

CURRENT AS OF FEB 4, 2010

Title : BURMA SANCTIONS - UPDATE

---

CSMS #03-002242

Title: BURMA SANCTIONS - UPDATE

Date: 9/12/2003 4:00:40 PM

To: Automated Broker Interface

TO : ALL ABI BROKERS.

FROM : CARLA ZZ-DONOFRIO

SUBJECT : BURMA SANCTIONS - UPDATE

DATE : 09/11/2003

SEPTEMBER 10, 2003

PUBLIC NOTICE

CMP-9-FO:TP:TEC:OGA CD

TO : DIRECTORS, FIELD OPERATIONS

FROM : EXECUTIVE DIRECTOR, TRADE COMPLIANCE AND FACILITATION

SUBJECT : U.S. TRADE EMBARGO AGAINST BURMA (UPDATE)

THIS MESSAGE CANCELS AND SUPERSEDES PREVIOUS INSTRUCTIONS DATED AUGUST 27, 2003.

BACKGROUND:

ON MAY 20, 1997, IN RESPONSE TO THE BURMESE GOVERNMENT'S LARGE SCALE REPRESSION OF AND VIOLENCE AGAINST THE DEMOCRATIC OPPOSITION, PRESIDENT CLINTON ISSUED EXECUTIVE ORDER 13047 DECLARING A NATIONAL EMERGENCY WITH RESPECT TO BURMA. THE ORDER PROHIBITED NEW INVESTMENTS IN BURMA BY U.S. PERSONS, AND FACILITATION OF NEW INVESTMENT IN BURMA BY FOREIGN PERSONS.

ON JULY 29, 2003, DUE TO THE CONTINUED REPRESSION OF THE DEMOCRATIC OPPOSITION IN BURMA, THE PRESIDENT EXPANDED THE EXISTING U.S. SANCTIONS AGAINST THE COUNTRY, PURSUANT TO EXECUTIVE ORDER 13310, BY PLACING AN IMPORT BAN ON GOODS THAT ARE A PRODUCT OF BURMA.

**ACTION:**

EFFECTIVE AUGUST 28, 2003, ANY ARTICLE IMPORTED DIRECTLY OR INDIRECTLY INTO THE UNITED STATES, THAT IS A PRODUCT OF BURMA IS PROHIBITED. HOWEVER, MERCHANDISE FOR WHICH THE OFFICE OF FOREIGN ASSETS CONTROL (OFAC) HAS ISSUED A GENERAL LICENSE OR AN IMPORT LICENSE, MAY BE ENTERED FOR CONSUMPTION, OR IN-TRANSIT MOVEMENT THROUGH THE U.S. THIS IMPORT BAN APPLIES TO MERCHANDISE INTENDED FOR COMMERCIAL AND PERSONAL USE.

PLEASE BE ADVISED THAT OFAC HAS ISSUED THE FOLLOWING GENERAL LICENSES. A GENERAL LICENSE IS A REGULATORY PROVISION AUTHORIZING IMPORTATION WITHOUT THE FILING OF AN APPLICATION FOR AN IMPORT LICENSE WITH OFAC:

**IMPORTATIONS FOR U.S. DIPLOMATIC AND CONSULAR OFFICIALS**

U.S. DIPLOMATIC OR CONSULAR OFFICIALS ENTERING THE U.S. DIRECTLY OR INDIRECTLY FROM BURMA ARE AUTHORIZED TO ENGAGE IN ALL TRANSACTIONS INCIDENT TO THE IMPORTATION INTO THE U.S. WITH PRODUCTS OF BURMA AS ACCOMPANIED BAGGAGE OR HOUSEHOLD EFFECTS, PROVIDED THAT THE PRODUCTS ARE NOT INTENDED FOR ANY OTHER PERSON OR FOR SALE AND ARE NOT OTHERWISE PROHIBITED FROM IMPORTATION UNDER APPLICABLE U.S. LAWS.

**IMPORTATIONS FOR FOREIGN DIPLOMATIC AND CONSULAR OFFICIALS**

ALL TRANSACTIONS INCIDENT TO THE IMPORTATION INTO THE U.S. OF ANY ARTICLE THAT IS A PRODUCT OF BURMA THAT IS DESTINED FOR OFFICIAL OR PERSONAL USE BY PERSONNEL EMPLOYED BY A DIPLOMATIC MISSION OR CONSULATE IN THE U.S. ARE AUTHORIZED, PROVIDED THAT SUCH ARTICLE IS NOT INTENDED FOR ANY OTHER PERSON OR FOR SALE AND IS NOT OTHERWISE PROHIBITED FROM IMPORTATION UNDER APPLICABLE U.S. LAWS.

**DIPLOMATIC POUCHES**

ALL TRANSACTIONS IN CONNECTION WITH THE IMPORTATION INTO THE U.S. OR THE EXPORTATION FROM THE U.S. OF DIPLOMATIC POUCHES AND THEIR CONTENTS IS AUTHORIZED.

**IMPORTATION OF INFORMATION AND INFORMATIONAL MATERIAL**

THE IMPORTATION OF INFORMATION AND INFORMATIONAL MATERIALS IS AUTHORIZED. THE TERM "INFORMATION OR INFORMATIONAL MATERIALS" INCLUDES, BUT IS NOT LIMITED TO, PUBLICATIONS, FILMS, POSTERS, PHONOGRAPH RECORDS, PHOTOGRAPHS, MICROFILMS, MICROFICHE, TAPES, COMPACT DISCS, CD ROMS,

ARTWORKS, AND NEWS WIRE FEEDS. ARTWORKS MUST BE CLASSIFIED UNDER CHAPTER HEADINGS 9701, 9702, OR 9703 OF THE HARMONIZED TARIFF SCHEDULE OF THE U.S. TO BE ELIGIBLE FOR THE EXEMPTION.

QUESTIONS REGARDING MERCHANDISE CLAIMED TO BE INFORMATION OR INFORMATIONAL MATERIALS NOT OTHERWISE DESCRIBED IN THIS SECTION SHOULD BE REFERRED TO OFAC (CONTACT INFORMATION PROVIDED BELOW) TO DETERMINE ADMISSIBILITY.

#### PERSONAL AND HOUSEHOLD EFFECTS OF U.S. RESIDENTS IN BURMA

A U.S. CITIZEN WHO MAINTAINED A RESIDENCE IN BURMA PRIOR TO JULY 28, 2003, IS AUTHORIZED TO IMPORT PERSONAL AND HOUSEHOLD EFFECTS THAT ARE PRODUCTS OF BURMA. THIS EXEMPTION INCLUDES ACCOMPANIED BAGGAGE AND ARTICLES FOR FAMILY USE, PROVIDED THE IMPORTED ITEMS WERE PURCHASED BY THE U.S. PERSON PRIOR TO JULY 28, 2003, HAVE BEEN ACTUALLY USED ABROAD BY THE U.S. PERSON OR BY OTHER FAMILY MEMBERS ARRIVING FROM THE SAME FOREIGN HOUSEHOLD, ARE NOT INTENDED FOR ANY OTHER PERSON OR FOR SALE, AND ARE NOT OTHERWISE PROHIBITED FROM IMPORTATION.

#### 1 PERSONAL AND HOUSEHOLD EFFECTS OF BURMESE TRAVELING TO THE UNITED STATES

A NATIONAL OF BURMA WHO ARRIVES IN THE U.S. AFTER JULY 28, 2003, IS AUTHORIZED TO IMPORT PERSONAL AND HOUSEHOLD EFFECTS THAT ARE PRODUCTS OF BURMA. THIS EXEMPTION INCLUDES ACCOMPANIED BAGGAGE AND ARTICLES FOR FAMILY USE, PROVIDED THE IMPORTED ITEMS ARE ORDINARILY INCIDENT TO THE BURMESE NATIONAL'S ARRIVAL IN THE U.S., HAVE BEEN ACTUALLY USED ABROAD BY THE BURMESE NATIONAL OR BY THE OTHER FAMILY MEMBERS ARRIVING FROM THE SAME FOREIGN HOUSEHOLD, ARE NOT INTENDED FOR ANY OTHER PERSON OR FOR SALE, AND ARE NOT OTHERWISE PROHIBITED FROM IMPORTATION.

PLEASE BE ADVISED THAT MERCHANDISE LANDED, BUT NOT ENTERED FOR CONSUMPTION IN THE UNITED STATES, IS SUBJECT TO THIS IMPORT BAN, E.G., GOODS PLACED IN A FOREIGN TRADE ZONE (FTZ) OR BONDED WAREHOUSE. FOR PURPOSES OF OFAC'S REGULATIONS, AN IMPORTATION INTO A FTZ IS CONSIDERED AN IMPORTATION INTO THE U.S. OFAC HAS DEFINED THE TERM "IMPORTED INTO THE UNITED STATES" AS: (1) IN THE CASE OF GOODS TRANSPORTED BY VESSEL, IMPORTATION REFERS TO BRINGING THE GOODS INTO THE UNITED STATES, I.E., WITHIN THE LIMITS OF A PORT IN THE UNITED STATES, WITH THE INTENT TO UNLADE, AND (2) IN THE CASE OF GOODS TRANSPORTED OTHER THAN BY VESSEL, IMPORTATION REFERS TO BRINGING THE GOODS INTO THE TERRITORY OF THE UNITED STATES. IMPORTATION INTO THE U.S. FOR TRANSSHIPMENT OR AN IN-TRANSIT MOVEMENT OF A PRODUCT OF BURMA THAT IS INTENDED OR DESTINED FOR A THIRD COUNTRY IS PROHIBITED.

GOODS DETERMINED TO BE A PRODUCT OF BURMA ARE SUBJECT TO SEIZURE IN ACCORDANCE WITH 19 C.F.R. 12.150 (B) AND OFAC'S IMPLEMENTING REGULATIONS AT 31 C.F.R. PART 537.

INFORMATION:

QUESTIONS REGARDING THIS MATTER MAY BE DIRECTED TO THE OFFICE OF FOREIGN ASSETS CONTROL, ENFORCEMENT DIVISION AT (202) 622-2430 OR TO THE OFAC WEBSITE AT [HTTP:WWW.TREAS.GOV-OFAC](http://www.treas.gov-ofac).

-S-

ELIZABETH G. DURANT

Copyright 2009 CUSTOMS Info LLC. All Rights Reserved.