paper production and micro-electronics manufacturing. Sectors include: organics, inorganics, plastics and chemical preparations. It's important to understand that only those involved in the buying and selling of potential TSCA-applicable products may determine whether or not TSCA applies. Certification of TSCA compliance, must be presented to the EPA under the authority of US Customs and Border Protection in writing at the time of importation.

EPA expects that this certification will be based upon actual knowledge of the importer in most cases. However, EPA realizes that sometimes importers may not have actual knowledge of the chemical composition of imported mixtures. In these cases, the importer should attempt to discover the chemical constituents of the shipment by contacting another party to the transaction.



If parties to the transaction are unable to determine TSCA applicability, assistance can be obtained from the EPA by contacting:

Director, Environmental Assistance Division
(7408) Office of Pollution Prevention and Toxics
U.S. Environmental Protection Agency
Room E-543B
1200 Pennsylvania Ave., NW
Washington, DC 20460
Telephone: (202)554-1404
TDD: (202)544-0551

TEXTILES

TEXTILES AND CONSUMER GOODS

Textile, wearing apparel and flat goods generally require very specific information or documentation to properly classify and process for entry. The textile manufacturer's complete name and address must also be included on the commercial invoice.

Additional documentation may be required (depending on type of goods):

- Fabric Details Sheets



TEXTILES

COMMODITY DETAILS

The following details are required for shipments of the goods listed below:



FLAT GOODS

- Type of flat good
- Outer surface type
 - leather or plastic
- If leather, does it contain reptile origins
- If plastic, is it structured or ridged

- Beaded or otherwise
- If textile – include specific details
- Value
- Lining
- If it is casing used to transport compact discs (CD) or CD players



CARPETS

- Name and address of manufacturer
- Indicate if:
 - knotted
 - woven
 - tufted or flocked

- of pile construction
- hand-knotted, hooked or woven
- Size
 - in meters squared
- Net weight
- Fiber content by weight



HATS & HEADGEAR

- Type
- Trimming and linings
- Material type and details
- Gender
- If safety headgear, provide details



GLOVES, MITTENS AND MITTS

- Knitted or woven designation
- Fabric, leather, plastic or rubber
- Type of leather
- Type of plastic
- Type of fabric

- Type of rubber
- Seamless, disposable, surgical, medical or lined
- Gender designation

TEXTILES

COMMODITY DETAILS

Apparel

The following details are required for shipments of textile clothing (also known as Clothing/Garment):

- Men's/women's or boy's/girl's designation
- Knit or woven designation
- Fiber content by weight
- If units or ensembles, values for each piece must be provided
- Corduroy and denim construction must be identified
- Woven shirts must identify if two or more colors in warp and/or filling (weft)
- Gloves must identify with or without fourchettes
- Knit gloves must identify terry, jersey or lisle construction
- The addition of lace on any garment must be noted
- Hats plaited or assembled from strips

Textiles Fabrics

Not all the following details apply to every type of fabric:

- Knit or woven designation
- Type of weave such as plain (specify poplin, broadcloth, sheeting cheesecloth, printcloth), jacquard, hand-woven, satin, twill, oxford, duck
- Length and width
- Bleached, unbleached, dyed, yarn dyed, yarns of different colors, printed
- End use such as tapestry, upholstery or neckties
- Weight (g/m²)
- Yarn diameter (microns)
- Denim
- Number of yarns in the warp and filling (weft)(thread count)
- Impregnated, coated, covered or laminated



TEXTILES

FOOTWEAR DETAIL SHEETS

The following details are required for shippers exporting footwear:

Footwear Detail Sheet

Footwear Detail Sheet Instructions

INVOICE DETAILS FOR FOOTWEAR		INSTRUCTIONS ON REVERSE									
		15 CFR 141.8									
1. MANUFACTURER'S STYLE NUMBER											
2. IMPORTER'S STYLE/STOCK NUMBER											
3. TYPE OF SHOE											
4. PERCENTAGE BY WEIGHT OF ENTIRE ARTICLE	a. FIBER b. PLASTIC AND OR RUBBER c. OTHER (Specify)										
5. PERCENTAGE OF EXTERIOR SURFACE AREA OF THE UPPER	a. LEATHER b. PLASTIC AND OR RUBBER c. OTHER (Specify)										
6. COMPONENT MATERIAL OF GROSS VALUE \$100	IF ANSWERS ARE ALL YES GO TO NO. 8 IF NOT ALL YES, GO TO NO. 6	<input type="checkbox"/> 40% OR MORE <input type="checkbox"/> 15% LESS THAN 50% <input type="checkbox"/> 5% LESS THAN 5%	<input type="checkbox"/> YES <input type="checkbox"/> NO								
7. METHOD OF CONSTRUCTION											
ITEMS 8 THROUGH 10 NEED NOT BE ANSWERED IF YOU ANSWERED ITEMS 6 AND 7.											
8. KIND OF CONSTRUCTION											
9. SLIP-ON TYPE (NO LACES, BUCKLES, OR OTHER CLOSURES)	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
10. DOES UPPER HAVE OPEN TOE OR OPEN HEEL	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO
Paperwork Reduction Act of 1995 says we may tell you why we are collecting this information, how we will use it, and whether you have to give it to us. It also says for the protection of your privacy classifications of footware and compliance with U.S. customs laws, your response facilitates the correct classification and is mandatory.											
Customs Form 5523 (112690)											

INSTRUCTIONS

A CF 5523, or equivalent format, should be used for all footwear unless the commercial invoice shows (a) gender (male, female, unisex), (b) upper is all leather exclusive of linings, and the sole is cemented to the upper.

Items 1 and 2 — Self explanatory

Item 3 — Type of Shoe

- a. Boot, protective against water, chemicals, or cold or inclement weather
- b. Boot, ski
- c. Boot, other than protective or ski
- d. Bootie, knit, for infants
- e. Disposable, not rubber or plastic
- f. Moccasin, soled
- g. Moccasin, unsoled
- h. Protective against water, chemicals, or cold or inclement weather, other than boot
- i. Skate shoe
- j. Zori
- k. Other (describe in exact commercial terms)

Items 4, 5, and 6 — Self explanatory

Item 7 — Method of Construction

- a. Stitched — Turned
- b. Stitched — Welt
- c. Stitched — Other
- d. Cement
- e. Other (specify)

Item 8 — Kind of Construction

- a. Shell molded bottom - cup sole - cemented and/or stitched to upper
- b. Unit molded bottom cemented to upper
- c. Rolled sole
- d. Sole simultaneously molded and attached to upper (simultaneous injection)
- e. Vulcanized
- f. Riveted
- g. Exclusively adhesive
- h. Combination of the above (specify)
- i. Other (specify)

Items 9 and 10 — Self explanatory

Statement Required by 15 CFR 1306.2(e). The estimated average burden associated with the collection of information is 2 hours and 15 minutes per respondent or recordkeeper depending on individual circumstances. Comments concerning the accuracy of this burden estimate and suggestions for reducing the burden should be directed to U.S. Customs Service, Paperwork Management Branch, Washington DC 20228, and the Office of Management and Budget, Paperwork Reduction Project (1110-0041), Washington DC 20503.

Customs Form 5523 (112690)(Back)

AMERICAN GOODS RETURNED

Goods of American Origin returning to the United States within 3 years of export, without having been advanced in value or improved in condition, are eligible for duty-free entry.

- De Minimis and Informal value shipments \$0-\$2,500 – invoice must indicate the country of origin is U.S. or that foreign-made goods were exported from the U.S. and are being returned.
- Formal value shipments under \$10,000 USD – commercial invoice or supporting documents must include shipper's declaration indicating that the goods are returning to the U.S. and were not advanced in value or condition
- Formal value shipments over \$10,000 USD – (1) commercial invoice or supporting documents must include shipper's declaration indicating that the goods are returning to the U.S. and were not advanced in value or condition, (2) Power of Attorney must be on file or obtained, (3) and a written authorization from the importer granting DHL permission to claim AGR must be on file or obtained.

CONSUMER GOODS

CONSUMER PRODUCT SAFETY IMPROVEMENT ACT (CPSIA)

The U.S. Consumer Product Safety Commission Improvement Act (CPSIA) expanded and introduced new certification requirements for consumer goods imported into the United States for consumption, warehousing or for distribution in commerce. These certificates are required to accompany all imports. However, it is the responsibility of the shipper to comply with the requirements.

Commodities Covered

All consumer products manufactured on or after November 12, 2008, which are subject to a Consumer Product Safety Commission (CPSC)-administered mandatory safety standard, rule, ban, or regulation are subject to the requirement. Consumer goods regulated by the CPSC include but are not limited to:

- Arts & crafts supplies
- Bicycles
- Children's cribs & other children's furniture
- Children's clothing
- Electrical items
- Fire safety equipment
- Holiday decorations
- Home heating equipment
- Household products
- Indoor air purifiers
- Outdoor power equipment
- Playground equipment
- Pool & spa equipment
- Recreational & sports equipment
- Toys

Types of Certificates Required Under this Act

1. Third Party Test Certificates for children's products: Children's products are generally defined as a consumer product designed or intended primarily for children 12 years of age or younger. Importers of such products will be required to have a product tested by a CPSC accredited independent or third-party test facility. Based on such testing, a certificate will be issued evidencing compliance.
2. General Conformity Certificates for all other products: The general conformity certificate must certify, based on a test or a reasonable testing program, that a product complies with all standards or regulations applicable to the product.

The certificates must accompany the shipment of such products. The certificate is not required to be filed with the entry, but must be furnished upon request to the CPSC and CBP.

CPSIA has identified new standards for certification of consumer products. These standards follow different requirements and timelines that should be considered in the certification:

- Lead Standards that began February 2009 including paint and other surface coatings
- Phthalates Standards that began February 2009 (primarily children's toys or child care articles)

Further information

Additional information can be found at
<http://www.cpsc.gov/en/business--manufacturing/import-safety/>

LIFE SCIENCES

WHAT IS LIFE SCIENCES?

- Biological products
- Cosmetic products and skin care
- Pharmaceuticals
- Medical Devices
- Chemicals

The U.S. closely regulates the import of all life sciences commodities. Such commodities are regulated either by the Food and Drug Administration (FDA) or by the U.S. Department of Agriculture (USDA). Generally, the commodities covered under such regulations are items that are either ingested or applied to the human body or in some way modify or may have ill-effects on the body.

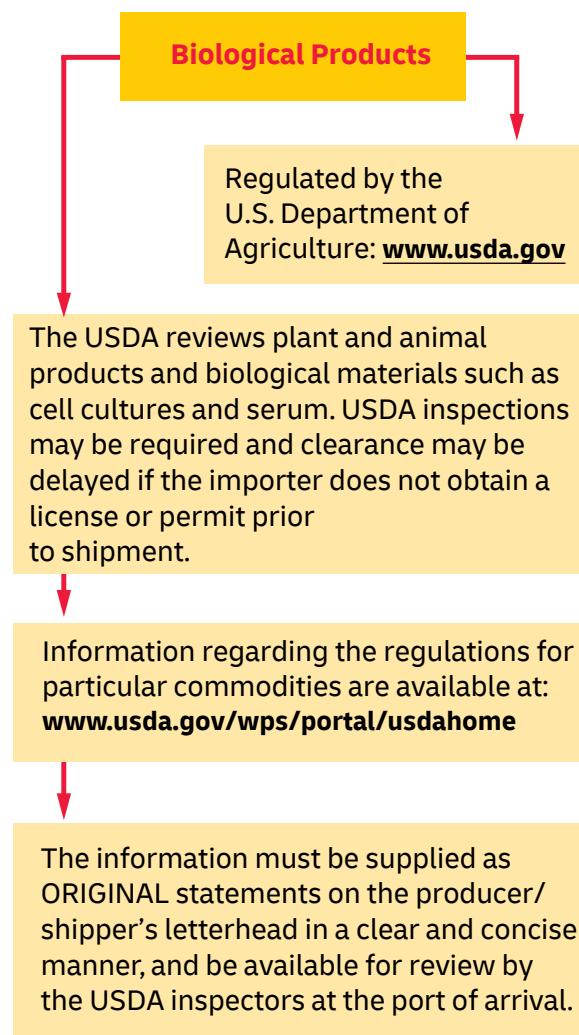
The following instructions are a guide to what the shipper is required to do for shipments of these commodities. In some instances this is related to registration that must be carried out prior to shipping, in addition to what is required to be declared on air waybills and commercial invoices.



BIOLOGICAL PRODUCTS

The USDA regulates agricultural products and products with potential impact on U.S. agriculture and livestock. USDA includes APHIS (Animal and Plant Health Inspection Service) and VS (Veterinary Services) agencies.

USDA inspections may be required and may delay clearance if the importer has not obtained a license or permit prior to shipment. For various types of content, there are USDA guidelines that will assist you in completing the required declaration.



LIFE SCIENCES

COSMETIC PRODUCTS & SKIN CARE

All skin care and cosmetic products are subject to import inspection and approval from the FDA. Specific information including a full list of ingredients of each product should be included with the Customs paperwork. Cosmetics must be produced under sanitary conditions, be safe and be made from approved ingredients.



Cosmetic and Skincare Products

Regulated by the Food and Drug Administration
www.fda.gov

Cosmetics must be produced under sanitary conditions, be safe and made from approved ingredients.

The following information on EACH product should be indicated on the invoice:

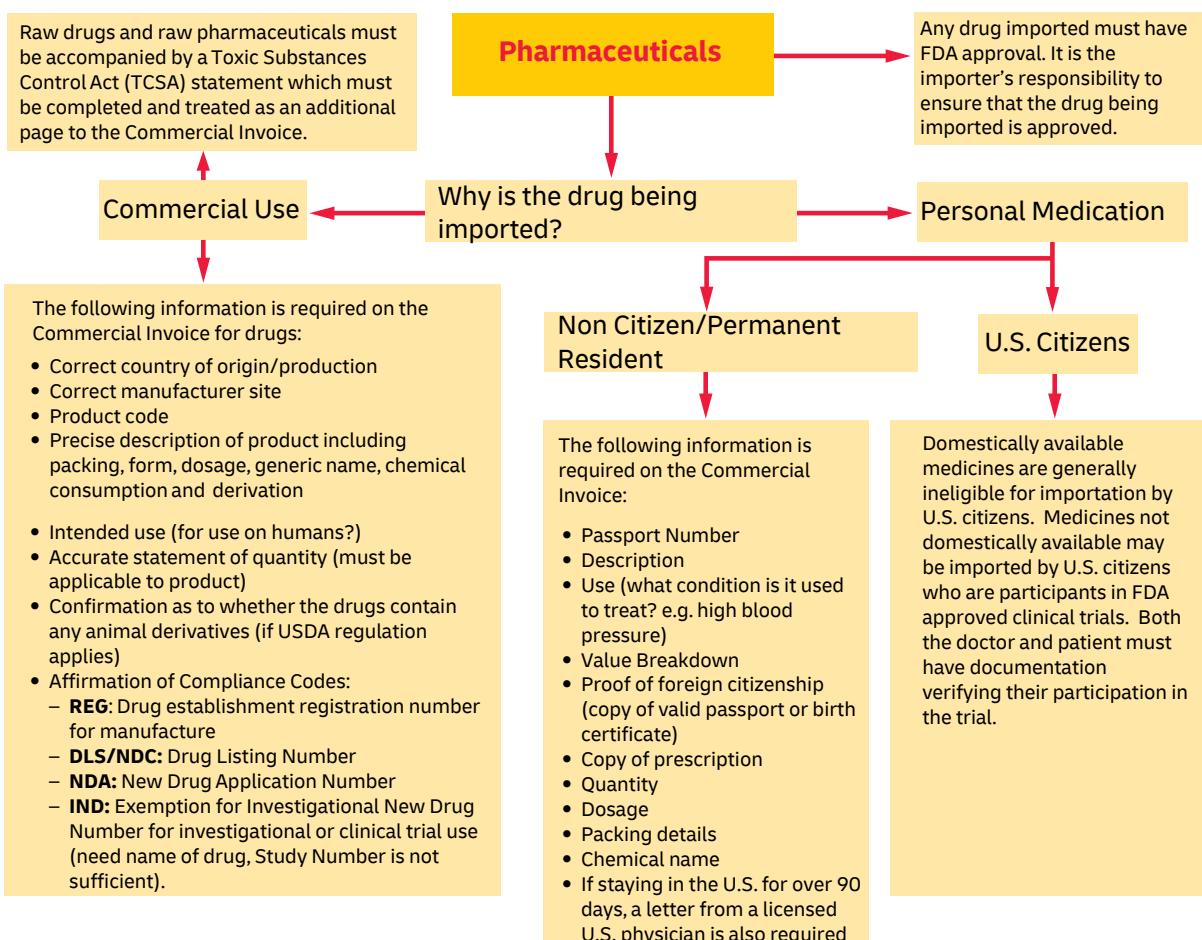
- Type of product (skin lotion, pancake makeup...)
- Number and type of container (plastic/glass, tube/bottle)
- Country of Manufacture (separate line for each manufacturer)
- Itemized value
- Full list of ingredients
- FDA product code
- Full manufacturer name and address

The FDA product code is available from:
www.accessdata.fda.gov/scripts/ora/pcb/index.cfm

LIFE SCIENCES

PHARMACEUTICALS

The U.S. Federal Food, Drug, and Cosmetic Act prohibits the interstate shipment (which includes importation) of unapproved new drugs. Thus, the importation of drugs that lack FDA approval, whether for personal use or otherwise, is a violation of the above law. Unapproved new drugs are any drugs, including foreign-made versions of U.S. approved drugs, that have not been manufactured in accordance with or pursuant to an FDA approval. Under the Act, FDA may refuse importation of any drug that 'appears' to be unapproved, placing the burden on the importer to prove that the drug sought to be imported is, in fact, approved by the FDA.

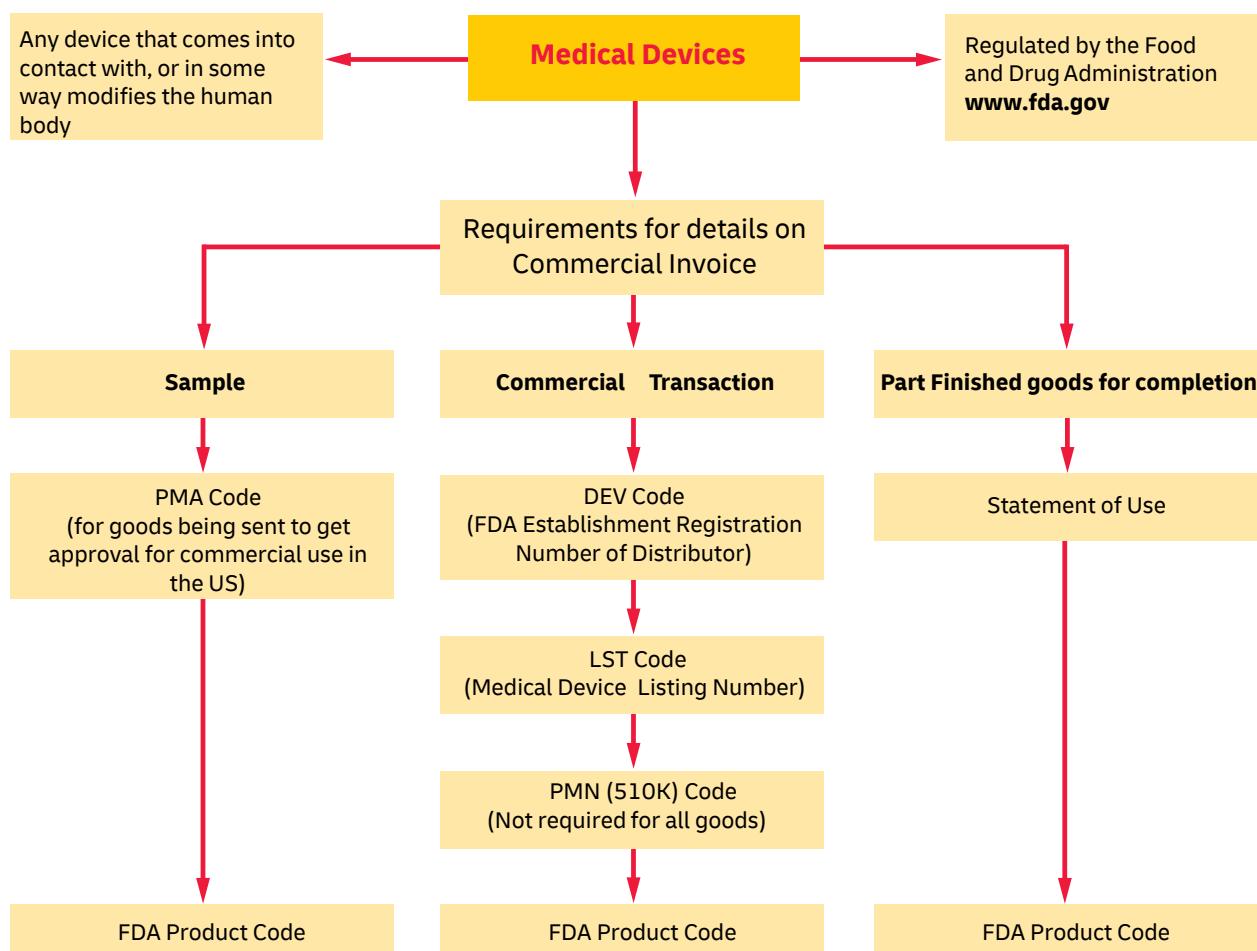


LIFE SCIENCES

MEDICAL DEVICES

Foreign firms that manufacture medical devices and/or products that emit radiation must comply with applicable U.S. regulations before, during and after importing into the United States.

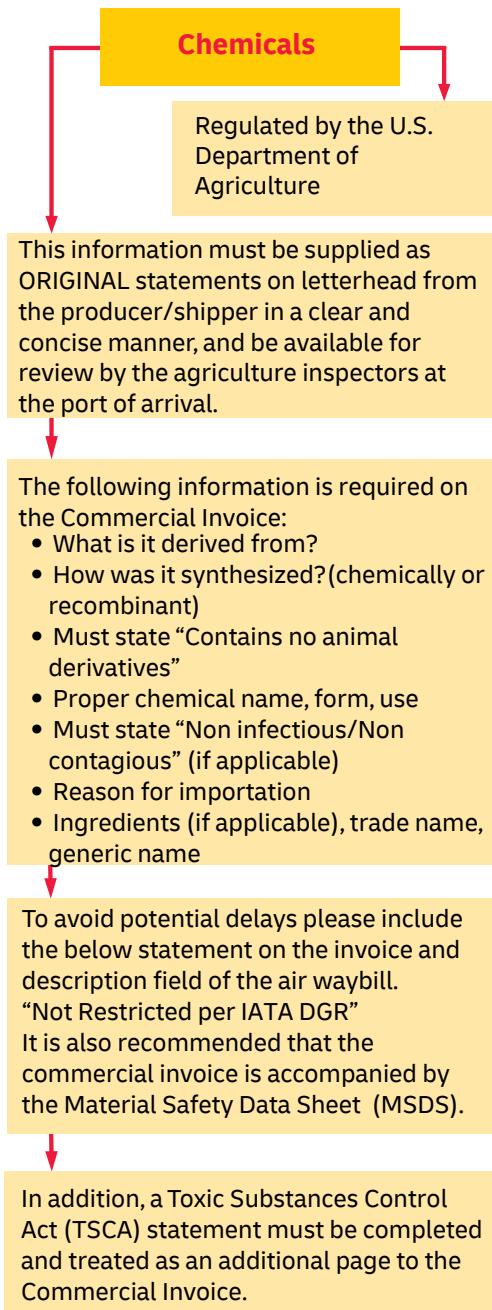
In order to import medical devices and/or products that emit radiation into the U.S., the product must meet FDA regulatory requirements. FDA does not recognize regulatory approvals from other countries.



LIFE SCIENCES

CHEMICAL MATERIALS

U.S. government agencies request that customers attach the invoice declaration with specific details of the chemical materials in the shipments.

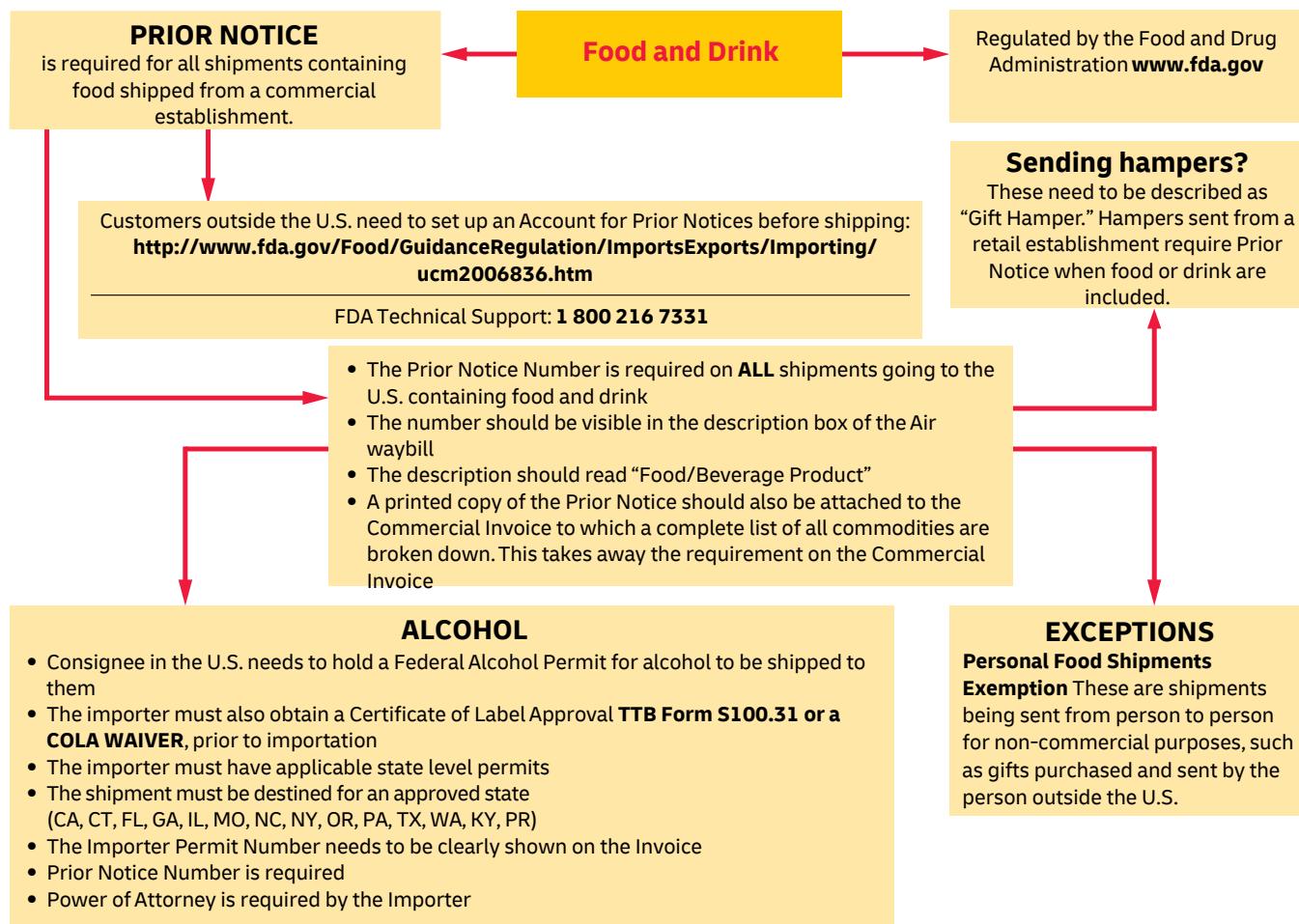


Further information

Additional details can be found at www.usda.gov

FOOD AND DRINK

FOOD AND DRUG ADMINISTRATION



FOOD AND DRINK

FDA REGULATED “FOOD” IMPORTS

The Public Health Security and Bio Terrorism Preparedness and Response Act of 2002 (Bioterrorism Act of 2002 [BTA]) consist of provisions designed to protect the United States against bio-terrorist threats to the U.S. food supply, with major emphasis on food from foreign sources. The U.S. Food and Drug Administration (FDA) released regulations in response to the Bioterrorism Act of 2002 (BTA) outlining specific requirements on the importation of food and food products.

This regulation has two major requirements:

1. Registration of Facilities
2. Prior Notice of Importation of Food

Registration Of Facilities

The FDA requires that domestic and foreign facilities that manufacture, process, pack, or hold food for human or animal consumption in the United States register with the FDA. Farms, retail facilities, restaurants and non-profit food facilities in which food is prepared for or served directly to the consumer are exempt from these requirements.

Note: Facility registration is not required for private persons sending or receiving items for personal use (e.g. Christmas gifts).

Prior Notice (PN) of Imported Food

The FDA requires that U.S. purchasers or U.S. importers or their agents submit to the FDA prior notice on the importation of food. This information will be used to review, evaluate and assess whether to inspect the imported food.

- Prior notice must be submitted no less than four hours before flight arrival, but may not be submitted more than five days prior to shipment arrival
- Prior notice is required at the first port of arrival in the U.S.

Prior Notice applies to food for humans and/or animals that is imported or offered for import into the U.S. Food is defined as articles used for food or drink for man or animals, such as chewing gum, and articles used for components of any such articles

Examples of “food” include:

- Dietary supplements and dietary ingredients
- Infant formula
- Beverages (including alcoholic beverages and bottled water)
- Fruits and vegetables
- Fish and seafood
- Dairy products and shell eggs
- Raw agricultural commodities for use as food or components of food
- Canned and frozen foods
- Bakery goods, snack food, and candy (including chewing gum)
- Live food animals
- Animal feeds and pet food

Prior Notice requirements apply regardless of:

- Quantity imported - applies to samples, full orders etc.
- Purpose of importation - applies to goods imported for testing, consumption etc.
- Type of transaction - applies to commercial sales, samples, gifts, etc.

The following are exempt from Prior Notice requirements:

- All personal food shipments: these are food items sent person to person for non-commercial purposes
- Food in household goods, including military, civilian, governmental agency and diplomatic transfers

FOOD AND DRINK

- Food purchased by a traveler and mailed or shipped to the traveler's U.S. address by the traveler
- Gifts purchased at a commercial establishment and shipped by the purchaser, not the commercial establishment
- Food contained in diplomatic pouches
Note: This does not include shipments (such as Gift Baskets) sent from a retailer or distributor to an individual. Such shipments do require a Prior Notice.

Meat food products, poultry products and egg products that are subject to the exclusive jurisdiction of the U.S. Department of Agriculture (USDA) and comply with the USDA rules and regulations.

FDA Prior Notice

1. FDA Prior Notice (PN) filed by the shipper: DHL Express will require a copy of the PN confirmation for each food item. The shippers may include a copy of the PN Confirmation 'Detail Sheet' (this sheet includes description, product code, etc.) The confirmation number(s) must also be clearly identified on the shipping invoice. The air waybill description of content must clearly identify Food or Food Product. (Refer to FDA Prior Notice 2004 Update).
2. DHL Express U.S. files PN on behalf of the customer: DHL Express will require the following elements on the shipping invoice. (Refer to DHL Express FDA Required Information for Prior Notice Submission)

Separate identification of each food article is required, including:

- The common, usual name or market name
- The quantity described from the smallest package size to the largest container (including the type of packaging used to package the food item)
- The lot or code numbers or other identifiers
- Complete name and address of the manufacturer or supplier and their FDA registration number (if available)
- Country of origin
- Complete name and address of shipper and their FDA registration number (if available)
- Complete name and address of the importer, purchaser or ultimate Consignee and their FDA registration number (if available)
- Clear food or food product identification marked on the Express Worldwide pre alert air waybill description and invoice description

Note: DHL Express will only provide Prior Notice service when DHL Express is serving as the Customs broker for the shipper.

FDA PN contact information at relevant gateway

CVG	fdaentry@dhl.com
JFK	fdaentry@dhl.com
LAX	lax.fdadesk@dhl.com
MIA	dhlfdamia@dhl.com

OTHER GOVERNMENT AGENCY REQUIREMENTS

FISH AND WILDLIFE

The U.S. Fish and Wildlife Service (FWS) regulates imports and exports of:

- Non-domesticated animals
Wildlife is any living or dead wild animal, its parts, and products made from it. Wildlife not only includes mammals, birds, reptiles, amphibians, and fish, but also invertebrates such as insects, crustaceans, arthropods, mollusks, coelenterates.
- An animal defined by FWS to be endangered or threatened species and products thereof.

Threatened & Endangered Species Database System: http://ecos.fws.gov/tess_public

- Enforces the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Based on the type of commodity, specific permits or certificates are required in order to comply with FWS requirements. Customers importing commodities regulated by FWS should be aware of the additional regulatory requirements.

When importing a product regulated under CITES you must have a valid CITES document (certificate or permit), including a CITES exemption document, to engage in the trade of any CITES specimen.

VARIOUS AGENCY REQUIREMENTS

Lacey Act

The Lacey Act, first enacted in 1900 and significantly amended in 1981, is the United States' oldest wildlife protection statute. The Lacey Act combats trafficking in "illegal" wildlife, fish and plants.

The Food, Conservation, and Energy Act of 2008 amended the Lacey Act to require, among other things, that importers submit a declaration at the time of importation for certain plants and plant products.

The Federal Agencies involved with enforcement of the Lacey Act are:

- United States Department of Agriculture (USDA)
- Customs and Border Protection (CBP)
- Animal and Plant Health Inspection Services (APHIS)
- United States Trade Representative (USTR)
- Department of Justice
- Department of State
- United States Fish and Wildlife Services (FWS)



Further information

For more information about Wildlife requirements: www.fws.gov

Further information

For more information about the Lacey Act:
http://www.aphis.usda.gov/plant_health/lacey_act

INTERNATIONAL TRADE AGREEMENTS

PREFERENTIAL TRADE PROGRAMS

The United States is a signatory to many free trade agreements with other countries or regions as well as unilateral preference programs that provide preferential duty rates for goods qualifying under those agreements or programs. In addition to reducing or eliminating duties, some of these trade agreements or programs also eliminate the Merchandise Processing Fee (MPF) that is due on import shipments.

The following are guidelines for the current free trade agreements and preference programs: African Growth and Opportunity Act (AGOA), Andean Trade Preference Act (ATPA), Andean Trade Promotion and Drug Eradication Act (ATPDEA), Caribbean Basin Trade Partnership Act (CBTPA), Caribbean Basin Economic Recovery Act (CBERA) and Generalized Systems of Preferences (GSP).



African Growth and Opportunity Act (AGOA)

Eligible Beneficiary Countries:	Angola, Benin, Botswana, Burkina Faso, Burundi, Cape Verde, Cameroon, Chad, Union of the Comoros, Cote D'Ivoire, Djibouti, Ethiopia, Gabonese Republic, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, Republic of South Africa, Tanzania, Togo, Uganda, Zambia
Tariff Preference Level (TPL)	None
Fees	Merchandise Processing Fee (MPF) payable
Documentation Required	Upon request from CBP, the importer must provide a statement attesting to the item (s) eligibility. Note: Records supporting the claim must be retained for 5 years. A POA may be required (See POA guidelines)

INTERNATIONAL TRADE AGREEMENTS

Andean Trade Preference Act (ATPA) & Andean Trade Promotion and Drug Eradication Act (ATPDEA)	
Eligible Beneficiary Countries:	Ecuador (EC)
Tariff Preference Level (TPL)	None
Fees	Merchandise Processing Fee (MPF) payable
Documentation Required	The Certificate of Origin (CF 449) must be in the possession of the importer at the time of entry. Note: The Certificate of Origin is not required for informal entries. A POA may be required (See POA guidelines)
Caribbean Basin Economic Recovery Act (CBERA)	
Eligible Beneficiary Countries:	Antigua and Barbuda, Aruba, Bahamas, Barbados, Belize, Curaçao, Dominica, Grenada, Guyana, Haiti, Jamaica, Montserrat, Netherlands Antilles, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Trinidad and Tobago, British Virgin Islands
Tariff Preference Level (TPL)	None
Fees	None - MPF does not apply
Documentation Required	Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Note: The declaration is not required for informal entries. Records supporting the claim must be retained for 5 years. A POA may be required (See POA guidelines)
Caribbean Basin Trade Partnership Act (CBTPA)	
Eligible Beneficiary Countries:	Barbados (BB), Belize (BZ), Guyana (GY), Haiti (HT), Jamaica (JM), Saint Lucia (LC), Trinidad and Tobago (TT)
Tariff Preference Level (TPL)	None
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Certificate of origin (CF 450) must be in possession of the importer at the time of entry. Note: Certificate not required for shipments valued below \$2,500 Certificate may cover a single shipment or multiple shipment of similar goods for a 12-month period Certificate may be in English or Spanish
POA Requirements	<ol style="list-style-type: none"> If Certificate of Origin (CF 450) is available at time of entry, POA required over \$10,000 If Certificate of Origin (CF 450) is not available, POA required for all entries over \$2,500 POA required for all textile entries

INTERNATIONAL TRADE AGREEMENTS

Generalized System of Preferences - (GSP)

Eligible Beneficiary Countries:	<p>Independent Countries: Albania, Algeria, Armenia, Azerbaijan, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Cameroon, Cape Verde, Congo (Brazzaville), Côte d'Ivoire, Dominica, Ecuador, Egypt, Eritrea, Fiji, Gabon; Georgia, Ghana, Grenada, Guyana, India, Indonesia, Iraq, Jamaica, Jordan, Kazakhstan, Kenya, Kosovo, Kyrgyzstan, Lebanon, Macedonia, Maldives, Mauritius, Moldova, Mongolia, Montenegro, Namibia, Nigeria, Pakistan, Papua New Guinea, Paraguay, Philippines, St. Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Serbia, Seychelles, South Africa, Sri Lanka, Suriname, Swaziland, Thailand, Tonga, Trinidad and Tobago, Tunisia, Turkey, Ukraine, Uruguay, Uzbekistan, Venezuela, Zimbabwe</p> <p>Non-Independent Countries and Territories: Anguilla, British Indian Ocean Territory, Christmas Island, Cocos (Keeling) Islands, Cook Islands, Falkland Islands, Heard Island and McDonald Islands, Montserrat, Niue, Norfolk Island, Pitcairn Islands, Saint Helena, Tokelau, British Virgin Islands, Wallis and Futuna, West Bank and Gaza Strip, Western Sahara</p> <p>GSP Least Developed Beneficiary Countries: Afghanistan, Angola, Benin, Bhutan, Burkina Faso, Burundi, Cambodia, Central African Republic, Chad, Comoros, Congo (Kinshasa), Djibouti, Ethiopia, The Gambia, Guinea, Guinea-Bissau, Haiti, Kiribati, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Nepal, Niger, Rwanda, Samoa, São Tomé and Príncipe, Senegal, Sierra Leone, The Solomon Islands, Somalia, South Sudan, Tanzania, Timor-Leste, Togo, Tuvalu, Uganda, Vanuatu, Republic of Yemen, Zambia</p>
Tariff Preference Level (TPL)	None
Fees	MPF does not apply to Least-Developed Beneficiary Countries but is applicable for other GSP qualifying countries
Documentation Required	Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility Note: A declaration is not required for Informal entries. Records supporting the claim must be retained for 5 yrs A POA may be required (See POA guidelines)

INTERNATIONAL TRADE AGREEMENTS

FREE TRADE AGREEMENTS

The following are guidelines for some of the current international free trade agreements: Australia (AFTA), Chile (CFTA), Colombia (CO), DR Central America (CAFTA), Israel (ILFTA), Jordan (JO), United States-Mexico-Canada Agreement (USMCA), Panama (PA), Peru Free Trade Agreement (PFTA), and Singapore (SFTA).



U.S. - Australia Free Trade Agreement - (AFTA)

Eligible Beneficiary Countries:	Australia (AU)
Tariff Preference Level (TPL)	None
Fees	None - MPF does not apply
Documentation Required	Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Note: Records supporting the claim must be retained for 5 years.
POA Requirements	<ol style="list-style-type: none"> 1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

U.S. - Bahrain Free Trade Agreement Implementation Act (BFTA)

Eligible Beneficiary Countries:	Bahrain (BH)
Tariff Preference Level (TPL)	None
Fees	None - MPF does not apply
Documentation Required	Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Note: Records supporting the claim must be retained for 5 years.
POA Requirements	<ol style="list-style-type: none"> 1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

U.S. - Chile Free Trade Agreement (CFTA)

Eligible Beneficiary Countries:	Chile (CL)
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> 1. Upon request from CBP, the importer must provide a statement (declaration) attesting to the item(s) eligibility. Note: Declaration not required for shipments value below \$2500. 2. Declaration may cover a single shipment or multiple shipment of similar goods for a 12 month period. 3. Declaration may be in English or Spanish. 4. Certificate of Eligibility is required at the time of entry for applicable TPLs (not required at time of release).
POA Requirements	<ol style="list-style-type: none"> 1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

INTERNATIONAL TRADE AGREEMENTS

U.S. - Colombia Free Trade Agreement	
Eligible Beneficiary Countries:	Columbia (CO)
Tariff Preference Level (TPL)	No
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Upon request from CBP, the importer must provide a statement (declaration) attesting to the item(s) eligibility. Note: Declaration not required for shipments value below \$2500. Declaration may cover a single shipment or multiple shipment of similar goods for a 12 month period. Declaration may be in English or Spanish. Certificate of Eligibility is required at the time of entry for applicable TPLs (not required at time of release).
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries
Dominican Republic - Central America - U.S. Free Trade Agreement and Implementation Act - (DR-CAFTA)	
Eligible Beneficiary Countries:	Dominican Republic (DO), Costa Rica (CR), El Salvador (SV), Guatemala (GT), Honduras (HN), Nicaragua (NI)
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Declaration of origin must be in possession of the importer at the time of entry. Note: Declaration not required for shipments valued below \$2500. Declaration may cover a single shipment or multiple shipment of similar goods for a 12 month period. Declaration may be in English or Spanish. Certificate of eligibility is required at the time of entry for applicable TPLs (not required at time of release).
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries
U.S. - Israel Free Trade Area Implementation Act (ILFTA)	
Eligible Beneficiary Countries:	Israel (IL)
Tariff Preference Level (TPL)	No
Fees	MPF does not apply to IL MPF applies to QIZ
Documentation Required	<ol style="list-style-type: none"> Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Note: Records supporting the claim must be retained for 5 years.
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries

INTERNATIONAL TRADE AGREEMENTS

U.S. - Jordan Free Trade Agreement

Eligible Beneficiary Countries:	Jordan (JO)
Tariff Preference Level (TPL)	No
Fees	MPF does apply
Documentation Required	1. Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Note: Records supporting the claim must be retained for 5 years.
POA Requirements	1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

U.S. – Morocco Free Trade Agreement

Eligible Beneficiary Countries:	Morocco
Tariff Preference Level (TPL)	No
Fees	MPF payable
Documentation Required	1. Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. 2. Statement may cover a single shipment or multiple shipment of similar goods for a 12 month period. 3. Records supporting the claim must be retained for 5 yrs.
POA Requirements	1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

United States- Mexico- Canada Agreement (USMCA)

Eligible Beneficiary Countries:	Canada (CA), Mexico (MX)
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	1. If the Certificate of Origin (CF 434) is available at the time of entry, shipment value is over \$10,000. 2. If the Certificate of Origin (CF 434) is not available, \$2500. 3. POA required for all textile entries. 4. POA required for all applicable TPL entries 5. United States-Mexico-Canada Trade Agreement (USMCA) DHL Express U.S. Fact Sheet
POA Requirements	1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

INTERNATIONAL TRADE AGREEMENTS

U.S. – Oman Free Trade Agreement

Eligible Beneficiary Countries:	Oman
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Upon request from CBP, the importer must provide a statement/declaration attesting to the item(s) eligibility. Declaration may cover single shipment or multiple shipments of similar goods for a 12 month period. Original Certificate of Eligibility for TPL's is not required to process entry.
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries

U.S. – Panama Free Trade Agreement

Eligible Beneficiary Countries:	Panama (PA)
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Upon request from CBP, the importer must provide a statement/declaration attesting to the item(s) eligibility. Declaration may cover a single shipment or multiple shipments of similar goods for a 12 month period. Original Certificate of Eligibility for TPL's is not required to process entry.
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries

U.S. Peru Trade Promotion Agreement

Eligible Beneficiary Countries:	Peru
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. Certificate of Eligibility is required at the time of entry for TPL (needed at time of release). Records supporting claims must be retained for 5 yrs.
POA Requirements	<ol style="list-style-type: none"> All non-Textile commodities over \$50,000 (USD) All Textile commodities over \$5,000 (USD) All TPL entries

INTERNATIONAL TRADE AGREEMENTS

U.S. - Singapore Free Trade Agreement - (SGFTA)

Eligible Beneficiary Countries:	Singapore (SG)
Tariff Preference Level (TPL)	Yes
Fees	None - MPF does not apply
Documentation Required	<ol style="list-style-type: none"> 1. Upon request from CBP, the importer must provide a statement attesting to the item(s) eligibility. 2. Certificate of Eligibility is required at the time of entry for TPL (needed at time of release). 3. Records supporting claims must be retained for 5 yrs.
POA Requirements	<ol style="list-style-type: none"> 1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

U.S. - Korean Free Trade Agreement

Eligible Beneficiary Countries:	South Korea (SPI Indicator: KR)
Tariff Preference Level (TPL)	No
Fees	None - MPF does not apply.
Documentation Required	<ol style="list-style-type: none"> 1. Certification/ Declaration of eligibility must be in possession of the importer at the time of entry. Note: Declaration not required for shipments valued below \$2,500. 2. Declaration may cover a single shipment or multiple shipments of identical goods for a 12 month period. 3. Declaration may be in English or Korean. If submitted in Korean, CBP may request an English translation.
POA Requirements	<ol style="list-style-type: none"> 1. All non-Textile commodities over \$50,000 (USD) 2. All Textile commodities over \$5,000 (USD) 3. All TPL entries

PUNITIVE DUTY RATES

ANTI-DUMPING AND COUNTERVAILING DUTIES

These types of duties are in addition to the normal duty assigned to a commodity. The United States Anti-Dumping law is designed to counter international price discrimination, commonly referred to as “dumping.” Dumping occurs when a foreign firm sells merchandise in the U.S. market at a price lower than the “normal value” (NV) of the merchandise; generally, this is the price the foreign firm charges for a comparable product sold in its home market. Under certain circumstances, dumping may also be identified by comparing the foreign firm’s U.S. sales price to the price the foreign firm charges in other export markets.

With similar effect, but stemming from different causes, is Countervailing. Here foreign governments are unfairly subsidizing their industries that export to the United States. Examples of unfair subsidies are tax benefits related to exporting or government/low-cost loans for specific companies or industries. Generally, the benefit must be limited to a specific group of firms or industries or to a firm’s export activities in order to be covered under this law.

The United States Department of Commerce (USDOC) investigates both Anti-dumping and Countervailing cases. These investigations are almost always initiated in response to petitions filed by an affected U.S. industry. The affected U.S. Domestic industry or company must file a petition, including details of the complaint for the USDOC to investigate. If it is determined that a U.S. industry has been injured, additional duties will be assigned to elevate the entered value of the merchandise to levels commensurate with normal value.



To understand what dumping is, it is also important to understand what dumping is not. For example, dumping is not the sale of foreign merchandise in the United States at a price less than the price charged by U.S. producers of the same merchandise. In a dumping case, the fact that foreign producers sell their products at lower prices in the U.S. market than U.S. producers becomes relevant only in the context of determining whether dumped imports have materially injured a specific U.S. industry.

Therefore, it is of particular importance for U.S. companies to understand their remedies. Moreover, the importing community should be aware of any safeguards that may be in place prior to purchasing for import, to prevent higher than anticipated import costs. DHL's brokerage professionals can assist in determining if these additional duties may apply.

CARNETS

WHAT IS A CARNET?

An ATA Carnet (Admission Temporaraire/Temporary Admission or “Merchandise Passport”) is an international Customs document that simplifies Customs procedures by its use as the entry document in place of Customs documents that are required for temporary importations

Carnets facilitate international business by avoiding extensive Customs procedures, eliminating payment of Customs duties and excise taxes and eliminating the purchase of temporary import bonds.

1. Merchandise covered by ATA Carnets includes:
 - Commercial samples, professional equipment, and goods for trade shows and exhibitions
 - Items such as computers, tools, cameras and video equipment, industrial machinery, automobiles, gems and jewelry, and apparel
 - Extraordinary items such as artwork, band instruments, etc.
2. ATA Carnets do not cover consumable goods (food and agriculture products), disposable items, or postal traffic.
3. Carnets are generally valid for less than 12 months from the date of issue. The period of validity for a Carnet is not extendable, nor can a new Carnet covering the same articles be substituted to gain an extension. The Carnet simultaneously serves as a bond and the entry document for articles under various Customs procedures, such as temporary importation and transportation in-bond.



SECURITY CERTIFICATION

CUSTOMS-TRADE PARTNERSHIP AGAINST TERRORISM (C-TPAT) OVERVIEW

C-TPAT is a voluntary government-business initiative to build cooperative relationships that strengthen and improve overall international supply chain and U.S. border security. U.S. Customs and Border Protection (CBP) recognizes that the highest level of cargo security can be obtained only through close cooperation with the ultimate owners of the international supply chain such as importers, carriers, consolidators, licensed Customs brokers, and manufacturers.

Sharing this concern for security, DHL Express U.S. volunteered to participate in C-TPAT in 2003. Through this effort, we have been able to assist in achieving CBP's ultimate goal of enhancing security through upgrades and improvements of various elements of the supply chain. Currently, DHL Express U.S. is a C-TPAT member in good standing, having been certified and currently validated by CBP through tri-annual inspections.

CUSTOMERS AND BUSINESS PARTNERS OVERVIEW

Today most of our major customers and business partners require C-TPAT certification in order to transport their shipments. To provide information to customers and business partners regarding our C-TPAT certification, we must provide a Status Verification Indicator (SVI) token. The issuance of this token is consummated through the Customs and Border Protection's (CBP) C-TPAT portal. The DHL Express U.S. ITAC group can issue the SVI token to customers.

For Status Verification requests, please send an email to DHL Security at: jimmy.jordan@dhl.com with the customer's name, address, email and telephone number with "C-TPAT SVI Request" in the subject line.



USEFUL LINKS

FOR MORE INFORMATION, PLEASE VISIT THE FOLLOWING WEBSITES:

World Customs Organization

<http://www.wcoomd.org>

U.S. Department of Commerce

<http://www.doc.gov>

U.S. Food and Drug Administration (FDA)

<http://www.fda.gov>

U.S. International Trade Commission

<http://www.usitc.gov>

U.S. Customs and Border Protection

<http://www.cbp.gov>

U.S. Department of Agriculture

<http://www.usda.gov>

U.S. Fish and Wildlife Service

<http://www.fws.gov>

U.S. Consumer Safety

<http://www.cpsc.gov>

Bureau of Alcohol, Firearms and Explosives

<http://www.atf.gov>

U.S. Trade Representative

<http://www.ustr.gov>

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