



Amass International Group Inc.

Dear Valued Customer,

As you may aware, the interim final regulation for Importer Security Filing (“ISF”) becomes effective on January 26, 2009. While CBP will delay enforcement of the new requirement for at least one year, importers are strongly encouraged to consider how they will meet their obligations under the new program and to begin transmitting the available ISF data elements as soon as possible.

The ISF regulation applies to goods shipped to the United States via vessel and will require the submission of required data elements to CBP at least 24 hours before the goods are laden on board the vessel.

Please note that although “Do Not Load” will not be enforced during this 12 month phase-in period and CBP will “show restraint” and forego the issuance of penalties to importers and ISF Filers making a good faith effort to comply with the new ISF requirements; CBP has implied that importers who do not demonstrate a good faith effort to comply with the program may be subject to enforcement actions.

To begin your transition to comply with the new regulation, you as an importer must first make a decision whether you will be filing the ISF independently or assign Amass as your ISF agent to file on your behalf. Regardless of what you decide, it is our intent to work with you during the flexible enforcement period and develop the necessary solutions in your supply chain to meet this new regulatory requirement. Amass will be hosting a Web-Portal application and Document Mail Box for receiving shipping documents or ISF data at isf.freightstream.com.

Below is our ISF filing fee schedule as your ISF agent:

ISF-10 Filing : \$35.00 up to 10 HTSUS Codes
\$45.00 up to 20 HTSUS Codes
\$55.00 over 20 HTSUS Codes

ISF-5 Filing : \$25.00

Note: ISF filing is defined as one filing at the lowest bill of lading level. If additional bill of lading is to be added on the same filing, then \$5.00 per bill of lading is applicable to the same filing.

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FMC No. : 021262NF





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Whether you are filing ISF independently, or nominate Amass as your ISF filer, please contact our office below for set up and discuss any detail.

ISF Specialist

Tel: 888-992-6277

E-mail: isf@amassgroup.com

Basic Requirements

For merchandise which is destined to be entered into the United States or placed into a foreign trade zone, importers or their agents must transmit the following data elements to CBP:

1. Importer of Record Number
2. Consignee Number
3. Seller (Owner) name & address
4. Buyer (Owner) name & address
5. Ship to Party
6. Manufacturer (Supplier) name & address
7. Country of Origin
8. Commodity HTS-6
9. Container stuffing location
10. Consolidator (Stuffer) name & address

Data Flexibility

The interim final regulations provide flexibility with respect to certain elements of the program: First, as to timing, the “container stuffing location” and “consolidator” data elements may be transmitted up to 24 hours prior to shipment arrival in the United States. Second, CBP has provided for flexibility as to interpretation of the following elements: “manufacturer or supplier,” “ship to party,” “country of origin,” and “HTSUS number.” These flexibilities were created in response to importer concerns regarding the availability and definition of the ISF

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data elements. CBP has invited additional comments on these elements and will evaluate any specific compliance difficulties encountered by the trade before issuing final regulations.

The ISF Importer

The “ISF Importer” is defined as “the party causing goods to arrive within the port limits of the United States.” The ISF Importer is responsible for filing the ISF. For goods which are not shipped in bond, the ISF Importer will be the goods’ owner, purchaser, consignee, or authorized agent. A third party agent who is properly authorized by a power of attorney may file the ISF on behalf of the ISF Importer or in its own name, provided that the ISF filing is secured by a CBP approved bond.

The ISF Importer is required to update the filing if there is any change in the data while the merchandise is in transit to the United States. Although the ISF will only be used for security targeting purposes, CBP has indicated that it may validate the ISF data against the information submitted at entry and that data discrepancies may lead to the assessment of liquidated damages and/or penalties against the ISF Importer (after the conclusion of the flexible enforcement period).

Bond Requirements

The ISF must be secured by a bond posted by either the ISF Importer or the ISF Filer, e.g., an agent designated by the ISF Importer. The CBP approved bond must be a continuous entry bond, an international carrier’s bond, or an “Importer Security Filing Bond.” The ISF bond is similar to a single entry bond and only secures the ISF filing, and a separate bond must be posted to secure the entry. While CBP has yet to issue ISF guidelines, CBP has indicated that the maximum liquidated damages exposure for an improper ISF filing is \$5,000 per violation, so that \$5,000 would appear to be the maximum value of the ISF bond.

Timing for ISF filing

Must file 24 hours prior to loading, but may file a range of “acceptable” responses based on reasonable knowledge at the time, and amend to provide clarity – but not later than 24 hours prior to arrival.

Items 1 through 4 are required to be transmitted no later than 24 hours prior to vessel departure.

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Items 5 through 8 are required to be transmitted no later than 24 hours prior to vessel departure, but can be modified up to 24 hours prior to vessel arrival at a U.S. Port.

Items 9 and 10 are required to be transmitted no later than 24 hours prior to vessel arrival at a U.S. Port.

1. Importer of Record Number. Internal Revenue Service (IRS) number. Employer Identification Number (EIN), Social Security Number (SSN), or CBP assigned number of the entity liable for payment of all duties and responsible for meeting all statutory and regulatory requirements incurred as a result of importation.

2. Consignee Number. IRS number, EIN, or CBP assigned number of the individual(s) or firm(s) in the U.S. On whose account the merchandise is shipped.

3. Seller (Owner) name & address. Name and address of the last known entity by whom the goods are sold or agreed to be sold. If the goods are to be imported otherwise than in pursuance of a purchase, the name and address of the owner of the goods must be provided. A widely recognized commercially accepted identification number (such as the Dun and Bradstreet Data Universal Numbering System (DUNS number) may be provided in lieu of the name and address.

4. Buyer (Owner) name & address. Name and address of the last known entity to whom the goods are sold or agreed to be sold. If the goods are to be imported otherwise than in pursuance of a purchase, the name and address of the owner of the goods must be provided. A widely recognized commercially accepted identification number (such as the DUNS number) for this party may be provided in lieu of the name and address.

5. Ship to Party. Name and address of the first deliver-to party scheduled to physically receive the goods after the goods have been released from customs custody. A widely recognized commercially accepted identification number for this party (such as the DUNS number or Facilities Information and Resources Management System (FIRMS) code, when applicable) may be provided in lieu of the name and address.

6. Manufacturer (Supplier) name & address. Name and address of the entity that last manufactures, assembles, produces, or grows the commodity or name and address of the party supplying the finished goods in the country from which the goods are leaving. In the alternative the name and address of the manufacturer (or supplier) that is currently required by the import laws, rules and regulations of the U.S. (i.e., entry procedures) may be provided (this is the information that is used to create the existing manufacturer identification (MID) number for

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entry purposes). A widely recognized commercially accepted identification number (such as the DUNS number) for this party may be provided in lieu of the name and address. CBP states that it will not accept the current MID as an alternative to the complete name and address of the manufacturer.

7. Country of Origin. Country of manufacture, production, or growth of the article, based upon the import laws, rules and regulations of the U.S.

8. Commodity HTS-6. Duty/statistical reporting number under which the article is classified in the HTS. The HTS number must be provided to the six-digit level, but may be provided up to the 10-digit level. This data element can only be used for entry purposes if it is provided at the 10-digit level or greater by the importer of record or its licensed customs broker.

9. Container stuffing location. Name and address(es) where the goods were stuffed into the container. For break bulk shipments, as defined in 19 CFR 149.1, the name and address(es) of the physical location(s) where the goods were made “ship ready” must be provided. A widely recognized commercially accepted identification number (such as the DUNS number) for this element may be provided in lieu of the name and address.

10. Consolidator (Stuffer) name & address. Name and address of the party who stuffed the container or arranged for the stuffing of the container. For break bulk shipments, as defined in 19CFR 149.1, the name and address of the party who made the goods “ship ready” or the party who arranged for the goods to be made “ship ready” must be provided. A widely recognized commercially accepted identification number (such as the DUNS number) for this party may be provided in lieu of the name and address.

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