



Notice to Clients of ACM Logistics & Consulting, Inc.

New Importer Security Filing Required **Effective January 26, 2009**

The Old Way of Doing Business Is Changing Rapidly!

Of all the new laws Congress has passed since 9/11, the new Importer Security Filing requirement will impact importers by far the most. This new rule will be much more significant to you than even the ever-present security lines you face as you board an aircraft to fly somewhere.

In a nutshell, here is what is required of importers: you or your agent must transmit to Customs the following data at least 24 hours prior to the loading of your cargo aboard an ocean vessel:

1. Seller name and address
2. Buyer name and address
3. Importer of record IRS number (EIN number)
4. Consignee IRS number (EIN number)
5. Manufacturer/Supplier name and address
6. "Ship To" name and address
7. Country of origin for all products being shipped
8. Commodity HTSUS number for all products being shipped (minimum 6 digit level required, all 10 digits acceptable)
9. Container loading location
10. Consolidator/stuffer name and address
11. Bill of lading number (at the lowest level)

ACM Logistics & Consulting, Inc.



There are two important aspects of this rule that are very significant to importers:

- A. Some of this data has never been provided Customs before (and some of it may be data you have never had access to in the past)
- B. None of this data has been required a minimum of 24 hours prior to loading of the exporting vessel

Several key points on this new requirement are as follows:

1. The effective date of the rule is 1/26/2009, but to provide sufficient time for importers to adjust to the new requirements, and where a good faith effort to comply is being made, Customs will “show restraint” in enforcing the rule for the first 12 months.
2. The only two means at this time of submitting this Importer Security Filing is via the Automated Broker Interface (which customs brokers use to file entries) and the Automated Manifest System (which carriers use to transmit manifests).
3. Filers of this Importer Security Filing must have on file a customs bond and must be granted power of attorney by the importer.
4. Only the filer can have access to and amend an Importer Security Filing.
5. The timing of filing elements 9 & 10 (container loading location & consolidator/stuffer name and address) are flexible, but must be submitted as early as possible and in any event no later than 24 hours prior to arrival of the vessel in the U.S.
6. Customs will allow some flexibility on the data (but not the timing) for element numbers 5, 6, 7 & 8 (manufacturer/supplier name and address, ship-to name and address, country of origin and commodity HTSUS number) at the time of initial filing of the Importer Security Filing. Importers will be allowed to submit a range of responses when filing 24 hours prior to loading, to be updated with the final submission no later than 24 hours prior to arrival of the vessel in the U.S.
7. Once compliance becomes enforced, violations to this rule will be penalized at \$5,000 per violation.

ACM Logistics & Consulting, Inc. has been working with trade partners to learn all the details about this new requirement and to be prepared to assist our clients with this rule. We are prepared to serve importers by collecting and submitting this data for you to meet this new law. Please contact John Heimsath, Stephen Rowland or any other of our employees as we prepare to assist you in submitting your Importer Security Filings.

ACM Logistics & Consulting, Inc.