



**U.S. Customs and
Border Protection**

**Pipeline 04-30
November 5, 2004**

TO : Customs Brokers, Importers and Others Concerned

SUBJECT: Air AMS Enforcement For AMS Participants – Phase 2

Effective November 9, 2004, U.S. Customs and Border Protection (CBP) will begin enforcement of air waybill data submitted by Air AMS Participants. CBP's Advance Targeting Unit (ATU) will place electronic holds on air waybill records in the following situations.

- ? When the cargo description, shipper or consignee information is not provided or the information provided is not acceptable.
- ? When, at the time of electronic manifest review, the required house air waybill information has not been received by CBP.
- ? When the carrier fails to submit the required information for split master air waybill records pursuant to 19 CFR 122.48a(d)(3).

These electronic holds will be placed in addition to any other holds placed on air waybill records when the cargo has been selected for physical inspection.

Entries, in-bond documents, permits, etc. submitted by customs brokers, carriers or importers, in which an electronic hold has been placed due to insufficient or inaccurate air waybill data, will be rejected back to the submitting party. When the AIR AMS participant corrects the data to meet the requirements set forth by the Trade Act of 2002 and resubmits the corrected entry, the electronic hold will be removed by CBP.

Penalties/liquidated damages will be assessed to the responsible party that releases any cargo for which an electronic hold has been placed. Penalties/liquidated damages will increase due to multiple violations.

CBP has posted a great deal of information on the "Trade Act of 2002" on its website (www.cbp.gov). The section on what constitutes acceptable cargo descriptions is printed on the attachment.

Any questions regarding the contents of this pipeline can be directed to the members of CBP ATU at (847) 616-4060 x293 or CBP AMS at (847) 616-4060 x290.

Richard Roster
Port Director

Attachment

CARGO DESCRIPTION

Question: What constitutes a precise description of the cargo?

Answer: The regulation requires a precise narrative description of the cargo, if the cargo description is left blank AMS will reject the transmission. In addition the 6-digit tariff number may also be provided for those with the skill to provide it correctly. If there is doubt about the accuracy of a 6-digit tariff number, which can sometimes be difficult to ascertain, the AMS transmission should only include the precise narrative description.

A precise narrative description is a description that is precise enough for CBP to be able to identify the shapes, physical characteristics, and likely packaging of the manifested cargo so that CBP can identify any anomalies in the cargo when a container is run through imaging equipment. The description must also be precise enough to identify any goods, which may emit radiation. How specific that information must be depends on the nature of the commodity. For example, "electronics" is not a precise description, but "CD players" or "computer monitors" would be.

CBP will continue to work with the trade to refine what descriptions are acceptable. CBP will not begin its enforcement actions with descriptions where the required level of precision is not clear. CBP will continue to notify the carriers/authorized transmitting parties when these more difficult commodities are not adequately described. However, cargo descriptions are one of the most important elements to assist CBP in precise targeting, and it is in the trade's interest to become precise and compliant as quickly as possible. Not only will this avoid eventual enforcement action, but it may also avoid container "do not load" messages (vessel only) and "holds" due to CBP not being comfortable that it knows what is in the shipment.

To be clear, IN NO CASE is a blank description, freight all kinds (FAK), said to contain (STC) with or without other description, general merchandise, "26 pallets", various retail merchandise, consolidated cargo or other similarly vague descriptions acceptable.

The following terms are intended as a guide. They are illustrative, not exhaustive, examples of acceptable and unacceptable descriptions. Phrases or words in parenthesis are meant as examples.

Not Acceptable	Acceptable
Apparel Wearing Apparel Ladies' Apparel Men's Apparel	Clothing Shoes Footwear Jewelry (may include watches)
Appliances	Kitchen Appliances Industrial Appliances Heat Pump
Autoparts Parts	New Autoparts Used Autoparts
Caps	Baseball Caps Blasting Caps Bottle Caps Hub Caps
Chemicals, hazardous Chemicals, non-hazardous	Actual Chemical Name (not brand name) Or U.N. HAZMAT Code Identifier #
Electronic Goods Electronics	Computers Consumer Electronics, Telephones Electronic Toys (can include Gameboys, Game Cubes, Dancing Elmo Doll etc.) Personal/Household Electronics (i.e. PDA's, VCR's, TV's)
Equipment	Industrial Equipment, Oil Well Equipment Automotive Equipment, Poultry Equipment etc.
Flooring	Wood Flooring, Plastic Flooring, Carpet, Ceramic Tile, Marble Flooring
Foodstuffs	Oranges Fish Packaged Rice, Packaged Grain, Bulk Grain
Iron	Iron Pipes, Steel Pipes
Steel	Iron Building Material, Steel Building Material
Leather Articles	Saddles Leather Handbags Leather Jackets, Shoes
Machinery	Metal Working Machinery Cigarette Making Machinery
Machines	Sewing Machines Printing Machines
Pipes	Plastic Pipes

Not Acceptable	Acceptable
	PVC Pipes Steel Pipes Copper Pipes
Plastic Goods	Plastic Kitchenware, Plastic Houseware, Industrial Plastics Toys, New/Used Auto Parts
Polyurethane	Polyurethane Threads Polyurethane Medical Gloves
	Personal Effects Household Goods
Rubber Articles	Rubber Hoses Tires Toys Rubber Conveyor Belts
Rods	Welding Rods Rebar Aluminum Rods Reactor Rods
Scrap	Plastic Scrap Aluminum Scrap Iron Scrap
STC (Said to Contain) General Cargo FAK (Freight of All Kinds) "No Description"	
Tiles	Ceramic Tiles Marble Tiles
Tools	Hand Tools Power Tools Industrial Tools
Wires	Electric Wires Auto Harness Coiled Wire (Industrial)