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GLOBAL VIEW

Notes

Getting Exhibits through U.S. Customs and Border Protection



By Michelle Bruno

Clearing exhibition goods through U.S. Customs and Border Protection (CBP) can be a daunting task for inexperienced exhibitors. Increased regulations requiring more advanced notice and additional forms have made the process considerably more complex than a decade ago. Exhibition organizers can assist international exhibitors by knowing exactly what they're up against.

What Exhibitors Need to Know

DEADLINES ARE IMPORTANT: Adherence to the posted deadlines for arrival (as given in the shipping instructions) is extremely important. Deadlines often take into consideration congestion in the ports and other situations that are being temporarily experienced. Exhibitors with goods arriving after the deadline date may incur additional costs for overtime clearances, special delivery or shipment directly to show site and run the risk of not arriving to the exhibition on time.

10 + 2 REGULATIONS REQUIRE ADVANCE SECURITY FILING: CBP requires an Importer Security Filing (ISF or

"10 + 2") for all ocean shipments. The ISF is completed in phases. No later than 24 hours before the cargo departs the port of origin, exhibitors or their brokers must advise Customs about the seller, buyer, importer, consignee, manufacturer, ship to party, country of origin and harmonized tariff number. No later than 24 hours before the cargo arrives in the U.S., the exhibitor/broker must advise the container stuffing location and name of the consolidator. The carrier must provide the vessel stow plan and container event messages to Customs separately.

LACEY ACT REQUIRES ADDITIONAL INFORMATION ABOUT PRODUCT ORIGIN: 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

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member of the plant kingdom including roots, seeds, parts or product thereof, and including trees from either natural or planted forest stands.”

WOOD PACKAGING MATERIALS REQUIRE FUMIGATION: All Wood packaging material (WPM) including wood used for dunnage, i.e. pallets or lumber MUST be fumigated or treated. 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.

ALCOHOL, FOOD, ELECTRONICS REQUIRE PERMITS AND SPECIAL HANDLING: Alcohol requires special import permits and labeling. Shipments containing any quantity of food and beverage products must be registered with the U.S. Food & Drug Administration (FDA) in advance of shipping and may require special labeling. Prior notification of the shipment must be made with the FDA no earlier than five days and no later than eight hours prior to the arrival of the freight at the first U.S. port of unloading or entry. Any device that emits radio frequency and/or radiation emissions including televisions, personal computers, laser printers and CD/DVD players requires clearance through the Federal Communications Commission (FCC) and/or the U.S. Food & Drug Administration (FDA).

What Organizers Can Do to Help

APPOINT AN OFFICIAL FREIGHT FORWARDER AND CUSTOMS BROKER: Forwarders prepare detailed shipping and clearance instructions so that documentation is correctly completed and the supply chain is controlled (a critical requirement for security purposes). The forwarder/broker (with licensed customs brokers on staff) makes its personnel available to answer questions before,

during (on site) and after the show. They work directly with international exhibitors to get shipments to the show on time and invoice exhibitors in their own country of origin and local currency.

TRADE FAIR ENTRIES SIMPLIFY DECISION TO SELL OR RETURN HIGH-DUTY ITEMS: Trade show organizers that meet certain requirements can designate their exhibition as an official trade fair certified under the Trade Fair Act of 1959. As such, the customs broker can file trade fair entries that allow shipments to be entered into the U.S. on a temporary basis without penalty if the goods are not re-exported. In lieu of duty, the broker posts a bond on the exhibitor's behalf. Goods may only remain in the U.S. as temporary imports for 90 days from the commencement date of the show; however, this is often ample time for the exhibitors and their buyers to work out payment and delivery arrangements.

EXHIBITOR EDUCATION CAN GO A LONG WAY: Many international exhibition organizers include information about foreign shipments in exhibitor newsletters and in exhibitor meetings. Links to publications and information can be placed on the show web site. Often, the official forwarder/broker will provide helpful content specific to the show. For example, advising exhibitors to bring copies of their shipping documents (bills of lading and invoices) with them to the show can be helpful in locating lost shipments.

ADVISE FLOOR MANAGERS ON HOW THEY CAN HELP: It's a common occurrence at international exhibitions for at least one or two exhibitors to arrive to find their materials missing from the booth. Most of the time, the shipments are in transit from the dock to the booth. Occasionally, the shipments haven't arrived or cleared. Floor managers can get the search process moving by asking the exhibitors for copies of the international shipping documents. The on site forwarder can use this information to track down the shipment whether they have handled it or not.

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