



MAY 22 2003

FTSR Letter No. 168 (Amendment 2)

To: U.S. Custom and Border Protection Headquarters, Customs Management Centers, Port Directors, Department of Commerce District Offices, Freight Forwarders, Exporting Carriers, U.S. Principle Party in Interest (USPPI), Consolidators, and All Others Concerned

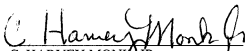
From: U.S. Census Bureau (Census Bureau) and  
U.S. Customs and Border Protection(Customs)

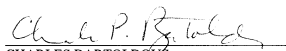
Subject: Shipper's Export Declaration (SED) Exemption Statements to be Reported on the Bill of Lading, Air Waybill, Other Loading Documents for Carrier Use, or the Carrier Outbound Manifest

This amendment revises FTSR Letter 168 Amendment 1, dated February 10, 2000 as specified on page 2 of the attachment. Whenever an exemption from the requirement for filing a SED is provided in the Foreign Trade Statistics Regulations (FTSR), 15 CFR Part 30, a notation, or exemption statement, describing the basis for the exemption shall be made on the first page of the bill of lading, air waybill, other loading document for carrier use, or the carrier outbound manifest. The exemption citation must reference the number of the section or provision in the FTSR where the particular exemption is provided so that the carrier at the time of lading, and the Customs Port Director at the time of exportation may verify that no declaration is required.

With the implementation of the Automated Export System (AES) a new series of exemption statements has been initiated and space requirements may result in reporting problems for filers. In order to accommodate this situation, the Census Bureau is providing alternative acceptable exemption statements that filers may use when reporting an exemption from the SED filing requirement. The exemption statements listed on the attachment have been approved by Census Bureau and Customs officials for use on the above referenced documents when the SED is not required. In all cases the preferred method is to spell out the complete exemption statement on the manifest or appropriate loading document as to why the SED is not required with the appropriate FTSR (15 CFR Part 30) regulatory citation. Example: **NO SED REQUIRED FTSR 30.55(h)** (for value \$2,500 or under). However, if that is not possible because of space concerns, the attached exemption statement alternatives are acceptable. The standard exemption provisions from filing the SED are found in 15 CFR Part 30, Subpart D, Sections 30.50 through 30.58. The AES exemption provision is found in 15 CFR Part 30, Subpart E, Section 30.65.

Failure to comply with these requirements may result in shipment delays or penalties. If you have any questions concerning these requirements, please contact the Regulations, Outreach, and Education Branch, Foreign Trade Division, U.S. Census Bureau on (301) 763-2238, or the Director of Border Targeting and Analysis, U.S. Customs and Border Protection on (202) 927-6060.

  
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U.S. Census Bureau

  
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U.S. Customs and Border Protection

Attachment

Attachment  
(Amendment 2)

**Shipper's Export Declaration (SED) Exemption Statements**

<p><b>I. Standard FTSR Exemption Statements</b> (30.55h used for example purposes only). <i>Standard exemption citations are found in 15 CFR Part 30, Subpart D, Sections 30.50 through 30.58 or other appropriate sections of 15 CFR Part 30.</i></p>	<p>a) No SED Required FTSR 30.55h  b) No SED FTSR 30.55h  c) NDR<sup>1</sup> FTSR 30.55h  d) NDR 30.55h</p>
<p><b>II. Standard AES (Option 2) Exemption Statements</b> (See 15 CFR Part 30, Subpart E, Section 30.65). <i>NOTE: The AES XTN<sup>6</sup> is the Filer ID, followed by a dash, and the SRN.</i></p> <p>Examples:  (c) NDR AES 123456789-123145226JEM  (e) NDR AES X20021012000001</p>	<p>a) No SED Required AES Filer ID<sup>2</sup>-SRN<sup>3</sup>  b) No SED AES Filer ID-SRN  c) NDR AES Filer ID-SRN  d) AES Filer ID-SRN  e) AES ITN<sup>7</sup></p>
<p><b>III. Standard AES (Option 4) Exemption Statements</b> <i>NOTE: Option 4 statements differ in that an 11 position USPPI ID is required. The option number must be included in the Option 4 exemption statement (following AES) as specified by the example.</i></p> <p>Examples:  (c) NDR AES4 123456789AB-623156725  (e) NDR AES4 123456789AB  NDR AES4 12345678900<sup>9</sup></p>	<p>a) No SED Required AES OPT4 USPPI ID-Filer ID<sup>6</sup>  b) No SED AES4 USPPI ID-Filer ID  c) NDR AES4 USPPI ID-Filer ID  d) AES4 USPPI ID-Filer ID  e) AES4 USPPI ID<sup>7</sup></p>
<p><b>IV. Reporting Split Shipments (SS)</b></p> <p>Example:  NDR AES 123456789-123145226JEM SS</p>	<p>a) "Split Shipments" should be referenced as such on the manifest in accordance with provisions contained in FTSR 30.41, "Split Shipments by air." The notation should be easily identifiable on the manifest.  b) If it is preferable to include a reference to a split shipment in the exemption statements cited above, the notation SS should be included at the end of the appropriate exemption statement.</p>
<p><b>V. Reporting In-transit Shipments transmitted using the Automated Manifest System (AMS).</b> <i>NOTE: In-transit shipments should not be filed using AES.</i></p>	<p>When the SED for In-transit Goods, Form 7513 is filed using the AMS and the paper Form 7513 is not attached to the manifest the following exemption citations should be used:  a) No 7513 Required AMS IN BOND NO.  b) NDR 7513 AMS IN BOND NO.  c) 7513 AMS IN BOND NO.</p>

This amendment revises FTSR Letter 168 (Amendment 1), dated February 10, 2000 as follow:

1. The Example on page one, second paragraph, has been changed to read: "Example: **NO SED REQUIRED FTSR 30.55h** (for value \$2500 or under)." In the last paragraph, the telephone number for the Regulations, Outreach and Education Branch has changed to (301) 763-2238.
2. Due to the elimination of AES filing Option 3, effective August 2003, all references to Option 3 have been deleted.
3. References to AES PASS have been eliminated; AES PASS expired March 31, 2002.
4. Exemption statement examples are now included on the attachment.

**WARNING: Customs is now monitoring exemption statements more closely because of increased security risks. Illegible or incorrectly formatted AES exemption statements on export documents are a violation of Title 15, Code of Federal Regulations 30.65, and may subject an export shipment to verification, detention, fines and in some cases, seizure by U.S. Customs.**

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Footnotes:

1. NDR – No Shipper's Export Declaration Required.
2. FILER ID – The 9 position Internal Revenue Service, Employer Identification Number (EIN), Social Security Number (SSN) or Dunn and Bradstreet (DUNS) number of the filer responsible for reporting the AES information. This number must match the Filer ID number reported on the AES record as specified in FTSR 30.63(a)(1)(ii).
3. SRN – Shipment Reference Number (see 15 CFR 30.63(a)(18)).
4. XTN – External Transaction Number (provided by the Filer).
5. ITN – Internal Transaction Number (provided by the AES when transmission is accepted). The ITN must be used for items on the USML under the reporting requirements in the ITAR (22 CFR Parts 102-130).
6. If a forwarding agent is filing for an Option 4 approved USPPI, both the forwarding agent's and the USPPI's ID's are reported. NOTE: The USPPI's ID must appear first.
7. If the USPPI is filing for themselves only the USPPI's ID is reported.
8. If the USPPI's ID is only 9 digits, the last two positions must be zero filled in order to satisfy the 11 position requirement. The 10<sup>th</sup> and 11<sup>th</sup> position of the USPPI's ID are used to identify a specific location or division of the USPPI.