

## Importer Security filing - 10+2 Compliance

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New regulations from CBP will require a security filing from Importers including expanded trade data for Ocean containers loaded at foreign ports and destined for the United States.

This filing comprises 10 new data elements from Importers reported no less than 24 hours prior to loading and 2 new elements from carriers prior to arrival in the US.

The goal is to allow CBP to enhance its security targeting.

CBP expects the new rule to be phased in over a period of one year starting in late 2008 for Ocean transport and expanded to other modes thereafter.

The elements which concern the Importer or its agent are:

- ▶ Manufacturer (Supplier) name and address
- ▶ Seller name and address
- ▶ Container stuffing location
- ▶ Consolidator name and address
- ▶ Buyer name and address
- ▶ Ship-to name and address
- ▶ Importer of record number
- ▶ Consignee number
- ▶ Country of Origin
- ▶ HTSUS number (at 6 Digit level)

It is important to note that the Importer is going to be solely liable and that penalties could be equal to the full value of the shipment.

## What you need to know about "10+2"

### **What is "10+2"?**

10+2 refers to a US Customs and Border Protection Rule that will require carriers to submit "10+2" additional pieces of information to CBP 24 hours before vessels are loaded: Ten from the importer (also known as the Importer Security Filing or ISF), two from the carrier.

### **How does this affect me?**

It is the importer's responsibility to ensure that the ISF is filed and accurate; failure to provide the 10 data elements to CBP on time will result in penalties equal to the value of the shipment, not to mention the cost of shipping delays.

If you're an importer, you need to be prepared to submit this information to CBP, and you need to ensure that your carriers are prepared to provide the additional information as well.

### **What information is required from Importers?**

1. Seller name and address
2. Buyer name and address
3. Ship to name and address
4. Manufacturer/supplier name and address
5. Container loading location
6. Consolidator name and address
7. Importer of record number or Foreign Trade Zone applicant ID No.
8. Consignee number(s)
9. Country of origin
10. Commodity HTSUS number (minimum 6 digit level required, 10 is accepted)

***What information is required from Carriers?***

1. Vessel Stow Plan
2. Container Status Messages, including container movements and changes in status (e.g., empty or full).

***How will this information be used?***

This information will be used to help CBP and the Department of Homeland Security better assess and identify high-risk shipments from entering the United States. The 10+2 information will be used by the US Customs Automated Targeting System to analyze the shipment information and flag containers that require further examination.

***When does this rule come into effect?***

The Federal Register announced the final approval for the "10+2" Rule on November 25, 2008; the Rule officially comes into effect on January 25, 2009.

CBP has announced a one-year period of "informed compliance" from that date, to help importers and carriers adapt to the new rules without the threat of fines.

***What can I do right now?***

Inform your staff and trade chain partners of the new ruling and its requirements; consider how you will collect the required data; ensure you are using the correct and updated HTSUS numbers; and be prepared to start submitting the additional information when the rule is passed.