

# *Southern Currents*



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## **Notice to the Area Port of New Orleans Trade Community**

Date January 5, 2004

No.: 04-011

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**SUBJECT: SEAPORT IMPLEMENTATION OF THE TRADE ACT OF 2002, FINAL RULE, GOVERNING NON-AUTOMATED VESSEL CARRIERS.**

On December 5, 2003, U.S. Customs and Border Protection (CBP) published the final Trade Act regulations in the Federal Register. These rules require advance transmission of electronic cargo information to CBP, and provides for various effective dates depending upon the mode of transportation. The cargo information required is that which is reasonable necessary to enable high-risk shipments to be identified for purposes of ensuring cargo safety and security and preventing smuggling pursuant to the laws enforced and administered by CBP.

**By March 5, 2004**, for all vessel carriers, cargo information must be **submitted electronically** to CBP, and in **advance of arrival**. At this time, CBP Headquarters is considering several enforcement actions against those carriers who fail to meet this strict mandated timeframe. The enforcement actions under consideration range from penalties, to denial of the permit to unlade the cargo, up to denying entrance of the vessel into the port. A final decision on enforcement actions is pending, however, it is essential that non-automated carriers immediately take action to meet the electronic submission mandates by the March 5, 2004 deadline. Extensions will not be granted.

In order to meet the electronic submission mandated, non-automated vessel carriers may either utilize a service center or port authority to transmit data on their behalf, or the carrier may elect to develop a direct interface between their company and CBP. More information concerning electronic data interchange systems, requirements, and providers, can be found on the CBP website at [www.cbp.gov/xp/cgov/import/operations\\_support/automated\\_systems/ams/](http://www.cbp.gov/xp/cgov/import/operations_support/automated_systems/ams/).

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Customs and Border Protection Headquarters is currently addressing the role of vessel agents in providing electronic submission of the required cargo data. A decision concerning vessel agents providing their bond and/or submitting a carrier's manifest via the automated manifest system (AMS) under the agent's bond and SCAC code is pending.

Any questions regarding this notice may be directed to Supervisory CBP Officer Michael Ruiz at (504) 269-6138, or CBP Officer Mark Banks at (504) 670-2003.

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