

# **Foreign Trade Regulations FAQs** **(Frequently Asked Questions)**

## **Penalties**

Where can I find information on penalties for violations of the Foreign Trade Regulations (FTR)? (FTR section 30.70 – 30.72)

Is the carrier subject to a penalty once the U.S. Principal Party in Interest (USPPI) has filed the information in the Automated Export System (AES)? (FTR section 30.45)

## **Citations, Exemptions, and Exclusions**

What transactions are outside of the scope of the Foreign Trade Regulations (FTR) and are excluded from filing Electronic Export Information (EEI)? (FTR section 30.2(d))

What territories is the Foreign Trade Regulations (FTR) making referring to in section 30.2(d)(2)?

What are the filing requirements for In-transit shipments that are leaving the United States?

Are shipments moving under a carnet exempt from an Electronic Export Information (EEI) filing? If so what is the exemption? (FTR sections 30.37 (q) and (r))

In Appendix C of the Foreign Trade Regulations (FTR), Summary of Exemptions and Exclusions from Filing Electronic Export Information (EEI), items 8 through 21 the section number provided do not match with what is listed in section 30.37. Should I cite from Appendix C or section 30.37?

Should exports of Electronic Transmissions be listed in Appendix D, item VI?

Where can I find the Proof of Filing and Exemption Citations, in the Foreign Trade Regulations (FTR)? (FTR Appendix D)

What exemption in the Foreign Trade Regulations (FTR) should the filer use when exporting technical data that is subject to the International Traffic in Arms Regulations, (22 CFR 123.22 (b)(3)), but not required to be filed in the Automated Export System?

What is an Internal Transaction Number (ITN)? (FTR section 30.1(c))

Is the External Transaction Number (XTN) acceptable as the proof of filing citation?

Merchandise is presented for entry into the U.S. and is rejected prior to being cleared for importation by Customs and Border Protection (CBP). The goods are subsequently exported to the place of origin or another foreign destination. Is the Internal Transaction Number (ITN) or exemption citation required in the Automated Export System (AES)?

Should the exporting carrier accept a shipment that is using an old Foreign Trade Statistics Regulations citation or exemption legend?

Should the exporting carrier accept cargo if the U.S. Principal Party in Interest (USPPI) provides the postdeparture citation without the date? (FTR Appendix D)

## **Value**

How do I determine the domestic portion of the transportation cost to report in the Automated Export System (AES) when my carrier does not separate the foreign costs?

What value should be reported for perishable items that have been imported into the U.S. which are defective and need to be returned overseas?

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Is the Electronic Export Information (EEI) required for shipments that clear a U.S. port but that are ultimately destined for Puerto Rico?

Merchandise enters one port on an in-bond movement, subsequently is placed in a bonded warehouse (or Foreign Trade Zone), and later withdrawn for export. Does this shipment need to be filed in the Automated Export System (AES)?

Is Electronic Export Information (EEI) required for shipments to APO addresses? (FTR 30.39)

What are the filing timeframes for submitting Electronic Export Information (EEI) in the Automated Export System (AES)? (FTR section 30.4(b))

What is the Foreign Trade Regulations (FTR) requirement for advanced filing of Electronic Export Information (EEI) through the Automated Export System for shipments between the United States and Puerto Rico?

Is there flexibility with the current timeline requirement for bulk exports, for carriers to load cargo without producing the Internal Transaction Numbers (ITNs) prior to loading?

Is the Internal Transaction Number (ITN) sufficient to clear an automobile that has been pending clearance, the required 72 hours, or where further documentation is required?

## **Domestic vs. Foreign Origin**

I am shipping goods that are valued over \$2,500 and have the same Schedule B number, but the Schedule B number contains goods of both domestic and foreign origin, how do I report this transaction? (FTR section 30.37(a))

What do I report if I cannot identify which portion of the shipment is domestic and which is foreign?

## **Automated Export System (AES) Questions**

What is the Automated Export System (AES)? (FTR section 30.1(c))

What is *AESDirect*? (FTR section 30.1(c))

What happens if the Automated Export System (AES), *AESDirect*, or the AES participant's system is unavailable? (FTR section (30.4)(b)(1)- (30.4)(b)(3))

How do I receive broadcast messages from the Automated Export System (AES)?

I received an Automated Export System (AES) fatal error. What should I do? (FTR section 30.9)

How much will it cost to implement the Automated Export System (AES) in my company?

Is the Automated Export System (AES) an enforcement system?

What is postdeparture reporting and how do I become a postdeparture filer? (FTR section 30.4 (c))

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Who is responsible for providing the proof of filing citation, exemption citation or postdeparture filing citation to the carrier? (FTR section 30.7 (b))

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How are household goods and personal effects reported in the Automated Export System (AES)? (FTR section 30.38)

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Who is the U.S. Principal Party in Interest (USPPI) in an export transaction? (FTR section 30.3)

Who do I report as the U.S. Principal Party in Interest (USPPI) when goods are formally entered in the U.S., however, the goods are really transiting the U.S. for immediate export and a foreign person or customs broker is listed as the importer of record? (FTR section 30.3 (b)(2)(iv) and (v))

Who should be listed as the U.S. Principal Party in Interest (USPPI) when merchandise comes into the U.S. temporarily for exhibition and the owner is a foreign entity and not present in the U.S.? (FTR section 30.3 (b)(2)(iv) and (v))

What are the responsibilities of the U.S. Principal Party in Interest (USPPI) in a standard export transaction? (FTR section 30.3 (c)(1))

What are the responsibilities of the U.S. Principal Party in Interest (USPPI) in a routed export transaction? (FTR section 30.3 (e)(1))

## **FPPI Questions**

Section 30.1 states that the FPPI is the party shown on the transportation document to whom final delivery or end-use of the goods will be made. Is the FPPI always identified as the party who receives the goods?

Does the Foreign Principal Party in Interest (FPPI) have to be the party shown on the transportation document to whom final delivery or end-use? (FTR section 30.1)

## **Corrections**

Can I make a correction to an Electronic Export Information (EEI)? (FTR section 30.9)

Should a new Automated Export System (AES) record be filed if only part of my shipment was exported? (FTR section 30.9)

What are the responsibilities of the vessel carrier and the AES filer if an AES record is filed for commodities valued at \$10,000 classified under one Schedule B and \$5,000 worth of the cargo is shipped on the original vessel and \$5,000 worth is rolled to another vessel?

## **Disclosure**

Is the Electronic Export Information (EEI) filed in the Automated Export System (AES) confidential? (FTR section 30.60)

Does the U.S. Census Bureau provide information on what specific companies are importing and exporting?

How do I make a voluntary self-disclosure? (FTR section 30.74)

Does the U.S. Census Bureau publish international trade information by company name?

Are there circumstances where the U.S. Census Bureau will release the Electronic Export Information (EEI)? (FTR section 30.60)

I have seen my company's information published. Where is the information obtained?

Is manifest or bill of lading data confidential?

Is there anything I can do to stop the publication of my company's information?

## **ECCN/License**

What is an Export Control Classification Number (ECCN) and how do I get one?

What types of exports does the Department of Commerce regulate?

What is the difference between Export Administration Regulations' (EAR99) and No License Required (NLR)?

When is an Export Control Classification Number (ECCN) required in the Automated Export System (AES)?

Who do I contact for information on determining my Export Control Classification Number (ECCN) and license requirements?

Do I need a license to export to Puerto Rico?

Is Electronic Export Information (EEI) required for shipments that initially clear a U.S. port at the time of importation but that are ultimately destined for Puerto Rico?

What are export controls?

What are the restricted countries where I may not sell/export my goods?

Have the embargoes for Iran and Sudan been abolished?

How do I find out about duties and licenses for certain countries?

## **Freight Forwarder/Authorized Agent Questions**

What are the responsibilities of the authorized agent in a standard export transaction? (FTR section 30.3 (c)(2))

What are the responsibilities of the authorized agent in a routed export transaction? (FTR section 30.3 (e)(2))

Can a freight forwarder be listed as the USPPPI in the Electronic Export Information (EEI)? (FTR section 30.3(b)(iv))

## **Tariff**

What Is a Tariff?

How do I find out about duties and licenses for certain countries?

What is a Quota?

## **Classification Questions**

What is the system for classifying commodities? (FTR section 30.1(c))

What is the Harmonized Tariff Schedule (HTS)? (FTR section 30.1(c))

What is a Schedule B number? (FTR section 30.1(c))

How can I find my Schedule B Number and official description of my product?

What Schedule B Number and value do I report for goods that were imported for repair and now are being returned? What about warranties?

How much detail should I provide for the description of my product?

## **Shipment**

I have goods that are moving in-bond through the U.S., am I required to file Electronic Export Information (EEI)? (FTR section 30.2 (d)(1))

Can I file the Form 7513, Shipper's Export Declaration (SED) for In-transit Goods, via the Automated Export System?

What is a drop shipment?

If there are several bookings on one bill of lading, would several Internal Transaction Numbers (ITNs) or exemption citations be required?

What are the procedures in a situation when an ocean shipment has received multiple shipping instructions listing multiple consignees in the same container?

What is the procedure for filing a shipment that has been split by the carrier? (FTR 30.28)

Can split shipments apply to shipments exported by mode of transportations other than air?

## **Shipping Documents**

The Foreign Trade Regulations, section 30.10(b) refers to "shipping documents". What documents are considered "shipping documents"?

Where should I put my citations if a manifest is not required?

## **Shipment Containers**

Do I need to file for shipments of empty containers if the value is over \$2,500? (FTR section 30.26 (a))

## **Training**

Who can I contact for seminar information?

Does the Foreign Trade Division (FTD) offer additional training other than the seminar program?

## **General Help**

Where can I get more information on the Foreign Trade Regulations (FTR)?

How do I know if my software has encryption capability?

Our company currently does very little exporting; however, we are anticipating a much higher volume in the near future. I am interested to know whom I could contact for training information on general export compliance?

What is the Trade Information Center (TIC)?

What online resources are available to assist with the export process as it pertains to the Foreign Trade Regulations (FTR) and the Automated Export System (AES)?

Other Agency Export Control Telephone Contacts

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## Penalties

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### **Where can I find information on penalties for violations of the Foreign Trade Regulations (FTR)? (FTR section 30.70 – 30.72)**

The FTR, Subpart H, sections 30.70 - 30.72, presents the penalties that may be imposed for both civil and criminal violations. These violations include, but are not limited to, delayed filing, failure to file, filing false or misleading information and/or using the AES to further any illegal activity.

#### **Civil Penalty**

A civil penalty is a monetary penalty imposed on a U.S. Principal Party in Interest, authorized agent, carrier, or other parties to the transaction for violating any part of the FTR. The penalties range from \$1,100 to \$10,000. Civil penalties imposed under the FTR may be remitted or mitigated, if the penalties were incurred without willful negligence or fraud or other circumstances exist that justify a remission or mitigation.

#### **Criminal Penalty**

A criminal penalty is when any person willfully violates or attempts to violate any part of the FTR. The criminal penalty includes fines not to exceed \$10,000, and/or imprisonment for not more than five (5) years, and/or forfeitures.

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### **Is the carrier subject to a penalty once the U.S. Principal Party in Interest (USPPI) has filed the information in the Automated Export System (AES)? (FTR section 30.45)**

The carrier will be subject to fines and penalties if it does not ensure that a shipment has the required AES proof of filing or exemption citation(s) covering all cargo. In addition, the carrier must notify the USPPI, or their authorized agents, of any changes related to the shipment. (See FTR section 30.45)

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## Citations, Exemptions, and Exclusions

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### **What transactions are outside of the scope of the Foreign Trade Regulations (FTR) and are excluded from filing Electronic Export Information (EEI)? (FTR section 30.2(d))**

Transactions, which fall outside of the scope of the FTR and are excluded from filing the EEI are located in the FTR section 30.2 (d) and Appendix C.

- Goods shipped under a Customs and Border Protection (CBP) bond through the United States, Puerto Rico, or the U.S. Virgin Islands from one foreign country or area to another where such goods do not enter the consumption channels of the United States. See FTR section 30.2 (d)(1).
- Goods shipped from the U.S. territories and goods shipped between the United States and these territories do not require EEI filing. However, goods transiting U.S. territories to foreign destinations require EEI filing. The U.S. territories referred to in this section are: American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and the Wake Island. The Census Bureau will include the full list of territories in Appendix C in a future amendment to the FTR. See FTR section 30.2 (d)(2).

- Electronic transmissions and intangible transfers. See FTR Subpart B for export control requirements for these types of transactions, FTR section 30.2 (d)(3).
- Goods shipped to Guantanamo Bay Naval Base in Cuba from the United States, Puerto Rico, or the U.S. Virgin Islands and from Guantanamo Bay Naval Base to the United States, Puerto Rico, or the U.S. Virgin Islands. (See FTR section Subpart D section 30.39 for filing requirements for shipments exported by the U.S. Armed Services) 30.2 (d)(4)).

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### **What territories is the Foreign Trade Regulations (FTR) making referring to in section 30.2 (d)(2)?**

The territories referred to in section 30.2 (d)(2) are: American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and the Wake Island. The Census Bureau will include the full list of territories in Appendix C in a future amendment to the FTR.

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### **What are the filing requirements for In-transit shipments that are leaving the United States?**

In-transit shipments of goods from one foreign country to another where such goods do not enter the consumption channels of the United States are excluded from filing the Electronic Export Information (EEI) per section 30.2 (d)(1). Additionally, the Army Corps of Engineers has suspended the requirement to file the Form 7513, Shippers Export Declaration (SED) for In-transit Goods leaving the United States via vessel. Currently, there are no filing requirements for in-transit shipments. Merchandise not intended to enter the consumption channels of the United States but is formally entered via the CB



Form 7501 or through the Automated Broker Interface (ABI), an Automated Export System (AES) record must be completed at the time of export, if the value is over \$2,500 per Schedule B or licensed.

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**Are shipments moving under a carnet exempt from an Electronic Export Information (EEI) filing? If so what is the exemption? (FTR sections 30.37 (q) and (r))**

There are two exemption citations that can be used depending on the type of export. Use Foreign Trade Regulations (FTR) section 30.37 (q) if goods shipped under the carnet being exported and are scheduled to return to the United States within a year. If the goods shipped under a carnet were temporarily imported into the United States and are returned to a foreign country, use FTR section 30.37 (r). The citation may read NOEEI 30.37(q) or NOEEI 30.37(r). Be sure to use the correct section citation.

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**In Appendix C of the Foreign Trade Regulations (FTR), Summary of Exemptions and Exclusions from Filing Electronic Export Information (EEI), items 8 through 21 the section number provided do not match with what is listed in section 30.37. Should I cite from Appendix C or section 30.37?**

Starting with exemption item 8 and continuing through exemption item 21, the citations are off by one letter. For example, the citation for exemption number 8 should be 30.37 (g) and not 30.37 (h), and the citation for exemption number 9 should be 30.37 (h), not 30.37 (i). Therefore, when selecting the proper citation refer to FTR section 30.37 rather than Appendix C. The Census Bureau will correct the error in a future amendment to the FTR.

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**Should exports of Electronic Transmissions be listed in Appendix D, item VI?**

No. Appendix D was not intended to be an all-inclusive list. The complete list of exclusions can be found in Section 30.2(d) of the Foreign Trade Regulations.

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**Where can I find the Proof of Filing and Exemption Citations, in the Foreign Trade Regulations (FTR)? (FTR Appendix D)**

The Automated Export System Filing Citations, Exemptions are found in Appendix D of the FTR. Filing procedures and deadlines for presenting these statements are found in FTR sections 30.4 (b) through 30.4 (d).

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**What exemption in the Foreign Trade Regulations (FTR) should the filer use when exporting technical data that is subject to the International Traffic in Arms Regulations, (22 CFR 123.22 (b)(3)), but not required to be filed in the Automated Export System?**

Currently there is no exemption in the FTR that addresses technical data subject to ITAR 123.22(b)(3). However, FTR 30.37(k) should be used in the interim. While this exemption does not specifically pertain to licensed shipments of technical data, this exemption can be applied and is acceptable. The Census Bureau will update the FTR to reflect this exemption.

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**What is an Internal Transaction Number (ITN)? (FTR section 30.1(c))**

The ITN is an Automated Export System (AES) generated number assigned to a shipment confirming that the EEI was accepted and is on file in the AES. This number should be placed on any loading document to allow the Customs and Border Protection (CBP) officer the ability to retrieve the shipment, if needed. Examples of loading documents include bill of lading, manifest, airway bill, or any commercial document as required by the specific industry to be presented to the carrier. See FTR section 30.1(c).

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**Is the External Transaction Number (XTN) acceptable as the proof of filing citation?**

No. As of October 1, 2008, the XTN is no longer an acceptable proof of filing citation. All parties involved in the export transaction may be subject to fines and penalties if the XTN is used for exporting a shipment.

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**Merchandise is presented for entry into the U.S. and is rejected prior to being cleared for importation by Customs and Border Protection (CBP). The goods are subsequently exported to the place of origin or another foreign destination. Is the Internal Transaction Number (ITN) or exemption citation required in the Automated Export System (AES)?**

No. The merchandise did not enter the commerce of the United States and as a result, the shipment is not considered an export. An ITN or exemption citation is not required when the merchandise is rejected and has not cleared by CBP for importation into the U.S.

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**Should the exporting carrier accept a shipment that is using an old Foreign Trade Statistics Regulations citation or exemption legend?**

No. As of October 1, 2008, the Foreign Trade Regulations were implemented and U.S. Principal Parties In Interest, or their filing agents, must use the new citations and exemption legends.

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**Should the exporting carrier accept cargo if the U.S. Principal Party in Interest (USPPI) provides the postdeparture citation without the date?  
(FTR Appendix D)**

No. The exporting carrier should not accept cargo with an incomplete legend. The proper postdeparture citation should read:

If a USPPI is filing

AESPOST USPPI EIN mm/dd/yyyy

If an Authorized Agent is filing

AESPOST USPPI EIN--Filer ID mm/dd/yyyy

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**Value**

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**How do I determine the domestic portion of the transportation cost to report in the Automated Export System (AES) when my carrier does not separate the foreign costs?**

If inland freight including insurance is not separated from the total transportation cost take 3% of the total cost to determine the inland freight.

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**What value should be reported for perishable items that have been imported into the U.S. which are defective and need to be returned overseas?**

For products that are being returned that have a market value, report the market value. If the product has no market value due to poor quality (i.e. spoiled fruits), then report the import value of the product.

## Data Elements

### What data elements are to be reported in the Automated Export System (AES)? (FTR section 30.6)

The data elements are located in the Foreign Trade Regulations (FTR) section 30.6. The data elements identified as “mandatory” shall be reported for each transaction. The data elements identified as “conditional” shall be reported if required for or apply to the specific shipment. The data elements identified as “optional” may be reported at the discretion of the U.S. Principal Party in Interest (USPPI) or authorized agent. See below for a complete list of mandatory, conditional, and optional data elements.

<b>Mandatory data elements</b>	<b>Conditional data elements</b>
1. USPPI and USPPI identification	1. Authorized agent and authorized agent identification
2. Date of export	2. Intermediate consignee
3. Ultimate consignee	3. FTZ identifier
4. U.S. state of origin	4. Foreign port of unloading
5. Country of ultimate destination	5. Export license number/CFR citation/KPC number
6. Method of transportation	6. Export Control Classification Number (ECCN)
7. Conveyance name/carrier name	7. Secondary unit of measure
8. Carrier identification	8. Secondary quantity
9. Port of export	9. Vehicle Identification Number (VIN)/Product ID
10. Related party indicator	
11. Domestic or foreign indicator	
12. Commodity classification number	
13. Commodity description	

<ul style="list-style-type: none"> <li>14. Primary unit of measure</li> <li>15. Primary quantity</li> <li>16. Shipping weight</li> <li>17. Value</li> <li>18. Export information code</li> <li>19. Shipment reference number</li> <li>20. Line number</li> <li>21. Hazardous material indicator</li> <li>22. Inbond code</li> <li>23. License code/license exemption code</li> <li>24. Routed export transaction indicator</li> <li>25. Shipment filing action request indicator</li> <li>26. Line item filing action request indicator</li> <li>27. Filing option indicator</li> </ul>	<ul style="list-style-type: none"> <li>10. Vehicle ID qualifier</li> <li>11. Vehicle title number</li> <li>12. Vehicle title state code</li> <li>13. Entry number</li> <li>14. Transportation reference number (TRN)</li> <li>15. Department of State requirements</li> <li>16. Kimberley Process Certificate (KPC) number</li> </ul> <p><b>Optional data elements</b></p> <ul style="list-style-type: none"> <li>1. Seal number</li> <li>2. Equipment Number</li> </ul>
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### **What is a Transportation Reference Number (TRN)? (FTR section 30.1(c))**

The TRN is a reservation number assigned by the carrier to hold space on the carrier for cargo being shipped. The TRN is also known as the booking number for vessel shipments; the master air waybill number for air shipments; the bill of lading number for rail shipments' and the freight or pro bill for truck shipments. See FTR section 30.6 (b)(14).

### **Does the shipment reference number (SRN) have to be unique for five years? (FTR section 30.6(19))**

Currently due to system support, the shipment reference number must be a unique and never repeated (see FTR Letter No. 2). The Census Bureau is reviewing system enhancements to allow the reuse of the SRN.

## Record Retention

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### **What is the record retention requirement for the Electronic Export Information (EEI)? (FTR section 30.10)**

All parties to the export transaction (owners and operators of the exporting carriers, U.S. Principal Parties in Interest (USPPs), Foreign Principal Parties in Interest (FPPIs), and/or authorized agents) shall retain documents pertaining to the export shipment for five (5) years from the date of export. In addition, all parties must adhere to other government agencies retention requirements if it differs from the Census Bureau's requirements. See FTR section 30.10.

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## Electronic Export Information (EEI) Questions

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### **Why is filing Electronic Export Information (EEI) mandatory?**

Public Law 107-228 authorized the Secretary of Commerce, with the concurrence of the Secretary of State and the Secretary of Homeland Security, to publish regulations mandating that all persons who are required to file export information under Chapter 9 of Title 13, United States Code file such information through the Automated Export System (AES).

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### **What is the purpose of Electronic Export Information (EEI)?**

The EEI is used for compiling the official U.S. export statistics for the United States and for export control purposes. The regulatory provisions for preparing and filing the EEI

are contained in the Foreign Trade Regulations, Title 15 Code of Federal Regulations (CFR) Part 30.

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### **Is the Electronic Export Information (EEI) filed in the Automated Export System (AES) confidential? (FTR section 30.60)**

The EEI is confidential and used solely for official purposes authorized by the Secretary of Commerce in accordance with Title 13 United States Code section 301 (g). Neither the EEI nor its contents may be disclosed to anyone except the United States Principal Party in Interest (USPPI) or the authorized agent. The EEI must not be disclosed to foreign governments or foreign entities. The confidentiality provisions of the EEI can be found in FTR section 30.60.

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### **Who can file the Electronic Export Information (EEI)? (FTR section 30.2)**

The EEI shall be filed through the Automated Export System by the U.S. Principal Party in Interest (USPPI), the USPPI's authorized agent, or the authorized U.S. agent of the Foreign Principal Party in Interest. For information regarding the filing requirements refer to FTR section 30.2 (a).

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### **What is a Shipment? (FTR section 30.1(c))**

A shipment is goods being sent from one U.S. Principal Party in Interest to one consignee to a single country of destination on a single conveyance and on the same day and the value of the goods is over \$2,500 per schedule B or when a license is required.

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When is Electronic Export Information (EEI) required? (FTR section (30.2)(a)(i))

Shipped From	To
United States	Canada (if a license is required)
United States	Foreign Countries
United States	Puerto Rico
United States	U.S. Virgin Islands
Puerto Rico	United States
Puerto Rico	Foreign Countries
Puerto Rico	U.S. Virgin Islands
U.S. Virgin Islands	Foreign countries
U.S. Foreign Trade Zones	Foreign Countries

When is Electronic Export Information (EEI) not required? (FTR section 30.2(d)(2))

Shipped From	To
United States	Canada (unless an export license is required)
U.S. Virgin Islands	United States
U.S. Virgin Islands	Puerto Rico
United States/Puerto Rico/Virgin Islands	Other U.S. Territories**
Other U.S. Territories**	United States
Other U.S. Territories**	Foreign Countries
Other U.S. Territories**	Other U.S. Territories**

\*\* American Samoa, Baker Island, Commonwealth of the Northern Mariana Islands, Guam, Howland Island, Jarvis Island, Johnston Atoll, Kingmen Reef, Midway Islands, Navassa Island, Palmyra Atoll, and the Wake Island. (Appendix C).

**Is the Electronic Export Information (EEI) required for shipments that clear a U.S. port but that are ultimately destined for Puerto Rico?**

No, shipments that are entered into the United States from a foreign country with an ultimate destination of Puerto Rico, are not required to be filed in the AES.

Transactions of this nature appear in our import statistics with the U.S. port as the port of entry and Puerto Rico as the port of unloading.

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**Merchandise enters one port on an in-bond movement, subsequently is placed in a bonded warehouse (or Foreign Trade Zone), and later withdrawn for export. Does this shipment need to be filed in the Automated Export System (AES)?**

Yes. In general, merchandise traveling in-bond on an Immediate Transportation (IT), a Transportation and Exportation (T&E), or Immediate Export (IE) is not required to be filed in the AES. However, in this situation the goods were placed in a warehouse pending export and as a result, a citation must be filed in the AES. By placing the goods in a bonded warehouse or foreign trade zone, there is a break in the in-bond movement and as such, a filing citation or exemption legend is required.

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**Is Electronic Export Information (EEI) required for shipments to APO addresses? (FTR 30.39)**

No. EEI is not required for shipments to APO addresses. The Foreign Trade Regulations (FTR) considers shipments to APO addresses as domestic transactions.

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**What are the filing timeframes for submitting Electronic Export Information (EEI) in the Automated Export System (AES)? (FTR section 30.4(b))**

The Department of State has filing timeframe requirements for U.S. Munitions List (USML) shipments and the Trade Act of 2002 specifies requirements for all other for non-USML shipments. The time frames vary by method of transportation. The filing timeframes for non-USML shipments are located in the FTR section 30.4. The filing timeframe for USML shipments are located in the International Traffic in Arms Regulations (22 CFR 123.22(b)(1)). See below for both non-USML and USML shipments.

For non-USML shipments: (30.4(b)(2))

Vessel cargo	24 hours prior to loading cargo on the vessel at the U.S. port where the cargo is loading
Air cargo	2 hours prior to the scheduled departure time of the aircraft
Truck cargo	1 hour prior to the arrival of the truck at the U.S. border to go foreign
Rail cargo	2 hours prior to the time the train arrives at the U.S. border to go foreign
Mail	2 hours prior to departure of exporting carrier
Pipeline	Within 4 calendar days following the end of the month

For USML shipments: (30.4(b)(1))

Vessel cargo	24 hours prior to departure
Rail cargo	24 hours prior to departure
Truck cargo	8 hours prior to departure
Air cargo	8 hours prior to departure

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**What is the Foreign Trade Regulations (FTR) requirement for advanced filing of Electronic Export Information (EEI) through the Automated Export System for shipments between the United States and Puerto Rico?**

Puerto Rico is exempt from the filing time frames in the FTR. However, the proof of filing citation, post departure filing citation, or exemption citation must be presented to the carrier prior to the arrival of goods for shipments between the United States and Puerto Rico. This exemption from the advance filing of the EEI applies only to shipments between the United States and Puerto Rico.

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**Is there flexibility with the current timeline requirement for bulk exports, for carriers to load cargo without producing the Internal Transaction Numbers (ITNs) prior to loading?**

No. However, all exporters, including bulk cargo are permitted to provide estimated cargo information prior to loading. Once the complete cargo information is known, the U.S. Principal Party in Interest, or authorized agent must correct the Automated Export System record with the accurate information. See FTR section 30.9.

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**Is the Internal Transaction Number (ITN) sufficient to clear an automobile that has been pending clearance, the required 72 hours, or where further documentation is required?**

The mandatory AES filing requirements established by the Foreign Trade Regulations do not affect the document requirements for vehicles intended for export. Exportation of

a vehicle will be permitted only upon compliance with the requirements as described in 19 CFR Part 192.

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## Domestic vs. Foreign Origin

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**I am shipping goods that are valued over \$2,500 and have the same Schedule B number, but the Schedule B number contains goods of both domestic and foreign origin, how do I report this transaction? (FTR section 30.37 (a))**

The Foreign Trade Regulations (FTR) requires that items of domestic or foreign origin under the same commodity classification number be reported separately in the Automated Export System (AES) if either is valued over \$2,500. See FTR section 30.37(a). If the value is less than \$2,500 for either the domestic originated portion of the shipment or the foreign originated portion, it does not require an AES filing and the following citation should be used No EEI 30.37(a) domestic or No EEI 30.37(a) foreign.

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**What do I report if I cannot identify which portion of the shipment is domestic and which is foreign?**

If you are unable to identify which portion of your shipment is domestic and foreign, provide the best estimate.

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## Automated Export System (AES) Questions

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### What is the Automated Export System (AES)? (FTR section 30.1 (c))

The AES is the system used for collecting Electronic Export Information (EEI) from persons exporting goods from the United States, Puerto Rico, or the U.S. Virgin Islands; between Puerto Rico and the United States; and to the U.S. Virgin Islands from the United States or Puerto Rico. See FTR section 30.1 (c).

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### What is *AES Direct*? (FTR section 30.1(c))

AESDirect is a free Internet based application supported by the U.S. Census Bureau that allows the U.S. Principal Party in Interest (USPPI), its authorized agent, or the authorized agent of the Foreign Principal Party in Interest (FPPI) to transmit Electronic Export Information through the Automated Export System via the Internet at [www.aesdirect.gov](http://www.aesdirect.gov). See FTR section 30.1(c).

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### What happens if the Automated Export System (AES), *AES Direct*, or the AES participant's system is unavailable? (FTR section (30.4)(b)(1)- (30.4)(b)(3))

For Non-United States Munitions List (USML) shipments:

If the AES participant's system is unavailable, the filer must delay the export of goods or find an alternative filing method. See FTR section 30.4 (b)(3). If the AES or *AES Direct*

is unavailable, the goods may be exported and the filer must provide the appropriate filing citation as described in FTR section 30.7(b) and Appendix D when notified via AES Broadcast Message that the downtime policy is in effect. The Electronic Export Information (EEI) must be reported at the first opportunity the AES is available. A follow up message will be sent via AES Broadcast when the system is running and the policy is no longer in effect. The downtime citation format is AESDOWN Filer ID mm/dd/yyyy.

For United States Munitions List (USML) shipments:

If the AES participant's system is unavailable, the filer must delay the export of goods or find an alternative filing method. If the AES or *AES Direct* is unavailable, the filer shall not export until AES is operating and an Internal Transaction Number (ITN) is acquired. See FTR section 30.4 (b)(1).

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## **How do I receive broadcast messages from the Automated Export System (AES)?**

Broadcast messages from the Automated Export System (AES) are sent via e-mail to all AES registered filers. If you are not an AES registered filer and would like to receive the AES broadcast messages, please send an e-mail to [AskAES@census.gov](mailto:AskAES@census.gov) requesting to be added to the AES list. Your e-mail message should include the e-mail address where you would like to receive broadcast AES messages as they are distributed.

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## **I received an Automated Export System (AES) fatal error. What should I do? (FTR section 30.9)**

Fatal error messages are sent to filers when Electronic Export Information (EEI) is not accepted in the AES. These errors must be corrected and the EEI resubmitted prior to export for shipments filed predeparture and as soon as possible for shipments filed

postdeparture but no later than ten calendar days after departure. If you have problems correcting an AES error, contact the AES Branch, Foreign Trade Division, Census Bureau on (800) 549-0595, option 1. See FTR section 30.9.

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## **How much will it cost to implement the Automated Export System (AES) in my company?**

The cost to implement the AES will vary depending on the size and needs of your organization. There are several options available to you. You can use *AES Direct* or *AES PcLink*, which is the Census Bureau's FREE Internet based filing method. Another option is to develop your own software from the specifications found in the AES Trade Interface Requirements (AESTIR). The AESTIR can be found on the Customs and Border Protection (CBP) website, [http://www.cbp.gov/xp/cgov/trade/automated/aes/tech\\_docs/aestir/](http://www.cbp.gov/xp/cgov/trade/automated/aes/tech_docs/aestir/). You may also purchase a software package from an AES certified vendor, which has been tested and approved by the Census Bureau and CBP. Lastly, you may transmit your export information through a service center, port authority or an authorized agent filing on your behalf. The cost will be proportionate to the sophistication of the system you choose.

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## **Is the Automated Export System (AES) an enforcement system?**

The AES was not designed to be an enforcement system. It is simply an electronic tool that supports the enforcement system already in place. It is a mechanism to bring the export process into the 21<sup>st</sup> century.

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## **What is postdeparture reporting and how do I become a postdeparture filer? (FTR section 30.4 (c))**

The privilege to file Electronic Export Information (EEI) on a postdeparture basis is granted to approved U.S. Principal Parties in Interest (USPPIs) to file their export information up to 10 calendar days after the date of export, i.e., the date the goods are scheduled to cross the U.S. border. Currently, the moratorium placed on new postdeparture filers in August 2003 remains in effect pending further review of the program. See FTR section 30.4 (c).

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### **Citations**

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## **Who is responsible for providing the proof of filing citation, exemption citation or postdeparture filing citation to the carrier? (FTR section 30.7 (b))**

The U. S. Principal Party in Interest (USPPI) or the authorized agent is responsible for annotating the proper proof of filing citation or exemption legend on the first page of the bill of lading, air waybill, export shipping instructions or other commercial loading documents. The USPPI or the authorized agent must provide the proof of filing citation or exemption legend to the exporting carrier within the timeframe requirements. See FTR section 30.7(b).

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### **Household Goods**

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## **How are household goods and personal effects reported in the Automated Export System (AES)? (FTR section 30.38)**

Household goods and personal effects require limited reporting of Electronic Export Information (EEI) when goods are shipped under a bill of lading or an air waybill. The total value and the shipping weight of the cargo are always required in the EEI. The Schedule B or Harmonized Tariff Schedule of the United States of America (HTSUSA) commodity classification codes, quantities, and domestic/foreign indicator are not required. Report the export information code “HH” when reporting household goods. See FTR section 30.38.

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## USPPI Questions

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**Who is the U.S. Principal Party in Interest (USPPI) in an export transaction? (FTR section 30.3)**

The person or legal entity in the United States that receives the primary benefit, monetary or otherwise, from the export transaction. Generally, that person or entity is the U.S. seller, manufacturer, or order party, or the foreign entity while in the United States when purchasing or obtaining the goods for export. See FTR section 30.3.

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**Who do I report as the U.S. Principal Party in Interest (USPPI) when goods are formally entered in the U.S.; however, the goods are really transiting the U.S. for immediate export and a foreign person or customs broker is listed as the importer of record? (FTR section 30.3 (b)(2)(iv) and (v))**

If a customs broker or foreign person is listed as the importer of record when entering goods into the United States for immediate consumption or warehousing entry, the customs broker may be listed as the USPPI in the Electronic Export Information (EEI) if the goods are subsequently exported without change or enhancement.

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**Who should be listed as the U.S. Principal Party in Interest (USPPI) when merchandise comes into the U.S temporarily for exhibition and the owner is a foreign entity and not present in the U.S.? (FTR section 30.3 (b)(2)(iv) and (v))**

The U.S. broker or agent acting as importer of record on behalf of the foreign entity shall be listed as the USPPI for Automated Export System (AES) filing purposes. See FTR section 30.3 (b)(2)(iv) and (v).

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**What are the responsibilities of the U.S. Principal Party in Interest (USPPI) in a standard export transaction? (FTR section 30.3 (c)(1))**

- Filing the Electronic Export Information (EEI) or authorizing an agent to file the EEI on its behalf.
  - If the USPPI files the EEI, it is responsible for the accuracy and timely transmission of all the export information reported to the AES. See FTR section 30.3 (c)(1).
  - When the USPPI authorizes an agent to file the EEI on its behalf, the USPPI is responsible for:
    - Providing the authorized agent with accurate and timely export information necessary to file the EEI.
    - Providing the authorized agent with a power of attorney or written authorization to file the EEI.
    - Retaining documentation to support the information provided to the authorized agent for filing the EEI, as specified in section of the Foreign Trade Regulations.
    - License determination.
-

**What are the responsibilities of the U.S. Principal Party in Interest (USPPI) in a routed export transaction? (FTR section 30.3 (e)(1))**

- Provide the U.S. agent with statistical information, including USPPI name and address, USPPI's Employer Identification Number or Social Security Number, state of origin, Schedule B number, quantity/unit of measure, description of commodity, origin of goods, value, and any license information to assist in preparing the Electronic Export Information (EEI). See FTR section 30.3 (e)(1).
- Retain documentation to support the information provided to the agent for preparing the EEI as specified in FTR section 30.10.

Note: In a routed export transaction, the USPPI is not required to provide the U.S. agent of the Foreign Principal Party in Interest (FPPI) with a power of attorney or written authorization. The FPPI is responsible for providing a power of attorney or written authorization to the U.S. agent.

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**FPPI Questions**

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**Section 30.1 states that the FPPI is the party shown on the transportation document to whom final delivery or end-use of the goods will be made. Is the FPPI always identified as the party who receives the goods?**

No, the FPPI may not be the party that receives the goods. The FPPI may be the party who receives the goods or the party that is listed as the Ultimate Consignee in the Automated Export System.

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**Does the Foreign Principal Party in Interest (FPPI) have to be the party shown on the transportation document to whom final delivery or end?**  
**(FTR section 30.1)**

No. The FPPI is the foreign entity that has contracted with the USPPPI to obtain the merchandise (the FPPI may be shown on the transportation documents as the end user of the goods).

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## Corrections

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### **Can I make a correction to an Electronic Export Information (EEI)? (FTR section 30.9)**

Yes, corrections, cancellations, or amendments to the Electronic Export Information (EEI) shall be electronically identified and transmitted to the Automated Export System (AES) for all required fields as soon as possible. If you are having problems correcting an AES error, contact the Automated Export System Branch at (800) 549-0595, option 1. See FTR section 30.9 for transmitting and correcting the EEI.

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### **Should a new Automated Export System (AES) record be filed if only part of my shipment was exported? (FTR section 30.9)**

The U.S. Principal Party in Interest (USPPPI) or authorized agent (the filer) is responsible for making the necessary corrections to the originally filed record as soon as the information is known per Section 30.9. In addition, a new AES record would be filed for the remaining items to be exported, if the commodities are valued over \$2,500 per Schedule B or if a license is required. For example, ten containers were scheduled for export but only eight containers were shipped. The USPPPI or authorized U.S. agent is responsible for updating the original AES record to reflect the shipment of the commodities in the eight containers that were exported and filing a new AES record for

the commodities in the remaining two containers to be exported, if the value of the commodity is over \$2,500 per schedule B number or a license is required. Otherwise, an exemption citation must be submitted.

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**What are the responsibilities of the vessel carrier and the AES filer if an AES record is filed for commodities valued at \$10,000 classified under one Schedule B and \$5,000 worth of the cargo is shipped on the original vessel and \$5,000 worth is rolled to another vessel?**

The carrier has the responsibility of notifying the USPPI or the U.S. authorized agent of changes to the shipment, and the USPPI or U.S. authorized agent shall electronically submit the corrections, cancellations, or amendments as soon as they are known in accordance with FTR Section 30.9 (FTR Section 30.45 (b)).

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## **Disclosure**

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**Is the Electronic Export Information (EEI) filed in the Automated Export System (AES) confidential? (FTR section 30.60)**

The EEI is confidential and used solely for official purposes authorized by the Secretary of Commerce in accordance with Title 13 United States Code section 301 (g). Neither the EEI nor its contents may be disclosed to anyone except the United States Principal Party in Interest (USPPI) or the authorized agent. The EEI must not be disclosed to foreign governments or foreign entities. The confidentiality provisions of the EEI can be found in FTR section 30.60.

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**Does the U.S. Census Bureau provide information on what specific companies are importing and exporting?**

No. All data that is collected by the U.S. Census Bureau is confidential under United States Code (USC) Title 13 and to be used solely for official purposes as authorized by the Secretary of Commerce. This information is exempt from public disclosure unless the Secretary of Commerce determines under the provisions of Title 13, USC, Chapter 9, Section 301(g), that such exemption would be contrary to the national interest.

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**How do I make a voluntary self-disclosure? (FTR section 30.74)**

The policy and procedures for voluntarily disclosing violations or suspected violations of the Foreign Trade Regulations (FTR) can be found in section 30.74 or at [www.census.gov/trade](http://www.census.gov/trade).

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**Does the U.S. Census Bureau publish international trade information by company name?**

No. Title 13, United States Code, Chapter 9, Section 301(g) prohibits the publication or release of any information that could identify any particular company, individual, or household.

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**Are there circumstances where the U.S. Census Bureau will release the Electronic Export Information (EEI)? (FTR section 30.60)**

Yes, the EEI may be supplied to the U.S. Principal Party in Interest and authorized U.S. agents for compliance and auditing purposes. The EEI may also be supplied to federal

agencies for official purposes when deemed to be in the national interest pursuant to Title 13, United States Code, Chapter 9,

Section 301(g). Official purposes are defined to include but are not limited to:

- Verification and investigation of export shipments, including penalty assessments, for export control and compliance purposes;
  - Providing proof of export; and
  - Statistical purposes.
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**I have seen my company's information published. Where is the information obtained?**

Published company information typically comes from the shipping manifest. Customs and Border Protection (CBP) provides this information upon request. In addition, data providers collect this information and compile it for distribution. If you need more information please contact the Privacy Act and Policy and Procedures Branch at CBP at (202) 325-0280.

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**Is manifest or bill of lading data confidential?**

No, the shipping manifest is a document in the public domain and can be viewed by anyone.

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**Is there anything I can do to stop the publication of my company's information?**



You can contact the Privacy Act and Policy and Procedures Branch at Customs and Border Protection and request confidential treatment of manifest information at (202) 325-0280.

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## ECCN/License

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### **What is an Export Control Classification Number (ECCN) and how do I get one?**

ECCN stands for Export Control Classification Number. An ECCN is an alphanumeric classification used in the Commerce Control List (CCL) to identify items for export control purposes. All ECCN's will have 5 characters, for example, 1A001, 4B994, or 9D001. There are 10 categories on the CCL. The first number of the ECCN identifies the category to which it belongs, for example, 1 = Nuclear Materials Facilities and Equipment, 4 = Computers, 9 = Propulsion Systems, Space Vehicles and Related Equipment. There is a process for determining the proper ECCN for your item. The Bureau of Industry and Security's (BIS) Office of Exporter Services have counselors available in Washington, DC Headquarters on (202) 482-4811 and in their Western Regional Office in California on (949) 660-0144 or (408) 998-8806 for guidance on determining your ECCN using the CCL. The CCL is found in Supplement 1 to Part 774 of the Export Administration Regulations (EAR) and is available on-line at [http://www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html). BIS cannot provide official classification determinations by phone. However, BIS can help guide you through the classification determination process.

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### **What types of exports does the Department of Commerce regulate?**

The Bureau of Industry and Security (BIS) of the Department of Commerce implements and enforces the Export Administration Regulations (EAR). The EAR regulates the export and reexport of most commercial items. The items that BIS regulates are often referred to as "dual-use" items because they have both commercial and military or proliferation applications, but purely commercial items without an obvious military use also are subject to the EAR.

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### **What is the difference between Export Administration Regulations' (EAR99) and No License Required (NLR)?**

EAR99 is a classification for an item. It indicates that a particular item is subject to the Export Administration Regulations (EAR), but not specifically described by an Export Control Classification Number (ECCN) on the Commerce Control List (CCL). While the classification describes the item, the authorization for shipment of that item may change, depending on the circumstances of the transaction.

NLR stands for the "No License Required" designation. NLR may be used for either EAR99 items, or items on the CCL that do not require a license for the destination. However, exports of an EAR99 item to an embargoed country, an end-user of concern or in support of a prohibited end-use may require an export license.

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### **When is an Export Control Classification Number (ECCN) required in the Automated Export System (AES)?**

You must enter the correct ECCN in the AES for licensed, license exception shipments, and for "no license required" (NLR) shipments of items on the Commerce Control List having a reason for control other than or in addition to anti-terrorism (AT). The only exception to this requirement is the return of unwanted foreign origin items, meeting the

provisions of License Exception TMP, under §740.9(b)(3) of the Export Administration Regulations (EAR). See 15 CFR 758.1 (g) (as amended July 10, 2000).

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### **Who do I contact for information on determining my Export Control Classification Number (ECCN) and license requirements?**

While the Bureau of Industry and Security (BIS) can provide oral advice and guidance on classifying your item on the Commerce Control List (CCL), BIS cannot give definitive classification decisions over the phone. The Office of Exporter Services has counselors available from their Washington, DC headquarters at (202) 482-4811 and their Western Regional Office in California at (949) 660-0144 or (408) 998-8806 to provide you guidance on determining your Export Control Classification Number and license requirements.

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### **Do I need a license to export to Puerto Rico?**

No. A shipment to Puerto Rico is not defined, as an export or re-export under the Export Administration Regulations (EAR). However, the U.S. Principal Party in Interest (USPPI) is required to file an Electronic Export Information via the Automated Export System. If the shipment is going through Puerto Rico and the final destination is a foreign country, the exporter must follow the required procedures for obtaining an Export Control Classification Number (ECCN) in order to ascertain whether a license is required for the shipment. The same rules apply for shipments to the Commonwealth of the Northern Mariana Islands or any territory, dependency, or possession of the United States. See: EAR section 734.2(b)(8).

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## **Is Electronic Export Information (EEI) required for shipments that initially clear a U.S. port at the time of importation but that are ultimately destined for Puerto Rico?**

No, shipments that are unloaded at a U.S. port to ship to Puerto Rico, do not require an AES filing.

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## **What are export controls?**

Export controls are administered by the Bureau of Industry and Security (BIS) in the U.S. Department of Commerce, and are described in detail in the official publication U.S. Export Administration Regulations (EAR). Whenever there is any doubt about how to comply with export regulations and licensing procedures, the Department of Commerce officials or qualified professional consultants should be contacted for assistance at (202) 482-4811.

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## **What are the restricted countries where I may not sell/export my goods?**

Where you may or may not ship your goods varies with each transaction and depends on the nature of the goods, the identity of the proposed recipient of the goods, and the activity or activities in which the recipient is involved. You must determine that information before you can decide whether you need an export license. In some situations, the Export Administration Regulations (EAR) requires an export license for shipments to any country in the world (even Canada, in rare circumstances). Part 746 of the EAR lists countries that are subject to embargoes or other special controls. A list of embargoed countries can also be found on the Office of Foreign Assets Control (OFAC) website at: [www.treas.gov/ofac](http://www.treas.gov/ofac)

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## **Have the embargoes for Iran and Sudan been abolished?**

The embargo against Iran is still in place, while the embargo against Sudan has been modified to exempt certain areas of the country. The Office of Foreign Assets Control (OFAC) of the Department of the Treasury administers both. Exports and reexports subject to the Export Administration Regulations (EAR) that are not subject to the OFAC's Iranian Transactions Regulations may require authorization from Bureau of Industry and Security (BIS). If you are exporting or reexporting items to Sudan, you should check with OFAC to determine if the destination of your items is in the areas of Sudan that are still under embargo, or if it is in the areas of Sudan that have been exempted from the embargo. In addition, BIS continues to maintain licensing requirements under the EAR on exports and reexports to all areas of Sudan.

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## **How do I find out about duties and licenses for certain countries?**

The Department of Commerce Trade Information Center can assist you with obtaining this information. The Center can be reached on 1(800) USA-Trade (872-8723).

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## **Freight Forwarder/Authorized Agent Questions**

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### **What are the responsibilities of the authorized agent in a standard export transaction? (FTR section 30.3 (c)(2))**

- Accurately prepare and file the Electronic Export Information (EEI) record based on information received from the U.S. Principal Party in Interest (USPPI).
- Obtain a power of attorney or written authorization from the USPPI.
- Retain documentation to support the information reported to the Automated Export System (AES), as specified in FTR section 30.10.
- Upon request, provide the USPPI with a copy of the EEI filed on its behalf.

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**What are the responsibilities of the authorized agent in a routed export transaction? (FTR section 30.3 (e)(2))**

- Obtain a power of attorney or written authorization from the Foreign Principal Party in Interest (FPPI).
- Prepare and file the Electronic Export Information (EEI) based on information obtained from the U.S. Principal Party in Interest (USPPI) or other parties involved in the transaction.
- Upon request, provide the USPPI with a copy of the power of attorney or written authorization from the FPPI.
- Retain documentation to support the EEI reported through the AES.
- Upon request, provide the USPPI with the data elements that were provided by the USPPI and filed in AES.

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**Can a freight forwarder be listed as the USPPI in the Electronic Export Information (EEI)? (FTR section 30.3(b)(iv))**

A freight forwarder can be listed as the USPPI when the freight forwarder formally enters merchandise into the U.S. on behalf of the foreign entity acting as the importer of record or when the freight forwarder is acting as an order party.

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**Tariff**

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## **What Is a Tariff?**

A tariff or duty, the words are used interchangeably, is a tax levied by governments on the value of imported products. The tariff is assessed at the time of importation along with any other applicable taxes/fees. Tariffs raise the prices of imported goods, thus making them less competitive within the market of the importing country. For more information on tariffs you can contact the International Trade Administration on (800) 872-8723.

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## **How do I find out about duties and licenses for certain countries?**

The Department of Commerce Trade Information Center can assist you with obtaining this information. The Center can be reached on 1(800) USA-Trade (872-8723).

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## **What is a Quota?**

A restriction on specific goods that a country permits to be imported during a specified time before the imposition of added duties or can refer to a total restriction on a particular good entering a country. For example, Japan may allow the importation of 5,000 U.S. cars at a reduced or waived duty rate. Once car number 5,001 enters, either no more can enter or a significantly increased duty rate will apply. For more information please contact the International Trade Commission on (800) 872-8723.

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## Classification Questions

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### **What is the system for classifying commodities? (FTR section 30.1(c))**

The Harmonized System is a method of classifying goods for international trade developed by the Customs Cooperation Council (now the World Customs Organization).

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### **What is the Harmonized Tariff Schedule (HTS)? (FTR section 30.1(c))**

An organized listing of goods and the duty rates, developed by the U.S. International Trade Commission, which is used by Customs and Border Protection (CBP) as the basis for classifying imported products, including establishing the duty to be charged and providing statistical information about imports and exports.

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### **What is a Schedule B number? (FTR section 30.1(c))**

The Statistical Classification of Domestic and Foreign Commodities Exported from the United States. These 10-digit commodity classification numbers are administered by the U.S. Census Bureau and cover everything from live animals and food products to computers and airplanes. To find a Schedule B number please refer to the Schedule B Search Engine found at [www.census.gov/foreign-trade/schedules/b/index.html](http://www.census.gov/foreign-trade/schedules/b/index.html). If additional assistance is needed, please call the Commodity Analysis Branch, Foreign Trade Division, Census Bureau on (800) 549-0595, option 2.

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**How can I find my Schedule B Number and official description of my product?**



To obtain your Schedule B number, visit the Census Bureau's Foreign Trade Division website which provides a complete listing of the Schedule B numbers at <http://www.census.gov/foreign-trade/schedules/b/index.html>. If additional assistance is needed, please call the Commodity Analysis Branch, Foreign Trade Division, Census Bureau on (800) 549-0595, option 2.

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### **What Schedule B number and value do I report for goods that were imported for repair and now are being returned? What about warranties?**

For goods that were previously imported for repairs, the Schedule B number to report at the time of export is 9801.10.0000. The value to be reported in the Automated Export System is the total cost of the parts and labor. The value of the original product shall not be included. If goods were replaced under warranty, the Schedule B number of the replacement item would be listed and the value reported is the cost of the new item. If the value reported in the Automated Export System is different from the value on the bill of lading, invoice, etc. include the statement "Product replaced under warranty, value for EEI purposes."

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### **How much detail should I provide for the description of my product?**

Report the description of the goods shipped in English in sufficient detail to permit verification of the Schedule B or HTSUSA number. Clearly and fully state the name of the commodity in terms that can be identified or associated with the language used in Schedule B or HTSUSA (usually the commercial name of the commodity), and any and all characteristics of the commodity that distinguish it from commodities of the same name covered by other Schedule B or HTSUSA.

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## Shipment

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**I have goods that are moving in-bond through the U.S., am I required to file Electronic Export Information (EEI)? (FTR section 30.2 (d)(1))**

The EEI is not required for shipments that do not enter the commerce of the United States. A filing citation or exemption legend is not required for in-bond shipments because these shipments are out of scope of the FTR.

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**Can I file the Form 7513, Shipper's Export Declaration (SED) for In-transit Goods, via the Automated Export System?**

No, the information reported on the Form 7513 cannot be entered into the AES. The Form 7513, SED for In-transit Goods, also known as the pink declaration, is regulated by the Army Corps of Engineers. The Army Corps of Engineers has suspended the requirement to file the Form 7513. Currently, there are no filing requirements for in-transit shipments. For more information, please refer to <http://www.usace.army.mil/>.

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**What is a drop shipment?**

A typical drop shipment is when the U.S. Principal Party in Interest (USPPI) sells its product to a Foreign Principal Party in Interest (FPPI). The FPPI then sells the same product to its customer in another foreign country or area, and instructs the USPPI to send the product from its facility directly to its customer.

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**If there are several bookings on one bill of lading, would several Internal Transaction Numbers (ITNs) or exemption citations be required?**

If there are several bookings on one bill of lading, an ITN or exemption citation is required for each shipment from one U.S. Principal Party of Interest to one ultimate consignee.

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**What are the procedures in a situation when an ocean shipment has received multiple shipping instructions listing multiple consignees in the same container?**

The exporting carrier may proceed to load as long as they have an ITN for each shipment from one USPPI to one ultimate consignee.

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**What is the procedure for filing a shipment that has been split by the carrier? (FTR section 30.28)**

When the carrier has split a shipment additional Automated Export System (AES) filings are not required. However, "SPLIT SHIPMENT" should clearly be marked on the manifest and each subsequent shipments manifest. On the last portion of the shipment "SPLIT SHIPMENT, FINAL" should be reported. In addition, under the "number of packages" column shall show the portion of the shipment with reference to the total that is being shipped, i.e. 1 of 3 or 1/3. The original Internal Transaction Number should be used for each shipment. (See FTR section 30.28)

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**Can split shipments apply to shipments exported by mode of transportations other than air?**

Yes, split shipments may apply to all modes of transportation. However, in order to file one Automated Export System (AES) record for the shipment, it must be booked for the export on one aircraft, vessel, train or truck but split by the carrier and sent on two or more of the selected modes of transportations of the same carrier on the same day. If the shipment is split, and part leaves on one day and part on another day, the original AES record must be corrected to show the part of the shipment exported on the first day and a new AES record must be filed to show the part of the shipment exported on the next day. See definition of a shipment in FTR section 30.1.

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## Shipping Documents

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**The Foreign Trade Regulations, section 30.10(b) refers to “shipping documents”. What documents are considered “shipping documents”?**

Shipping documents can include but are not limited to commercial invoices, export shipping instructions, packing lists, bill of ladings and air waybills.

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**Where should I put my citations if a manifest is not required?**

If a manifest is not required, citations should be annotated on the bill of lading, air waybill, export shipping instructions or other commercial loading documents.

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## Shipment Containers

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**Do I need to file for shipments of empty containers if the value is over \$2,500? (FTR section 30.26 (a))**

No, when containers are moving, either loaded or empty, without transfer of ownership or title, in their capacity as carriers of goods or as instruments of such carriers, they are not required to be filed. However, if ownership of such containers is transferred, electronic export information would need to be filed.

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## Training

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### **Who can I contact for seminar information?**

Contact the Regulations, Outreach and Education Branch, Foreign Trade Division (FTD), Census Bureau on (800) 549-0595, option 3. Seminars are held in locations all over the U.S. Visit the Census Bureau's website for the latest seminars:

<http://www.census.gov/foreign-trade/aes/meetingsandpresentations/index.html#presentations>

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### **Does the Foreign Trade Division (FTD) offer additional training other than the seminar program?**

The FTD offers several different training opportunities in addition to the seminar program. The FTD provides webinars in English and in Spanish. These Webinars are hosted by the International Trade Administration and speakers from the U.S. Census Bureau's FTD participate in topics such as what the filing requirements are for export transactions, export commodity classification, Automated Export System overviews and how to use AESPCLink. There is also a speaker from Customs and Border Protection that discusses enforcement. The FTD also provides company training at the request of

a company. Presentations are geared towards company's concerns or issues that they would like addressed. The FTD also has an AES Compliance Review Program where staff visits companies to observe their internal processes with export transactions and the FTD provides guidance on how to increase or maintain compliance with the FTR.

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## General Help

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### **Where can I get more information on the Foreign Trade Regulations (FTR)?**

The FTR can be found at our website located at [www.census.gov/trade](http://www.census.gov/trade). Questions concerning the FTR may be directed to the Regulations, Outreach and Education Branch, Foreign Trade Division, Census Bureau on (800) 549-0595, option 3 or via email [askregs@census.gov](mailto:askregs@census.gov).

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### **How do I know if my software has encryption capability?**

Many common software products have encryption capability, subjecting them to special export controls. Internet software, office software, and many financial software products, among others, have encryption capability. Contact the manufacturer of the software product to find out if it has encryption capability. You can also contact the Information Technology Controls Division within the Bureau of Industry and Security at (202) 482-0707.

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**Our company currently does very little exporting; however, we are anticipating a much higher volume in the near future. I am interested to know whom I could contact for training information on general export compliance?**

Contact the Regulations, Outreach and Education Branch, Foreign Trade Division, Census Bureau on (800) 549-0595, option 3. Seminars are held in locations all over the U.S. Visit the Census Bureau's website for the latest seminars:

<http://www.census.gov/foreign-trade/aes/meetingsandpresentations/index.html#presentations>

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### **What is the Trade Information Center (TIC)?**

The Trade Information Center (TIC) provides export counseling to U.S. exporters. For information please contact the TIC at (800) USA-TRAD(E) or (202) 482-0543 or refer to the website: [www.export.gov](http://www.export.gov).

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### **What online resources are available to assist with the export process as it pertains to the Foreign Trade Regulations (FTR) and the Automated Export System (AES)?**

Regulations, Outreach, and Education Branch, (800) 549-0595, option 3, or [AskRegs@census.gov](mailto:AskRegs@census.gov)  
<http://www.census.gov/trade>

Automated Export System Branch, (800) 549-0595, option 1, or [AskAES@census.gov](mailto:AskAES@census.gov)  
Automated Export System (technical support) (877) 715-4433  
[www.aesdirect.gov](http://www.aesdirect.gov) - *AESDirect* is the free Internet based application supported by the Census Bureau.

“AES Newsletter” is available at [http://www.census.gov/foreign-trade/aes/documentlibrary/index.html#aes\\_newsletters](http://www.census.gov/foreign-trade/aes/documentlibrary/index.html#aes_newsletters)

Automated Export System Trade Interface Requirements (AESTIR) is available at [http://www.cbp.gov/xp/cgov/trade/automated/aes/tech\\_docs/aestir/](http://www.cbp.gov/xp/cgov/trade/automated/aes/tech_docs/aestir/)

Commodity Classification (Schedule B Number), (800) 549-0595, option 2

“Schedule B – Statistical Classification of Domestic and Foreign Commodities Exported from the United States” is available on the FTD website at <http://www.census.gov/foreign-trade/schedules/b/index.html>

“Schedule D – Classification of Customs Districts and Ports for U.S. Foreign Trade Statistics” is available on FTD website at <http://www.census.gov/foreign-trade/reference/codes/>

“Schedule C – Classification of Country and Territory Designations for U.S. Foreign Trade Statistics” is available on the FTD website at <http://www.census.gov/foreign-trade/reference/codes/>

Schedule K, Foreign Post Codes

<http://www.iwr.usace.army.mil/ndc/wcsc/scheduleK/schedulek.htm>

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## Other Agency Export Control Telephone Contacts

Bureau of Industry and Security, Department of Commerce [www.bis.doc.gov](http://www.bis.doc.gov)

Washington, DC

Newport Beach, CA

San Jose, CA

(202) 482-4811

(949) 660-0144

(408) 998-8806



Export Administration Regulations (EAR) is available on the BIS website at [www.access.gpo.gov/bis/ear/ear\\_data.html](http://www.access.gpo.gov/bis/ear/ear_data.html)

International Trade Administration, Export Assistance Center (800) 872-8723

Department of State, Office of Defense Trade Controls (ODTC) (202) 663-2714  
<http://www.pmddtc.state.gov/>

International Traffic In Arms Regulations (ITAR) is available on the Department of State website at <http://www.pmddtc.state.gov/>

Department of Treasury, Office of foreign Assets Controls (OFAC)  
(Sanctioned countries and trade restrictions) (202) 622-2490  
<http://www.treas.gov/ofac>

US Customs Border and Protection (CBP) (877) 227-5511  
<http://www.cbp.gov/>

North American Free Trade Agreement (NAFTA) information is located at <http://www.fas.usda.gov/itp/Policy/NAFTA/nafta.asp>