

# Importer Security Filing (ISF)

## 10+2



Effective January 26, 2009. This new regulation requires 10 additional data elements to be reported to CBP about your imported ocean cargo BEFORE lading. Two additional data elements are to be reported by the vessel operator concerning the stowage of the cargo aboard the vessel.

### Overview

The *Importer Security Filing and Additional Carrier Requirements* interim final rule is intended to help prevent terrorist weapons from being transported to the United States by requiring both importers and carriers to submit additional cargo information to U.S. Customs and Border Protection (CBP) before the cargo is brought into the United States by vessel.

This interim final rule follows a notice of proposed rulemaking (NPRM) published on January 2, 2008. Through the rulemaking process, CBP collected and evaluated approximately 200 public comments and has made significant enhancements to the proposed rule, as outlined in the interim final rule.

The data submissions required under the interim final rule must be delivered to CBP by way of a CBP-approved electronic data interchange system. This information will improve CBP's ability to identify high-risk shipments in order to prevent smuggling and ensure cargo safety and security.

These regulations specifically fulfill the requirements of the Security and Accountability for Every (SAFE) Port Act of 2006 and the Trade Act of 2002, as amended by the Maritime Transportation Security Act of 2002.

# ISF IMPLEMENTATION

**Effective Date:** The Interim Final Rule will take effect on January 26, 2009

**Compliance Date:** 12 month delayed compliance period from the effective date to allow industry to comply with the new requirements. January 26, 2010.

## New Requirements for Importers

### Importer Requirements

The interim final rule requires importers, or their agents to provide the first eight data elements no later than 24 hours before the cargo is laden aboard a vessel destined to the United States, for shipments consisting of goods intended to be entered into the United States and goods intended to be delivered to a foreign trade zone (FTZ). These data elements include:

1. **Importer of record number**
2. **Consignee number**
3. **Seller (Owner) name/address**
4. **Buyer (Owner) name/address**
5. **Ship to Party \***
6. **Manufacturer (Supplier) name/address \***
7. **Country of origin \***
8. **Commodity HTS-6 \***

---

9. **Container Stuffing location\*\***
10. **Consolidator name/address\*\***

\*The rule provides flexibility for importers with respect to the submission of four of these data elements. In lieu of a single specific response, **importers may submit a range of responses for each of the following data elements:** manufacturer (or supplier), ship to party, country of origin, and commodity HTSUS number. The ISF must be updated as soon as more accurate or precise data becomes available and no later than 24 hours prior to the ship's arrival at a U.S. port.

\*\*As an exception to the 24 hour rule. The ISF will also need to include these last two data elements that must be submitted as early as possible, but no later than 24 hours prior to the ship's arrival at a U.S. port.

Line#	MFG (Supplier)	HTS	C/O
001	ABC Manufacturing 224 Xingong Rd Shanghai CN 20000	630210	CN
002	ABC Manufacturing 224 Xingong Rd Shanghai CN 20000	630221	CN

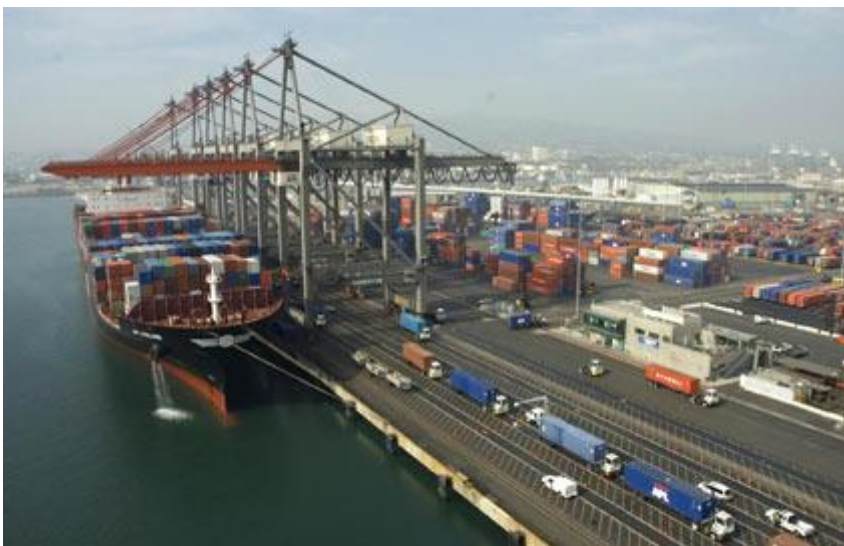
**In addition, the Manufacturer, HTS and Country of origin must be linked together as a line-item at the shipment level**

ISF filings are to be done electronically via vessel Automated Manifest System (AMS) or the Automated Broker Interface (ABI). Pursuant to the Trade Act of 2002, if the filer is not able to reasonably verify the information required for the ISF filing, the filer may submit the information on the basis of what it reasonably believes to be true. ISF filings must be secured by a Continuous bond.

The ISF Importer, as a business decision, may designate an authorized agent to file the Importer Security Filing on the ISF Importer’s behalf. If an agent is used for ISF purposes, a power of attorney (POA) is required. However, CBP has determined that the filing of an ISF does not constitute “Customs business”.

### **ISF MODIFICATIONS**

When an ISF is made it may only be modified by the person that transmitted the ISF data. To enhance your control and help avoid penalties, we recommend that you control this process by nominating our company as the ISF agent. Prior to arrival (24 hours before arrival) every ISF must be as accurate as possible. In other words, CBP will expect the data filed on Entry will match the ISF exactly.



### **THE IMPORTER IS RESPONSIBLE FOR THE ISF FILING ACCURACY**

After the informed compliance period officially ends, the ISF Importer is bound to provide a complete, accurate and timely filing or risk liquidated damages in the amount of \$5,000

<b>Current , Required manifest data</b>	<b>ISF Required data "regular cargo" (containerized)</b>	<b>Additional Entry data elements</b>
<b>Bill of Lading Number</b>	<b>24 hours prior to lading</b>	Entry number/type
<b>Foreign Port</b>	Seller (owner) name/address	Entry port
<b>Carrier SCAC</b>	Buyer (owner) name/address	Filer Code
<b>Carrier Assigned Voyage #</b>	Importer of Record number	Surety number
<b>Date of Arrival at First U.S. Port</b>	Consignee number	Filing date and time
<b>U.S. Port of Unlading</b>	<b>24 hours prior to lading – range of responses</b>	Importing Carrier
<b>Manifest Quantity</b>	Manufacturer (supplier)	Vessel name
<b>Unit of measure of Quantity</b>	Ship to party	Exporting Country
<b>First Foreign Place of Receipt</b>	Country of Origin	Estimated arrival date
<b>Commodity Weight</b>	Commodity HTS 6 digit international number	Entry value
<b>Shipper Name</b>	<b>No later than 24 hours prior to arrival</b>	HTS 10 digit /Value
<b>Shipper Address</b>	Container stuffing location	Manufacturer ID
<b>Consignee Name</b>	Consolidator name/address	
<b>Consignee Address</b>		
<b>Vessel Name/number</b>		
<b>Hazmat Code</b>		
<b>Container numbers</b>		
<b>Seal Numbers</b>		
<b>Date of departure</b>		

# What is M.E. Dey & Co., Inc doing?

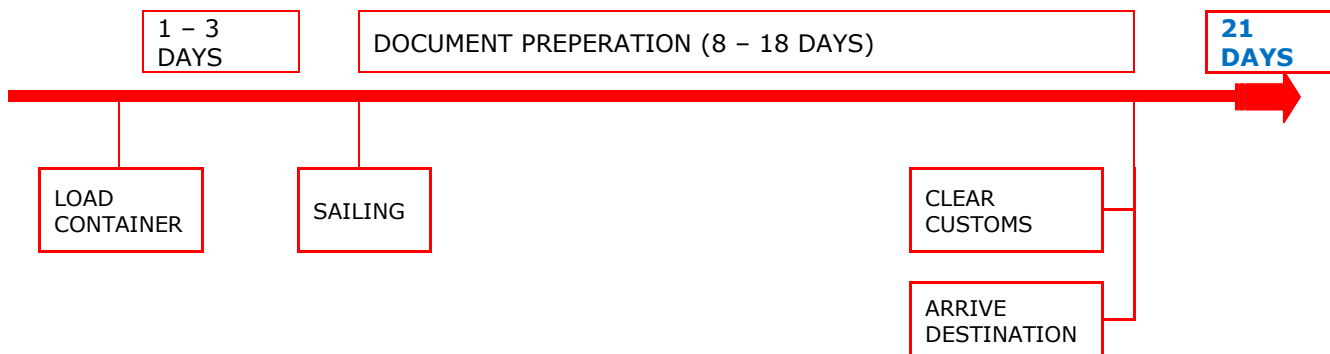
Our shared goal with our customers is to provide solutions to

## ALLOW TIMELY TRANSMISSION OF ISF WITHOUT DELAYING THE PHYSICAL MOVEMENT OF THE CARGO.

We are the only party in the supply chain who monitors the entire voyage of the cargo. The vendor, terminal, forwarder, steamship line and railroad all have necessary contributions to the successful movement of your cargo. M.E.Dey & Co., Inc. tracks your cargo, audits your documents, coordinates various cargo releases and works to deliver your freight in a timely manner. We offer options, advice, solutions to improve your bottom line and minimize unnecessary supply chain delays. None of the other parties involved in your shipment has all of the information nor are they really interested in all of the factors that contribute to your effective supply chain.

M.E.Dey intends on deploying a number of options to help you successfully meet your ISF filing requirements. Each of these options is designed to match your capabilities and to minimize additional transactional burdens on you.

This new requirement on all importers who bring in at least some of their cargo by Ocean freight is no doubt a process changer in which your partnership with your vendor takes on new responsibilities as to timely data availability. Historically, import shipments consist of 2 parallel tracks: The first naturally is the movement of the physical goods. The second is the creation and transmission of the commercial invoice, packing list and bill of lading for the shipment. Both begin about the same time. Of course the documents are vitally important to secure quick Customs release and final delivery. While the physical shipment is transiting the oceans and moving inland, the documents are completed by the vendor and they are expected to be in the hand of the Custom Broker prior to arrival of the cargo at the local terminal. The goal of course is to secure Customs release prior to the arrival of the cargo at the local terminal. The following time line is representative of a common ocean freight import.

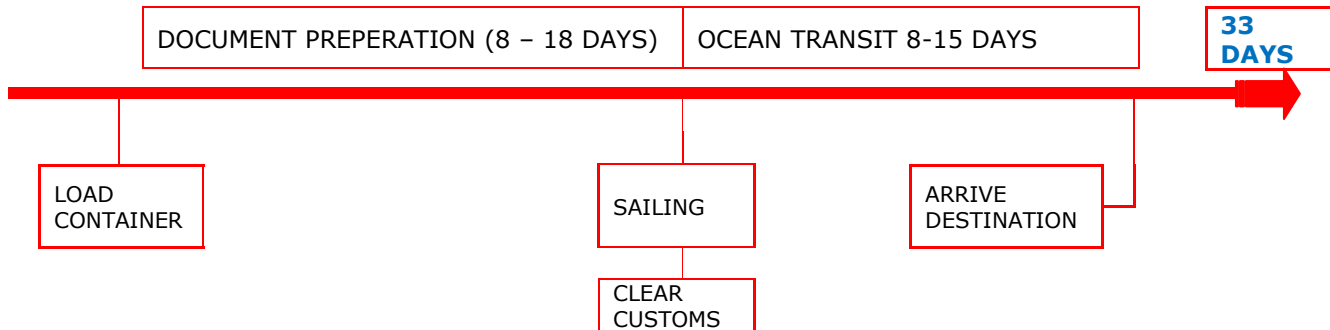


Note that while the cargo is moving, it is not affected by the document preparation. The cargo movement and the documentation process are separate but parallel processes.

ISF changes this relationship. Many of the data elements incorporated into the documents **must** be transmitted to Customs and Border Protection (CBP) prior to the container loaded onboard the ship at the port of export.

**The documentation and cargo movement tracks are no longer parallel but rather sequential.**

That is, data must be presented to Customs and Border protection before the physical movement of the cargo can proceed. Our time line has been modified as follows:



Clearly, if the common documentation preparation time was unchanged, the impact would be an unacceptable delay in the final delivery of the imported cargo. Therefore the challenge is to find a means to provide the data to CBP in such a timely fashion so as to avoid delay in the imported cargo.

The challenges are great and numerous. We believe that all of the challenges are surmountable simply by taking advantage of your partnership with M.E.Dey & Co.

Let's consider the individual data elements. Some of these are naturally available now – they are simply the base requirements of an ocean import entry. Importer of record number, Consignee number, Ship to party is a part of shipping/entry requirements today. In most situations, the seller and buyer are also known. Usually the manufacturer is also known.

Four of the data elements are a new barrier to a smooth supply chain: HTS number, country of origin, container stuffing location, consolidator name and address. Let's look at each.

**HTS NUMBER:** Many of our customers have taken advantage of our consulting services to create a data base covering at least a portion of their imported parts. We maintain the data base to manage consistency in classification to meet your responsibilities under CBP 'Reasonable Care' mandate. It also provides an effective tool to avoid over paying duties. Since we already have this information, it will be easier for us to transmit the data to CBP and avoid delays.

**COUNTRY OF ORIGIN:** Naturally we know that the country of export does not always mean that the goods were made in that country. For each article imported, it is necessary for you to determine the country of origin prior to shipping. This is a daunting task. However, M.E.Dey can archive country of origin data with the aforementioned HTS data base. For repetitive shipments, we believe that this gives you an uncommon opportunity to monitor just the changes in country of origin rather than determine country of origin for each article, for each shipment.

**CONTAINER STUFFING LOCATION AND CONSOLIDATOR NAME AND ADDRESS**... This is often not known to you – and probably unimportant to you also. This required ISF data element could be the shipper's location, a third party warehouse, the forwarders location, or somewhere else entirely. Remember that this information is available to us immediately when your cargo is routed through our partner services.

**CBP requires an ISF transmission prior to the cargo loading on the vessel.**

**A REASONABLE ESTIMATION OF THE HARMONIZED NUMBER, COUNTRY OF ORIGIN, CONTAINER STUFFING LOCATION AND CONSOLIDATOR NAME & ADDRESS IS ALLOWED IN AN INITIAL ISF TRANSMISSION.**

**The PRECISE DATA ELEMENTS for the shipment are ALWAYS required 24 hours before the shipment is expected to arrive in the United States**

How is this to be accomplished? M.E.Dey & Co has the following solutions, which may be used individually or in concert with others:

- ❖ When the commercial invoice is not yet available, a packing list must be provided. Packing list descriptions on parts must have HTS number indicated.
- ❖ Provide us with a copy of your purchase order to your vendor. Indicate expected or required ship date. Through our consulting services, we can work with you to classify the articles on the purchase order and prepare the necessary data for transmission to CBP at the time of shipment.
- ❖ Take advantage of our consulting services in advance to classify and determine country of origin of your imported parts list.
- ❖ Modify your purchase orders to include the classification number and assumed country of origin.
- ❖ Work with your vendor to add Custom Broker compliant classification and country of origin to their packing list and invoice data elements.
- ❖ Consider partnering with M.E.Dey on electronic sharing of data (EDI Transmission).
- ❖ Consider using our PO Management services.
- ❖ If you do not have one, purchase a continuous bond through M.E.Dey. A Continuous bond will be required for all importers and for all ISF transmissions. Importers that use single transaction bonds can expect delays and higher costs.
- ❖ We recommend that you route your cargo through our worldwide partners. Naturally, this approach takes advantage of our usual high customer service communications, superior pricing and will closely coordinate timing of the presentation of ISF data in conjunction with the physical movement of the cargo.
- ❖ **MOST IMPORTANTLY**, Avoid using a Foreign Freight forwarder to file ISF. Experience has shown that Freight forwarders have little training in Customs requirements. Avoid putting your company at risk of a \$5,000 fine.
- ❖ When your cargo is routed by the shipper through other forwarding services, it is necessary for you to communicate to your shipper the urgent nature of transmitting the ISF data to us in a timely manner.

## UNIFIED FILING

Effective ISF filing – that which minimizes delay in the physical movement of the cargo AND avoidance of penalty demands much from the Vendor, Importer, Broker partnership. Yet as the ISF requirements compel modifications to the supply chain process, ISF filings set the stage for reducing potential trade barriers to minimal levels. An importer may elect to transmit the ISF and ENTRY data at the same time.

ISF transactions will have a cost. Each transmission to CBP is a separate compliance event where accuracy or at a minimum, reasonable care, provides an estimation of the data values. Transmission is required prior to loading and subsequent transmissions may be required to modify estimated or incorrect data.

CBP is prepared to accept a “UNIFIED FILING”. The Unified filing is a single filing that combines the ISF and the entry – allowing you to arrange Customs clearance overseas at the port of lading. This action can reduce your entry service and ISF fees and provide certainty of the status of your cargo even before it arrives in the United States.

CBP will require the additional data elements of required values, the 10 digit HTS number rather than the 6 digit required in ISF and other minor data elements.

An importer may submit these elements once to be used for both Importer Security Filing and entry/entry summary purposes. If an importer chooses to have these elements used for entry/entry summary purposes, the Importer Security Filing and entry/entry summary must be self-filed by the importer or filed by a licensed customs broker in a single transmission to CBP no later than 24 hours prior to lading.



We are committed to working with your vendors and staff to help modify your processes and support these required changes.

We know what to do and can do it for you!

# 10+2 (ISF) Conclusion

## SOLUTIONS

There are a number of vectors that may effectively address the ISF. Each approach the essential timing of the data transmission in different ways. Your own internal processes may preclude one solution or another. To review, our recommendations are as follows:

1. Arrange through our consulting service to classify your imported parts
2. Employ a process to require classification review of new parts before ordering from your overseas vendor.
3. Consider memorializing country of origin verifications.
4. Copy us in when placing your purchase order.
5. Provide us with the complete names and addresses of your foreign suppliers.
6. Advise us on the default container stuffing locations.
7. Consider working with your Customs Broker for an EDI/XML or CSV files of your vendor packing lists and or shipper's invoice.
8. Work towards the ultimate goal of providing all of the data for a Unified filing (invoice and packing list presented when shipment is packed and loaded).
9. Optional global visibility into PO status, shipment status, supplier details and ABI clearance details through our PO Management, Internet tracking and eVent notifications.
10. Let us help you control your entire Supply Chain

# ISF DATA ELEMENT DESCRIPTIONS

## Manufacturer (or supplier) name and address\*

The name and address of the entity that last manufactured, assembled, produced, or grew the commodity, or the name and address of the supplier of the finished goods in the country from which the goods are leaving. In the alternative, the name and address of the manufacturer (or supplier) that is currently required by the import laws, rules and regulations of the U.S. (i.e., entry procedures) may be provided (this is the information that is used to create the existing manufacturer identification (MID) number for entry purposes).

*Postal Code information is "conditional". If a country uses postal codes, it will be required. The postal code is akin to the U.S. ZIP code. China (CN) uses postal codes*

## Seller name and address\*

Name and address of the last known entity by whom the goods are sold or agreed to be sold. If the goods are to be imported otherwise than in pursuance of a purchase, the name and address of the owner of the goods must be provided. The party required for this element is consistent with the information required on the invoice of imported merchandise. See 19 CFR 141.86(a) (2).

## Buyer name and address\*

May provide the name of the owner of the goods. This may be the same as the Seller (Owner) ISF-10 data element. The name and address of the last known entity to which the goods are sold or agreed to be sold. If the goods are to be imported otherwise than in pursuance of a purchase, the name and address of the owner of the goods must be provided Name and address of the last known entity to whom the goods are sold or agreed to be sold. The party required for this element is consistent with the information required on the invoice of imported merchandise. See 19 CFR 141.86(a)(2).

## Ship to name and address\*

The name and address of the first deliver-to party scheduled to physically receive the goods after the goods have been released from customs custody.

**\*\*CBP requires the actual deliver to name/address; not the corporate address\*\***

If unknown, provide the name of the facility where the goods will be unladen. May provide a FIRMS code of a warehouse or terminal if the specific ship to name/address is unknown at the time of the filing. For example, a container freight station is acceptable, or may provide the name and address of an in-land distribution center if the specific ship to name/address is unknown at the time of the ISF filing.

## Container stuffing location\*

The name and address (or addresses) of the physical locations where the goods were stuffed into the container. For break bulk shipments, the name and address (or addresses) of the physical locations where the goods were made "ship ready" must be provided. The "scheduled" stuffing location may be provided. This may be the same name/address as the manufacturer (supplier). If a "factory load", simply

## Consolidator (stuffer) name and address\*

The name and address of the party who stuffed the container or arranged for the stuffing of the container. For break bulk shipments, the name and address of the party who made the goods "ship ready" or the party who arranged for the goods to be made "ship ready" must be provided.

If no consolidator is used, e.g. "factory load" shipments, provide the name/address of the manufacturer (supplier).

## Importer of record Number

There must be a nominal ISF Importer identified 24 hours prior to lading. This can be the US based commodities agent, trading company, Customs broker or some other party that has oversight or nexus regarding the transaction. This must be updated prior to arrival if the element becomes known. (Often, this is the "Notify Party" on the customs manifest). The ISF importer number (see CBP Form 5106) must be on file with CBP prior to the filing of the ISF.

Internal Revenue Service (IRS) number, Employer Identification Number (EIN), Social Security Number (SSN), or CBP assigned number of the entity liable for payment of all duties and responsible for meeting all statutory and regulatory requirements incurred as a result of importation. The importer of record number for Importer Security Filing purposes is the same as "importer number" on CBP Form 3461. For goods intended to be delivered to an FTZ, the IRS number, EIN, SSN, or CBP assigned number of the party filing the FTZ documentation with CBP must be provided.

## Consignee Number (IRS)

The nominal Importer of Record # can be used again in this field. This must be updated prior to arrival if the element becomes known.

If the deliver to is other than the importer of record, EIN for the consignee IRS number, EIN, SSN, or CBP assigned number of the individual(s) or firm(s) in the USA on whose account the merchandise is shipped. This element is the same as the "consignee number" on CBP Form 3461.

## Country of origin

Country of origin specified for each article in the shipment. Country of manufacture, production, or growth of the article, based upon the import laws, rules and regulations of the United States. This element is the same as the "country of origin" on CBP Form 3461.

## Commodity HTS number under which the article is classified in the Harmonized Tariff Schedule of the United States (HTSUS).

6-digit HTS number for each article in shipment. The HTSUS number must be provided to the six-digit level. The HTSUS number may be provided to the 10-digit level.

\* A widely recognized commercially accepted identification number for this party may be provided in lieu of the name and address. CBP will accept a DUNS number in lieu of the name & address.

# ISF FAQ'S

## **What is Importer Security Filing (formerly known as 10+2)?**

U.S. Customs and Border Protection (CBP) will be requiring an Importer Security Filing (ISF) prior to vessel loading at foreign ports. The ISF generally will consist of 10 additional data elements from U.S. importers. In addition 2 data set items will be required from carriers. The Importer Security Filing and additional data from carriers will enhance CBP's ability to identify high-risk cargo shipments.

## **Will CBP implement the Importer Security Filing immediately?**

The interim final rule will be published in the Federal Register on Tuesday, November 25 and will take effect 60 days after publication. The interim final rule also includes a delayed compliance date of 12 months after the interim final rule takes effect. During this 12-month period, CBP will show restraint in enforcing the rule. CBP will take into account difficulties that importers may face in complying with the rule as long as importers are making a good faith effort and satisfactory progress toward compliance. In addition, CBP will conduct a review, to determine any specific compliance difficulties that importers and shippers may experience in submitting all 10 data elements 24 hours before lading. The structured review will cover a range of enterprises, from small to large, and will include both integrated and nonintegrated supply chains. Based on the information obtained during the structured review and public comment periods, CBP will conduct an analysis of the elements subject to flexibility. The analysis will examine compliance costs for various industry segments, the impact of the flexibilities, the barriers to submitting the data 24 hours prior to lading, and the benefits of collecting the data. Based upon the analysis, DHS will determine whether to eliminate, modify or maintain these requirements.

## **Why is CBP requiring this information?**

The regulations are specifically intended to fulfill the requirements of section 203 of the Security and Accountability for Every (SAFE) Port Act of 2006 and section 343(a) of the Trade Act of 2002, as amended by the Maritime Transportation Security Act of 2002. The SAFE Port Act requires the Secretary of Homeland Security, acting through the Commissioner of CBP, to promulgate regulations to require the electronic transmission of additional data elements for improved high-risk targeting, including appropriate security elements of entry data for cargo destined to the United States by vessel prior to loading at foreign seaports.

## **How do we handle situations where despite due diligence, all of the necessary data elements are simply not available?**

If an ISF importer does not know an element that is required, that party must take steps necessary to obtain the information. In some cases, business practices may have to be altered to obtain the required information in a timely fashion. CBP is committed to working with the trade to assist them in achieving full compliance and will provide guidance in the form of FAQs, posting on the CBP web site, and other outreach to the trade. For certain data elements (manufacturer (or supplier), ship to party, country of origin, and commodity Harmonized Tariff Schedule of the United States (HTSUS) number), ISF Importers will be permitted to submit an initial response or responses based on the best available data which they will have to update as soon as more precise or more accurate information is available, but in no event less than 24 hours prior to arrival at a U.S. port (or upon lading at a foreign port that is less than a 24 hour voyage to the closest U.S. port).

## **What about general confidentiality issues?**

Importer Security Filing data is treated as law enforcement sensitive when received by CBP because it is used for national security targeting purposes. It may also be considered confidential commercial information (subject to the Trade Secrets Act), when providing the same or similar information as required on the CBP 3461 Entry Form. Therefore, CBP would assert the applicable exemptions to withhold this information from public disclosure under the Freedom of Information Act (FOIA), unless authorized by law or required by a court order.

## **What information is in the vessel stow plan required of carriers?**

The vessel stow plan includes, for each vessel: vessel name, including international maritime organization (IMO) number; vessel operator; and voyage number. For each container: container operator, equipment number, equipment size and type, stow position, Hazmat code (if applicable,) port of lading, and port of discharge.

## **What will vessel stow plans be used for?**

Vessel stow plan information will be used primarily to identify unmanifested containers prior to arrival into the United States. Vessel stow plans will also be used to identify the specific physical location of dangerous goods and other high-risk containerized cargo aboard vessels.

## **What will container status messages that are now required of carriers be used for?**

Container status messages will primarily be used to track the physical movement of cargo containers as they move through the supply chain.

## **Who can file the Importer Security Filing?**

The ISF importer or his agent will be responsible for filing the complete, accurate, and timely importer Security Filing. For the purposes of the interim final rule, ISF importer means the party causing goods to arrive within the limits of a port in the United States. For foreign cargo remaining on board, the ISF Importer is construed as the carrier. For immediate exportation (IE) and transportation and exportation (T&E) in-bond shipments, and goods to be delivered to a foreign trade zone (FTZ), the ISF importer is construed as the party filing the IE, T&E, or FTZ documentation with CBP.

## **What is the CBP-approved electronic data interchange system?**

The current approved electronic data interchange systems for vessel stow plans are vessel Automated Manifest System (AMS), secure file transfer protocol (sFTP), and email. The current approved electronic interchange system for container status messages is sFTP.

The current approved electronic data interchange systems for Importer Security Filings are vessel AMS and the Automated Broker Interface (ABI). CBP will publish a notice in the Federal Register if a different or additional electronic data interchange systems are approved.

## **Will the Importer Security Filing be required in all transportation modes?**

This interim final rule is focused on ocean cargo. CBP is not exploring the expansion of the Importer Security Filing to other modes of transportation.

## **What measures will be taken as part of the Secure Freight Initiative to ensure data security, and address privacy concerns regarding the use of commercial data for counterterrorism risk-screening purposes?**

To ensure data security, CBP uses standard file formatting; data transfer protocols and secure submission interfaces within its Automated Commercial System (ACS) and Automated Targeting System (ATS). CBP considers this commercial data as business sensitive information, which may constitute trade secrets, and would protect such data from disclosure to the extent authorized by law (the Trade Secrets Act prohibits the unauthorized disclosure of confidential commercial information). As to any personally identifiable information, such information is held securely with restricted access on a need to know basis and subject to the same handling procedures as other personally identifiable data CBP routinely collects from travelers in connection with its border enforcement mission and in accordance with the Privacy Act. As CBP endeavors to further bolster its targeting capabilities by creating new programs under the Secure Freight Initiative, it will continue to ensure that the same rigorous security and privacy protocols that exist today are scrupulously followed.

## **How was the Importer Security Filing requirement developed? Was the trade community/private sector involved in the development process?**

CBP's close partnership with the trade community is the key reason why the interim final rule was developed in a smooth and timely fashion. The trade's input during the consultative process as well as its participation in the Advance Trade Data Initiative has been instrumental in the successful crafting of the proposal. Additionally, the Department's Advisory Committee on Commercial Operations, also known as COAC, is comprised of government and industry representatives. In early 2007, COAC made almost 40 recommendations to CBP on how to implement the security filing rule. CBP carefully studied and considered the COAC recommendations and agreed in full and/or in part to a majority of the recommendations.

## **What outreach activities are planned for this rule?**

CBP will conduct an extended round of structured outreach activities to engage with the trade on all aspects of the rule with a series of regional seminars and trade round table discussions at all of CBP's major seaports of entry and other ports as needed or requested by the trade. In addition, CBP will identify trade community operators who have established processes or who have successfully re-engineered processes to deliver the data timely to CBP to provide their colleagues in the community with business advice on how to comply with the regulatory requirements. CBP will conduct seminars that focus on all topics related to this rule, including technical, operational, and process components, such as documentation adjustments (e.g., modifying the terms of letters of credit to require receipt of data to effect final payment) and developing automated solutions to track supply chain partners and commodity orders (e.g. creating vendor/supplier databases). Will CBP accept the MID or adopt the use of standardized commercially-recognized entity identification numbers for ALL name/address elements? CBP will not accept the MID in lieu of providing the name/address of the manufacturer or supplier of the goods on the Importer Security Filing. However, commercially accepted identification numbers may be provided in lieu of the name and address for several elements. In addition, CBP will continue to explore the potential use of the Automated Commercial Environment (ACE) ID and Participating Government Agency identifiers in the future and as ACE is developed.

# IMPORTER SECURITY FILING (ISF), 10+2

## GUIDANCE FOR YOUR FOREIGN MANUFACTURERS AND SHIPPERS

*(Fax, scan to your foreign vendors)*

Effective January 26, 2009. United States Customs and Border Protection regulation will require 10 additional data elements to be reported to CBP about your ocean cargo BEFORE vessel is laden. Two additional data elements are to be reported by the vessel operator concerning the stowage of the cargo aboard the vessel. Protect your USA Customer. United States Customs and Border Protection threaten to assess \$5,000 penalties to your customer if the data is not correct!

### New Requirements for SHIPPING

**Your customer in the United States must find a way to transmit the following data elements to United States Customs and Border Protection BEFORE THE CARGO IS LOADED ONBOARD THE VESSEL AT THE PORT OF EXPORT.**

1	Importer of record <u>number</u>	to be provided by your USA customer
2	Consignee <u>number</u>	to be provided by your USA customer
3	Seller (Owner) name and address	to be provided by your USA customer
4	Buyer (Owner) name and address	usually provided by your USA Customer
5	Ship to Party	usually provided by your USA Customer*
6	Manufacturer (Supplier) name and address	<b><u>PLEASE SUPPLY THIS DATA!*</u></b>
7	Country of origin for each article in the shipment ("European Union" is not an acceptable country of origin)	<b><u>PLEASE SUPPLY THIS DATA ABOUT EACH ARTICLE SHIPPED*</u></b>
8	HTS – 6 Digit number for EACH article in the shipment. M.E.Dey & Co., Inc usually will supply this. You could work to supply this data directly	<b><u>M.E.Dey &amp; Co., to supply, then initiate TSE*</u></b>
9	Container Stuffing location	<b><u>PLEASE SUPPLY THIS DATA!**</u></b>
10	Consolidator name and address	<b><u>PLEASE SUPPLY THIS DATA!**</u></b>

\*There is flexibility for importers with respect to the submission of four of these data elements. In lieu of a single specific response, **importers may submit a range of responses for each of these data elements.** The ISF must be updated as more precise data becomes available and no later than 24 hours prior to the ship's arrival at a U.S. port.

\*\*As an exception to the 24 hour rule. The ISF will also need to include these last two data elements that must be submitted as early as possible, but no later than 24 hours prior to the ship's arrival at a U.S. port.

### ISF MODIFICATIONS

When an ISF is made it may only be modified by the company that transmitted the ISF data. As the USA partner with the importer (your customer), M.E.Dey will process the ISF filings and any changes that might be required. Customs and border protection will expect the data filed on Entry will match the ISF exactly!!!!

## GUIDANCE FOR FOREIGN MANUFACTURERS AND SHIPPERS, CONTINUED

### ISF DATA ELEMENT DESCRIPTIONS

#### Manufacturer (or supplier) name and address\*

The name and address of the entity that last manufactured, assembled, produced, or grew the commodity, or the name and address of the supplier of the finished goods in the country from which the goods are leaving. *Postal Code information is "conditional". If a country uses postal codes, it will be required. The postal code is akin to the U.S. ZIP code.*

#### Seller name and address\*

Name/ address of the last known entity by whom the goods are sold. If the goods are to be imported otherwise than in pursuance of a purchase, the name and address of the owner of the goods must be provided. .

#### Buyer name and address\*

May provide the name of the owner of the goods. This may be the same as the Seller (Owner) ISF-10 data element. The name and address of the last known entity to which the goods are sold or agreed to be sold. .

#### Ship to name and address\*

The name and address of the first deliver-to party scheduled to physically receive the goods after the goods have been released from customs custody . **\*\*CBP requires the actual deliver to name/address; not the corporate address\*\***

#### Container stuffing location\*

The name and address (or addresses) of the physical locations where the goods were stuffed into the container. The "scheduled" stuffing location may be provided. This may be the same name/address as the manufacturer (supplier). If a "factory load", simply indicate factory load actual location.

#### Consolidator (stuffer) name and address\*

The name and address of the party who stuffed the container or arranged for the stuffing of the container. If no consolidator is used, e.g. "factory load" shipments, provide the name/address of the manufacturer (supplier).

#### Importer of record Number

Internal Revenue Service (IRS) number, Employer Identification Number (EIN), Social Security Number (SSN), or CBP assigned number of the entity liable for payment of all duties and the import entry.

#### Consignee Number (IRS)

If the deliver to is other than the importer of record, EIN for the consignee IRS number, EIN, SSN, or CBP assigned number of the individual(s) or firm(s) in the USA on whose account the merchandise is shipped. This element is the same as the "consignee number" on CBP Form 3461.

#### Country of origin

Country of origin specified for each article in the shipment. Country of manufacture, production, or growth of the article, based upon the import laws, rules and regulations of the United States.

#### Commodity HTS number under which the article is classified in the Harmonized Tariff Schedule of the United States (HTSUS).

6-digit HTS number for each article in shipment. The HTSUS number must be provided to the six-digit level.

\* A widely recognized commercially accepted identification number for this party may be provided in lieu of the name and address. CBP will accept a DUNS number in lieu of the name & address.