



# CUSTOMS INFORMATION REQUESTS AND ACTIONS (CF28/29)

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When a formal import entry is submitted to U.S. Customs (CBP), the entry file is “held open” for 314 days from the entry date. If CBP has no questions or issues with the entry they will liquidate or close the entry file within the 314 days. However, during that 314 days, if there is insufficient information in the entry summary package to determine admissibility, appraised value, or classification of the merchandise, CBP will request additional information from the Importer of Record through a Request for Information (CF28) or a Notice of Action (CF29). Importers must take these requests seriously and put priority on providing any information requested in a timely manner.

## REQUEST FOR INFORMATION – CUSTOMS FORM 28

When a CBP Import Specialist is reviewing an entry, and has questions, they will issue a Customs Form 28 (CF28); Request for Information. This form is used by CBP to solicit additional information related to the specific entry. With the CF28, CBP is requesting information to verify the declarations made on the entry including the classification of the goods (Harmonized Tariff Schedule – HTS#), the declared value, the country of origin, if the product qualifies for a declared Free Trade Agreement, Antidumping or Countervailing Duties, provisional tariffs (Section 301, 232, etc.) or to otherwise determine if all import regulations were met on the entry. CBP may also require a sample of the product with the CF28.

What should you do if you receive a CF28?

- Notify leadership of any request from Customs including a CF28 as there may be financial implications to the request.
- Make sure you have a qualified and knowledgeable employee assigned to any and all communications with CBP. Make sure they are trained and know when to escalate the request or seek the assistance of trade lawyers or consultants.
- Set up a CBP Automated Commercial Environment (ACE) importer account to receive CF28/29 notices as they are issued.
- **Carefully read the CF28**, paying special attention to section 12-14, which detail the information requested.



- Thoroughly review and confirm all information declared on your entry and all related commercial documents.
- Consider why the CF28 was issued and assess whether it is the result of a onetime error, or a larger more systemic issue that will need to be addressed through a Prior Disclosure.
- Contact your Customs Broker for guidance and assistance in responding to the request.
- For more complicated requests, contact a Trade Lawyer for assistance in the response.
- If you are not clear as to what is requested, call the CBP Import Specialist listed at the bottom of the form.
- Be clear, concise and direct in your response.
- Have the response reviewed by management, your Customs Broker or a Trade Lawyer before submitting to CBP.
- **Make sure you respond within the 30 day window!!!**
- Extensions to the 30 days may be requested from CBP, but make sure the request is justified.

Ignoring or not responding to a CF28 is not an option! Failure to respond could be viewed as an importer's failure to demonstrate Reasonable Care in the management of their import activities. But, failure to respond will definitely result in CBP taking action through a Customs Form 29 Notice of Action (CF29).

## NOTICE OF ACTION – CUSTOMS FORM 29

The Notice of Action (CF29) might be the first communication an importer will receive from CBP. In this case, the CBP Import Specialist has reviewed the entry information and believes there is enough information to "take action", which will often result in an increase in assessed duties. Whether it is the first communication, or a result of the information submitted in response to a CF28, importers must carefully review the contents of the CF29 and the specific action taken.



The Notice of Action form is used in two ways: Proposed Action or Action Taken.

**PROPOSED ACTION:** When the box is checked for “Proposed” action, the importer has 20 days from the date of the notice to submit reasons why they disagree with CBP’s proposed action. The importer can submit any information, documentation or data necessary to support their position. If CBP agrees with importer, the entry will be liquidated as entered. If they do not, they will Take Action as proposed.

**ACTION TAKEN:** When the box is checked for action “Has Been Taken”, CBP has made a final decision and the entry will be liquidated. At this point, the importer’s only option is to formally Protest the decision in the action.

In addition to whether the action is proposed or taken, Importers must carefully review the “Type of Action” taken and the explanation provided. Actions are A) Rate Advance, B) Value Advance, C) Excess Weight or Quantity, or D) Other, and an explanation will be provided.

If the action is **Rate Advance**, CBP will liquidate the entry and issue a bill to the importer for the difference in duties submitted at the time of entry and the rate and amount of duty owed when the action is taken. The importer’s Import Bond Surety will also be notified of the Rate Advance and CBP billing.

**Be proactive and watch for CF28s or 29s.** Managing and responding to CF28s and 29s is not only important to avoid the potential of a “Rate Advance”, but failure to respond could result in further investigation by CBP including a Focused Assessment (CBP audit) and potential fines and penalties or forfeitures.

See examples of the CF28 and CF29 in the following pages:



# REQUEST FOR INFORMATION – Customs Form 28 (CF28)



DEPARTMENT OF HOMELAND SECURITY  
U.S. Customs and Border Protection

OMB APPROVAL NO. 1651-0023  
EXPIRES: 11-30-2022

## REQUEST FOR INFORMATION 19 CFR 151.11

1. Date of Request		2. Date of Entry and Importation	
3. Manufacturer/Seller/Shipper		4. Carrier	5. Entry No.
5a. Invoice Description of Merchandise		5b. Invoice No.	6. HTSUS Item No.
7. Country of Origin/Exportation		8. CBP Broker and Reference or File No.	
9. TO:		10. FROM:	
Production of Documents and/or Information Required by Law: If you have provided the information requested on this form to U.S. Customs and Border Protection at other ports, please indicate the port of entry to which it was supplied, and furnish a copy of your reply to this office, if possible.		11a. Port	11b. Date Information Furnished
<b>General Information and Instructions</b>			
12. Please Answer Indicated Question(s)		13. Please Furnish Indicated Item(s)	
<input type="checkbox"/> A. Are you related (see reverse) in any way to the seller of this merchandise? If you are related, please describe the relationship, and explain how this relationship affects the price paid or payable for the merchandise.		<input type="checkbox"/> A. Copy of contract (or purchase order and seller's confirmation thereof) covering this transaction, and any revisions thereto.	
<input type="checkbox"/> B. Identify and give details of any additional costs/expenses incurred in this transaction, such as:		<input type="checkbox"/> B. Descriptive or illustrative literature or information explaining what the merchandise is, where and how it is used, and exactly how it operates.	
<input type="checkbox"/> (1) packing <input type="checkbox"/> (2) commissions <input type="checkbox"/> (3) proceeds that accrue to the seller <input type="checkbox"/> (4) assists <input type="checkbox"/> (5) royalties and/or license fees		<input type="checkbox"/> C. Breakdown of components, materials, or ingredients by weight and the actual cost of the components at the time of assembly into the finished article.	
		<input type="checkbox"/> D. Submit samples: Article number and description _____ from container _____ mark(s) and number _____ Samples consumed in analysis, and other samples whose return is not specifically requested, will not normally be returned.	
		<input type="checkbox"/> E. See item 14 below.	
14. CBP Officer Message			
15. Reply Message (Use additional sheets if more space is needed.)			
16. CERTIFICATION			
I hereby certify that the information furnished herewith or upon this form in response to this inquiry is true and correct, and that any samples provided were taken from the shipment covered by this entry.		It is required that an appropriate corporate/company official execute this certificate and/or endorse all correspondence in response to the information requested. <b>(NOTE: NOT REQUIRED IF FOREIGN FIRM COMPLETES THIS FORM.)</b>	
		16a. Name and Title/Position of Signer (Owner, Importer, or Corporate/Company Official)	16b. Signature
		16c. Telephone No.	16d. Date
17. CBP Official		18. Team Designation	19. Telephone No.
20. Fax No.		21. Email	



## NOTICE OF ACTION – Customs Form 29 (CF29)

<b>DEPARTMENT OF HOMELAND SECURITY</b> <b>CUSTOMS AND BORDER PROTECTION</b>		<b>NOTICE OF ACTION</b> <i>This is NOT a Notice of Liquidation</i>		1. DATE OF THIS NOTICE
19 CFR 152.2				
2. CARRIER	3. DATE OF IMPORTATION	4. DATE OF ENTRY	5. ENTRY NO.	
6. MFR/SELLER/SHIPPER	7. COUNTRY	8. CUSTOMS BROKER AND FILE NO.		
9. DESCRIPTION OF MERCHANDISE				
10. TO		11. FROM		
12. THE FOLLOWING ACTION, WHICH WILL RESULT IN AN INCREASE IN DUTIES, —				
<input type="checkbox"/> <b>IS PROPOSED</b> IF YOU DISAGREE WITH THIS PROPOSED ACTION, PLEASE FURNISH YOUR REASONS IN WRITING TO THIS OFFICE WITHIN 20 DAYS FROM THE DATE OF THIS NOTICE. AFTER 20 DAYS THE ENTRY WILL BE LIQUIDATED AS PROPOSED.				
<input type="checkbox"/> <b>HAS BEEN TAKEN</b> THE ENTRY IS IN THE LIQUIDATION PROCESS AND IS NOT AVAILABLE FOR REVIEW IN THIS OFFICE.				
TYPE OF ACTION				
A. <input type="checkbox"/> RATE ADVANCE				
B. <input type="checkbox"/> VALUE ADVANCE				
C. <input type="checkbox"/> EXCESS <input type="checkbox"/> WEIGHT <input type="checkbox"/> QUANTITY				
D. <input type="checkbox"/> OTHER (See below)				
13. EXPLANATION (Refer to Action letter designations above)				
14. CUSTOMS OFFICER (Print or Type)		15. TEAM DESIGNATION		16. TELEPHONE

CBP FORM 29