



EVERGREEN LINE

The Rule of US Customs Importer Security Filing – "10+2"

January 21, 2009

1. US Customs and Border Protection (CBP) has published the Interim Final Rule for the Importer Security Filing (ISF), the so called "10+2 Rule" on November 25, 2008. The new Rule is applicable to all cargo loaded at foreign port, and destined for direct discharge at, or transiting over, a US Port. Cargo discharged at foreign ports, with final delivery to the US overland, will not be affected by this Rule.

The Rule is effective from January 26, 2009. CBP has granted a 12 month period of Informed Compliance enabling Carriers, Importers, and their "Agents" to become compliant with the new regulation. The Rule does not replace the current 24 Hour Advanced Manifest Rule. It does, however, require submission of additional information to allow CBP a greater cargo risk assessment process to locate real threats to US security while enabling the quicker processing of legitimate cargo.

Importers, or their Agents, are required to submit the following 10 extra elements in addition to the current data supplied for BL creation:

- 1) Seller (if different from Shipper)
- 2) Buyer (if different from Consignee)
- 3) Importer of Record Number
- 4) Consignee Number
- 5) Manufacturer (or Supplier)
- 6) Ship-to-Party (if different from Consignee)
- 7) Country of Origin
- 8) 6 Digit HTSUS (Harmonized Tariff Schedule of the US) Number
- 9) Container Stuffing Location (where Evergreen is not the provider to transport to the loading location)
- 10) Consolidator (stuffer)



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There will be no enforced penalties during the period of informed compliance. However, CBP expects all filers of the 10+2 to work towards compliance within the informed period, and will be working with the respective parties towards attaining compliance prior to January 26, 2010. CBP may use the information within the 10+2 submissions, coupled with the Manifest information, to require additional cargo screening or DNL's (Do Not Load's) to protect the security of the United States.

Nevertheless, customers must ensure that they are capable to comply with the regulation effective from January 26, 2009, either through direct filing, through your broker, or an assigned agent.

2. Additionally, for all Customers of FROB (Freight Remaining on Board – cargo transiting US ports for discharge at foreign locations), IE (Import to US and immediate Export), and TE (Cargo importing to US, transiting US for ultimate foreign export), there are an additional 5 elements that need to be submitted through the shipping line, 24 hours prior to cargo load at the foreign port of loading as hereunder:

- 1) Booking Party
- 2) Foreign Port of Unlading
- 3) Place of Delivery
- 4) Ship-to-Party
- 5) Commodity HTSUS (Harmonized Tariff Schedule of US)

However, to have least impact on all of you though it is mandated to have 5 elements as mentioned above, Evergreen will only request your cooperation for additional providing of Commodity HTSUS (Harmonized Tariff Schedule of the US) upon the booking or shall remark it on BI (B/L Instruction).

Should you have any questions, please do not hesitate to contact your nearest EVERGREEN Office or Agent. For complete details of this new Rule, please refer to the following link in the US CBP web site:

http://cbp.gov/xp/cgov/trade/cargo_security/carriers/security_filing/