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**CIAA Bulletin**

**An Exclusive CIAA Member**

### Summary of Final Rule Released by CBP

*The following is a summary of the interim final rule released by U.S. Customs and Border Protection on November 25th.*

*This write up is courtesy of CIAA member Paul Jeka of All-Ways Forwarding International.*

**Department of Homeland Security issues "10+2" rule "Fact Sheet":  
New Cargo Security Requirements for Maritime Carriers and Importers.**

The intention of the "10+2" rule is to improve CBP's ability to identify high-risk shipments in order to prevent smuggling and ensure cargo safety and security.

Please note the below significant new requirements and changes to the initial "10+2" rule.

#### New Requirements:

##### Carrier Requirements

- Vessel Stow Plan : Carriers must transmit the stow plan, via AMS no later than 48 hrs after the carriers departure from the last foreign port.
- Container Status Messages: Based on a variety of criteria and events, Container Status Messages (CSM) must be transmitted to CBP no later than 24 hrs after the message is entered into the carriers equipment tracking system. For example if a container is offloaded in a foreign port or is trans- shipped to another vessel etc...

#### Importer Requirements:

The following eight data elements must be included in the Importer Security Filing (ISF) to CBP no later than 24 hrs before cargo is laden aboard a vessel destined to the United States, or to be delivered to a foreign trade zone (FTZ) within the United States.

- Seller
- Buyer
- Importer of Record / FTZ applicant ID number
- Consignee number (s)

\*The rule provides flexibility with the submission of the following data elements in lieu of a single specific ISF.

- Manufacturer or Supplier\*
- Ship to Party\*
- Country of Origin\*
- HTSUS number\*
- Container Stuffing Location\*
- Consolidator\*

The ISF must be updated as soon as accurate data becomes available for the above six data elements and must be filed no later than 24 hrs prior to the ships arrival at a US Port. So let's coin the phrase "the 4+6+2 rule".

In addition, for shipments consisting entirely of Foreign Cargo Remaining on Board (FROB) and shipments consisting entirely of goods to be transported In-Bond as an Immediate Export (IE) or Transportation and Exportation (T&E), must provide the following five data elements no later than 24hrs before the cargo is laden on board a vessel destined to the United States.

- Booking Party
- Foreign port of unloading
- Place of delivery
- Ship to Party
- Commodity HTSUS number

The interim final rule includes a delayed compliance date of 12 months after the interim final rule takes effect. During this period CBP will show restraint in enforcing the rule. The rule is to take effect January 25, 2009 with enforcement to begin one year later.

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