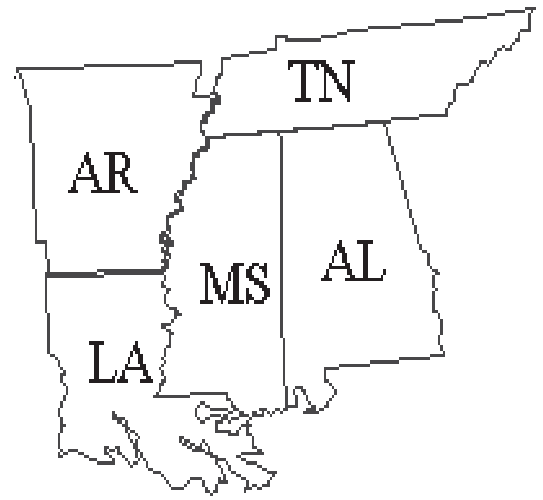


# *Southern Currents*



---

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

**Date July 6, 2004**

**No.: 04-028**

---

**SUBJECT: Trade Act of 2002 - Customs and Border Protection Form 1302  
Inward Cargo Declaration - TCF TC#04-1330**

The Required Advance Electronic Presentation of Cargo Information Final Rule published in the Federal Register on December 5, 2003 amended the Customs Regulations by mandating the transmission of Customs and Border Protection (CBP) Form 1302 data electronically via the Sea Automated Manifest System (AMS). During the public comment period the vessel carriers and their representatives requested that since CBP was mandating electronic transmission of CBP Form 1302 that the requirement for a hard copy of the CBP Form 1302 be eliminated.

In the comments section of the Final Rule (68 FR 68148) CBP notified the trade:

“Under § 4.7(b)(1), there is no requirement that the original vessel cargo declaration be carried aboard the vessel in those cases where the cargo declaration has already been filed in advance electronically. The CBP decided not to enforce the paper cargo declaration (Customs Form (CF) 1302) rule for formal entrance if a carrier or NVOCC has successfully automated. However, where the cargo declaration has been filed in advance electronically, and a paper copy is not aboard the vessel, the carrier will be afforded a reasonable time within which to generate a paper cargo declaration, should a paper copy be requested by CBP. The CBP will periodically assess this policy to ensure that it is not having an adverse effect on operations.”

CBP Officers will not routinely request hard copy cargo declarations (CBP Form 1302) from vessel carriers and NVOCCs who have successfully automated. This includes CBP Officers who are performing functions inherited from the three legacy inspectional agencies, the U.S. Customs Service, the Animal and Plant Health Inspection Service and the U.S. Immigration and Naturalization Service.

The regulations (19 CFR 4.7) define manifest as follows:

The manifest shall consist of a Vessel Entrance or Clearance Statement, Customs Form 1300, and the following documents:

1. Cargo Declaration, Customs Form 1302,
2. Ship's Stores Declaration, Customs Form 1303,
3. Crew's Effects Declaration, Customs Form 1304, or, optionally, a copy of the Crew List, Customs and Immigration Form I-418, to which are attached crewmember's declarations on Customs Form 5129,
4. Crew List, Customs and Immigration Form I-418, and
5. Passenger List, Customs and Immigration Form I-418. Any document which is not required may be omitted from the manifest provided the word "None" is inserted in items 16, 18, and/or 19 of the Vessel Entrance or Clearance Statement, as appropriate. If a vessel arrives in ballast and therefore the Cargo Declaration is omitted, the legend "No merchandise on board" shall be inserted in item 16 of the Vessel Entrance or Clearance Statement.

A fishing vessel may surrender a permit to touch and trade (CBP Form 1379) in accordance with regulations at 19 CFR 4.15(c). At this time only the Inward Cargo Declaration (CBP Form 1302) has been automated. Subsequent U.S. ports of arrival should still receive hard copies of the following forms:

1. CBP Form 1300, (the following legend must be endorsed on the form: Port, Date and Permission is granted to proceed to the port named in item 12) and the following documents given to the master for delivery to the appropriate Customs officer at the next port:
2. Ship's Stores Declaration, CBP Form 1303,
3. Crew's Effects Declaration, CBP Form 1304, or, optionally, a copy of the Crew List, Customs and Immigration Form I-418, to which are attached crewmember's declarations on CBP Form 5129,
4. Crew List, Customs and Immigration Form I-418,
5. Passenger List, Customs and Immigration Form I-418 and
6. CBP Form 1302-A Cargo Declaration - Outward.

If you have any questions concerning this issue please contact the Marine Desk at (504) 269-6144.

Todd C. Owen  
Port Director