

ISF Filing Requirements for Ocean Import Cargo to USA



ANNOUNCEMENT:

JANUARY 20, 2014

In 2013, U.S. Customs and Border Protection (CBP) began “Enhanced Enforcement” to improve compliance of the Importer Security Filing (10+2 or ISF) requirements which have been in place since January 2009. The enforcement may include Liquidated Damages penalties and/or cargo holds and inspections.

What this means for importers is that CBP may place holds on shipments at the port of discharge if the ISF is not filed correctly or on time. In addition, any incorrect, incomplete or late ISF may also result in penalties to the importer of up to \$10,000 per shipment.

We would like to remind our customers that ISF must be filed for all import cargo arriving in the United States by vessel. The Importer of Record (IOR) is ultimately responsible for ISF filing, but may hire an agent to file it on their behalf. GLOBAL is available to file ISF for all our clients, both for cargo moving via our NVOCC Global Container Line, or with another carrier.

Please see the following reminders that may help to limit your exposure to ISF penalties:

Requirements for timely and correct ISF filing:

- ◆ ISF Filing must be submitted to CBP **at least 24 hours** before cargo is loaded on a vessel destined for the United States.
- ◆ Unless you are self-filing, you must have a **valid Power of Attorney (POA)** on file with an ISF Agent authorizing the agent to file ISF on your behalf. The POA may take up to a week to be validated and in place so it is recommended that you make arrangements in advance.
- ◆ The Importer will also need a **Customs Bond** for ISF filing. A Continuous Customs Bond will cover both ISF and Customs entry filings. If you do not have one, you will be required to use Single Transaction Bonds for both ISF and the entry. Please contact GLOBAL for more information—we can explain all your options for compliant ISF filing.
- ◆ For ISF filing, the Importer’s responsibility is to submit the 10 data elements (located in side bar) to CBP. If GLOBAL is transmitting ISF on your behalf, our policy is to have this information **at least 72 hours prior** to your cargo loading on board a vessel destined for the United States. Importers or their foreign suppliers are requested to provide the 10+2 template, commercial documents, booking details, and the AMS HBL #.
- ◆ A reminder: **GLOBAL is not responsible** for late-filed ISF for any penalties due to incorrect, incomplete, or untimely data.

Penalties for Late, Incomplete, or Missing ISF Filing:

- ◆ CBP may fine the importer up to \$5000 USD **per violation** for the submission of inaccurate, incomplete or late filing, with a maximum of \$10,000 USD **per shipment**.
- ◆ Noncompliant cargo may be subject to “do not load” orders at origin.
- ◆ If goods for which an ISF has not been filed arrive in the U.S., CBP may withhold the release or transfer of the cargo until the ISF is filed, and may require inspection of the cargo.
- ◆ If cargo is unloaded without permission, it may be subject to seizure by CBP.

For More Information::

If you have any questions regarding 10+2 Importer Security Filing, or would like to know more about the Customs Brokerage/ISF services GLOBAL can provide, please contact your GLOBAL Representative or Debbie Brule at the contact information below. We would be happy to discuss your filing options with you.

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The 10 data elements that importers must provide are:

1. Manufacturer (or supplier) name and address
2. Seller (or owner) name and address
3. Buyer (or owner) name and address
4. Ship-to name and address
5. Container stuffing location name and address
6. Consolidator name and address
7. Importer of record number/foreign trade zone applicant identification number
8. Consignee number (s)
9. Country of origin
10. Commodity Harmonized Tariff Schedule number

