



# The American Companies

## "NEWS-UPDATE"

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### ISF News: CBP plans to change the deadline for filing ISF filing

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U.S. Customs plans to change the filing deadline for advance import data required under the "10+2" rule to make compliance easier for shippers, according to a program official.

About 45 percent of Importer Security Filings are being submitted on time, but CBP believes that figure is low because it has been measuring timeliness against the time the first bill of lading is filed by the carrier under the 24-hour advance manifest rule. Many bills of lading are filed more than two days prior to vessel loading, which makes it difficult for importers to compile and file the necessary cargo details on time.

"We're going to change that so that the ISF filing date will be compared to the vessel departure date," said Customs and Border Protection's Steven Silvestri during a presentation to the National Customs Brokers and Forwarders Association of America conference in Rancho Mirage, Calif.

The ISF rule went into effect Jan. 26 requiring importers and their agents to submit 10 sets of data about the cargo's contents, who produced and shipped the cargo, and the consignee. Vessel operators are also providing CBP with two sets of data streams about the containers they transport.

CBP has deferred enforcement of the rule for a full year to give the trade community time to adapt its business processes to the challenging requirements. Some data points, such as container stuffing location, have not been readily available to most importers in the past and must be tracked down to be entered on the form. The extra research is one factor in late filings.

CBP is encouraging importers and their agents to start transmitting ISFs even if they are incomplete, inaccurate or late so that the agency can work with them to correct any problems.

"If people are not ready but doing everything they can, we would strongly consider extending the deadline," Acting Commissioner Jayson Ahern told the gathering of trade professionals. "Our goal is not penalties. Our goal is compliance."

The rule allows the border agency to issue penalties of up to \$5,000 per violation. Silvestri clarified that the penalty applies to mistakes made in each transmission, not just the final ISF transaction. That means an importer or broker who files a submission with incorrect information and then files an amendment to that submission that also has incorrect information could be subject to \$10,000 in penalties -- \$5,000 for each transmission.

"Is (that scenario) possible?" Silvestri said. "Yes. Is it likely? It would depend on the factors. Again, this is not an exercise in 'I gotcha.'"

CBP has received more than 600,000 ISFs since Jan. 26, of which 87 percent have been accepted without errors, while 8.5 percent have been rejected, Silvestri reported.

Submissions have ramped up in recent weeks, with an average of 60,000 filings per week in the past month.

Forty percent of filings have covered goods imported from China. The second most filings came from goods from Japan (12 percent).

The largest cause of errors is duplicate transmissions from impatient filers. Silvestri urged importers or third party filers to wait 20 to 30 minutes after filing to get a confirmation from the system before attempting to file again.

CBP will begin sending out progress reports later this month to third party filers, who are supposed to break out the results of each customer and share them, he said.

To find out more about how importers are making the grade when it comes to "10+2" see the feature story in the May issue of [American Shipper](#). — [Eric Johnson and Eric Kulisch](#)

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