

40
3



Philippine Economic Zone Authority

Roxas Boulevard corner San Luis Street Pasay City, Metro Manila, Philippines
Telephones (632) 5513438 • 5513454 • Facsimile (632) 5513436
E-mail: info@peza.gov.ph • Website: www.peza.gov.ph

MEMORANDUM CIRCULAR NO. 2009-006 *enb*

TO : PEZA-REGISTERED ECONOMIC ZONE ENTERPRISES
PEZA DEPUTY DIRECTOR GENERALS, HEAD OFFICE MANAGERS
& OFFICERS-IN-CHARGE (OICs), ZONE ADMINISTRATORS, ZONE
MANAGERS AND ZONE OICs

FROM : DIRECTOR GENERAL LILIA B. DE LIMA *L.B. De Lima*

DATE : 24 February 2009

SUBJECT : NEW US CUSTOMS REQUIREMENTS

In order to increase security of cargo shipments and prevent terrorist weapons from being transported to the US, please be informed that the US Customs has implemented an interim final rule known as "10+2" which specifies guidelines on the transmission of advance information for shipments entering US ports. Under the rule, both carriers and importers, are required to submit additional/new data or information for sea shipments destined to the US. Highlights of the rule are as follows:

- For carriers, they must submit 1) Vessel Stow Plan and 2) Container Status Messages, in addition to existing requirements.
- For US importers, they must submit an Importer Security Filing (ISF) consisting of 10 data elements for shipments intended to be entered into the US and goods intended to be delivered to an FTZ (Free Trade Zone) and 5 data elements for shipments consisting entirely of FROB (foreign cargo remaining on board) and shipments consisting entirely of goods intended to be "transported" as immediate exportation (IE) or transportation and exportation (T&E) shipments.
- The effectivity date of the new ruling is January 26, 2009, but a delayed compliance date of one year from the effective date is implemented to allow trade sufficient time to adjust their business processes and enable them to comply with the requirements. Although the rule is now final, CBP invites comments from interested persons on the 6 data elements on importer requirements i.e., container stuffing location, consolidator (stuffer), manufacturer (or supplier), ship to party, country of origin, and commodity HTSUS (Harmonized Tariff Schedule of the United States) by June 1, 2009. The comments shall be inputs to the structured review of the data elements by CBP, which shall involve an evaluation of compliance difficulties faced by the trade and determine barriers encountered by importers.

Comments may be sent thru the following methods:

- 1) By email at <http://www.regulations.gov>. Follow the instructions for submitting comments via docket number USCBP-2007-0077; or
 - 2) By mail at: Border and Security Regulations Branch, Office of International Trade, U.S. Customs and Border Protection, 799 9th Street, NW., Washington, DC 20001
- Data on the name and address of the manufacturer (or supplier) of goods entering the US is required as one of the 10 data elements in the ISF. CBP is accepting a widely recognized commercially accepted identification number for such entity (such as the DUNS Number) in lieu of the name and address.
 - For violation to provide advance cargo information requirements, penalty is \$5,000 for each violation up to a maximum of \$100,000 per conveyance arrival. For violation of Importer Security Filing requirements (i.e., for failure to timely, accurately, and completely file an ISF) penalty is \$5,000 for each violation.

Attached in Annex A is a summary of requirements, timing, method of submission and data elements required for carriers and US importers.

For your information and guidance.

PEZA - DTS



1313-2009-00020

"Trabaho at kabuhayan sa bawat tao
President Gloria Macapagal-Arroyo

ANNEX A

EXISTING CARRIER REQUIREMENTS VERSUS NEW CARRIER REQUIREMENTS

	EXISTING REQUIREMENTS	NEW REQUIREMENTS	
Requirement	Advance cargo information (i.e. Trade Act Requirements or 24 Hour Rule)	Stow Plan	Container Status Messages
Timing	24 hours prior to lading	48 hours after departure; prior to arrival for voyages less than 48 hrs	24 hours after the message is entered into the carrier's equipment tracking system
Submission Method	Vessel AMS (Automated Manifest System)	Vessel AMS, secure File Transfer Protocol (sFTP), or email	sFTP
Elements	<ul style="list-style-type: none"> • Bill of Lading Number • Foreign Port before vessel departs for U.S. • Carrier SCAC (Standard Carrier Alpha Code) • Carrier Assigned Voyage Number • Date of Arrival at First U.S. Port • Quantity • Unit of measure of Quantity • First Foreign Place of Receipt • Commodity Description (or six-digit HTSUS Number) • Commodity Weight • Shipper Name and Address • Consignee Name and Address or ID Number • Vessel Name • Vessel Country • Vessel Number • Foreign Port of Lading • Hazmat Code • Container numbers • Seal Numbers • Date of Departure from Foreign Port • Time of Departure from Foreign Port 	<p>With regard to the vessel:</p> <ul style="list-style-type: none"> • Vessel name (including international maritime organization (IMO) number); • Vessel operator; and • Voyage number <p>With regard to each container:</p> <ul style="list-style-type: none"> • Container operator; • Equipment number; • Equipment size and type; • Stow position; • Hazmat code (if applicable); • Port of lading; and • Port of discharge. 	<ul style="list-style-type: none"> • Event code being reported, as defined in the ANSI x.12 or UN EDIFACT standards; • Container number; • Date and time of the event being reported; • Status of the container (empty or full) • Location where the event took place; and • Vessel identification associated with the message if the container is associated with a specific vessel.

EXISTING IMPORTER REQUIREMENTS VERSUS NEW IMPORTER REQUIREMENTS

	EXISTING REQUIREMENTS	NEW REQUIREMENTS
Requirement	Entry and Entry Summary	Importer Security Filing
Timing	Entry within 15 calendar days of date of arrival; Entry summary within 10 working days of entry	24 hours prior to lading for 8 of the elements; as early as possible, in no event later than 24 hours prior to arrival, for 2 of the elements
Submission Method	ABI (Automated Broker Interface) or paper	ABI or vessel AMS
Elements	<ul style="list-style-type: none"> • Bill of Lading Number • Importer of Record Number * • Foreign Port before vessel departs for U.S. • Carrier SCAC 	<p>Shipments Other than FROB (Foreign cargo remaining on board), IE (Immediate exportation) Shipments and T&E (Transportation and exportation) Shipments:</p> <ul style="list-style-type: none"> • Seller

PEZA MEMORANDUM CIRCULAR NO. 2009-006_{enr}

	<ul style="list-style-type: none"> • Carrier Assigned Voyage Number • Date of Arrival at First U.S. Port • Quantity • Unit of measure of Quantity • First Foreign Place of Receipt • Commodity Description • Commodity HTSUS Number * • Commodity Weight • Shipper Name and Address • Consignee Name and Address and Number* • Country of Origin * • Vessel Name • Vessel Country • Vessel Number • Foreign Port of Lading • Hazmat Code • Container numbers • Seal Numbers • Date of Departure from Foreign Port • Time of Departure from Foreign Port 	<ul style="list-style-type: none"> • Buyer • Importer of record number/FTZ applicant identification number * • Consignee number(s) * • Manufacturer (or supplier) • Ship to party • Country of origin * • Commodity HTSUS number * • Container stuffing location • Consolidator (stuffer) <p>FROB, IE Shipments and T&E shipments:</p> <ul style="list-style-type: none"> • Booking party • Foreign port of unloading • Place of delivery • Ship to party • Commodity HTSUS number
--	---	--

* These elements are provided for Importer Security Filing and entry/entry summary or FTZ (Free Trade Zone) admission purposes.