

1 East Bay Street
Savannah, GA 31401



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

SEP 11 2009

PORT OF SAVANNAH PIPELINE# 2009-12

ENF-SV:FO:LFB

**TO: Port of Savannah Vessel, Air, Rail and Truck Carriers, Carrier
Representatives, Customs Brokers, Freight Forwarders, and Other
Interested Parties**

**FROM: Area Port Director
Savannah, Georgia**

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

On July 17, 2009 U.S. Customs and Border Protection (CBP) published Customs Bulletin and Decisions, Volume 43, No. 28, providing notice of modification of a Headquarters ruling (HQ 113129) which allowed containers meeting the requirements of 19 U.S.C. 1322(a) and 19 CFR 10.41a as instruments of international traffic (IIT) and containing residual chemicals to be entered as empty containers. This notice is available on the CBP public website at http://www.customs.gov/linkhandler/cgov/trade/legal/bulletins_decisions/bulletins_2009/vol43_07172009_no28/43genno28.ctt/43genno28.pdf (page 138).

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

Once a definitive enforcement date is established:

- Instruments of international traffic containing residual chemicals, cargo, goods, etc., must be manifested and entered in compliance with customs laws;
- If qualified, shipments containing residual goods can be entered as American Goods Returned (AGR); and
- Since the exact amount of the residual goods may not be known at the time the advance cargo information is required to be transmitted, the importer may

estimate the amount when providing that information to the carrier for transmission to CBP. Additionally, the same estimated amount should be used at the time of entry of the goods. If a more precise amount is obtained after arrival then the entry should be amended.

We encourage importers to take steps to comply with this ruling at their earliest opportunity. Any questions regarding this notice should be directed to Lynn Brennan, Assistant Port Director at 912-447-9400.


John S. Porter