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Notes



FAQs for Importing Exhibition Goods into the U.S.

By Michelle Bruno

Importing goods for a trade show in the U.S. requires attention to the time sensitive nature of exhibitions, as well as a thorough understanding of the import regulations. The following Frequently Asked Questions List addresses some of the major exhibitor concerns:

Q: Should I ship to the U.S. via airfreight or ocean freight?

A: Shipping via ocean freight is generally less expensive than shipping via airfreight. However, the transit time is much longer. Shipments from most foreign points of origin outside North America require 30-45 days of transit time via ocean freight. Foreign shipments to the U.S. via airfreight require 1-7 days of transit time. Some shipments, such as large machinery, can only be sent via ocean freight.

Q: How long does it take to clear U.S. Customs and Border Protection?

A: Currently, it takes from 1-3 business days to clear airfreight shipments and 3-5 days to clear ocean freight shipments through U.S. Customs and Border Protection (CBP) provided that all of the

documentation is in order. If the shipments are chosen for intensive exam, the goods must be transported to an examination station and an additional 5-10 days will be added to the clearance time.

Q: What is a Trade Fair Entry?

A: A trade fair entry allows shipments to be entered into the U.S. on a temporary basis without the payment of duty for a period of 90 days. At the end of the 90-day period, goods may be re-exported or imported without penalty. In lieu of duty, the official customs broker posts a bond on the exhibitor's behalf. In the absence of this duty exempt status (secured by the trade show organizer), exhibitors have only three other options:

- Import goods on a temporary basis (without the use of a trade fair entry). Goods must re-exported within one year with a possible extension and/or change to permanent (duty-paid) status with penalty.
- Import goods on a permanent basis and pay duties immediately upon entry. The duty is not refundable even if the goods are re-exported.
- Import goods under an ATA Carnet, which requires mandatory re-exportation to the country of origin.

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Q: What documents are required to clear shipments through U.S. Customs and Border Protection?

A: To clear exhibition goods through U.S. Customs, exhibitors must include five (5) copies of a proforma invoice/packing list in **ENGLISH**. The invoices must show the name and address of the shipper, the name of the show, the name of the exhibitor, the name and address of the venue, the correct booth or stand number, identifying marks, quantity and description for each item, harmonized tariff number of each item, weights/dimensions of each package, the country of origin, and the F.O.B. value of each item in U.S. dollars. Food items and alcohol have additional requirements.

Q: How should goods be packed for international transport?

A: Pack giveaway items in cardboard boxes sturdy enough to withstand a high degree of handling. If boxes are exposed to weather, pack contents using waterproof lining. Items that are imported temporarily and likely to be re-exported, should be crated using a waterproof lining and attached to a skid or pallet for easy lifting. Use wing nuts instead of nails to facilitate recrating. Make sure that all boxes are individually labeled and, if appropriate, ensure that any special instructions (“this side up,” “fragile,” “hazardous materials”) are indelibly marked on the outside of the crates.

Q: How do the U.S. regulations regarding Wood Packaging Materials (WPM) affect shipments to the U.S.?

A: All Wood packaging material (including wood used for pallets) **MUST** be fumigated or treated before entering the U.S. All WPM must have an insignia marked on each crate/pallet evidencing proper fumigation. Fumigation certificates only will not be accepted. Plywood and any wood product less than 6mm in thickness are exempt as are imports from Canada. Once a wood product is fumigated and properly marked, it never needs to be treated again. Any freight

not complying will immediately be sent back to its origin and the forwarder and/or exhibitor will be assessed a fine.

Q: How does the CBP’s ISF (Importer Security Filing) requirement or 10+2 Initiative affect the importation of international exhibition shipments to U.S. shows?

A: Customs has initiated an “Importer Security Filing and Additional Carrier Requirements” rule, also known as the *10+2 Initiative* to require that importers provide ten data elements: manufacturer (or seller) name and address, seller name and address, buyer name and address, “ship to” name and address, container stuffing location, consolidator (stuffer) name/address, importer identification number, consignee identification number, country of origin, and U.S. harmonized tariff numbers. The ocean carrier is required to provide two data elements; vessel stow plan and container status message before clearance in the U.S. The information is required before or immediately after (within 24 hours) the shipment’s departure via ocean freight from the port of exportation.

Q: How does the Lacey Act affect international show importations?

A: In the *Food, Conservation and Energy Act of 2008*, amendments to the hundred-year-old Lacey Act became law making it unlawful to import, export, transport, or possess any goods in violation of plant protection laws of the U.S., Indian Tribes or any foreign country. In order to enforce the law, importers are required to document the scientific name of the plant (genus and species), quantity of the plant and name of the country from which the plant was harvested. Under the amended Lacey Act, “plant” is defined as “any wild member of the plant kingdom including roots, seeds, parts or product thereof, and including trees from either natural or planted forest stands.”

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