

Port of Chicago - Pipeline



U.S. Customs and
Border Protection

Pipeline 09-24
September 11, 2009

To: Customhouse Brokers, Importers, and Others Concerned

Subject: Modification of U.S. Customs and Border Protection Ruling for Containers with Residual Chemicals.

On July 17, 2009 U.S. Customs and Border Protection (CBP) published Customs Bulletin and Decisions, Volume 43, No. 28, providing notice of modification of a Headquarters ruling (HQ 113129) which allowed containers meeting the requirements of 19 U.S.C. 1322(a) and 19 CFR 10.41a as instruments of international traffic (IIT) and containing residual chemicals to be entered as empty containers. This notice is available on the CBP public website at:

http://www.customs.gov/linkhandler/cgov/trade/legal/bulletins_decisions/bulletins_2009/vol43_07172009_no28/43genno28.ctt/43genno28.pdf (page 138).

CBP will delay enforcement until further notice in order for the trade community to fully comply with these requirements.

Once a definitive enforcement date is established:

- Instruments of international traffic containing residual chemicals, cargo, goods, etc., must be manifested and entered in compliance with customs laws;
- If qualified, shipments containing residual goods can be entered as American Goods Returned (AGR); and
- Since the exact amount of the residual goods may not be known at the time the advance cargo information is required to be transmitted, the importer may estimate the amount when providing that information to the carrier for transmission to CBP. Additionally, the same estimated amount should be used at the time of entry of the goods. If a more precise amount is obtained after arrival then the entry should be amended.

We encourage importers to take steps to comply with this ruling at their earliest opportunity. Any questions regarding this notice should be directed to Suzanne Papa, Chief CBP Officer Cargo at (847) 928-3009.

A handwritten signature in black ink, appearing to read "Carl Ambrosion".

Carl Ambrosion
Area Port Director
Port of Chicago