



Trade Facilitation and Trade Enforcement Act of 2015

Increase in the De Minimis Value Exemption

Background

On February 24, 2016, the President signed the [Trade Facilitation and Trade Enforcement Act of 2015](#), strengthening the capabilities of the U.S. Customs and Border Protection (CBP) to enforce U.S. trade laws and regulations, streamline and facilitate the movement of legitimate trade, and interdict non-compliant trade.

The Act of 2015 included an amendment of Section 321 of the Tariff Act of 1930, as amended (19 U.S.C. § 1321) to **increase the de minimis value exemption from duties and taxes from \$200 to \$800**, which CBP implemented on March 10, 2016.

What Changed?

The value of a shipment imported by one person on one day that generally may be imported free of duties and taxes has **increased from \$200 to \$800**. Shipments valued at **\$800 or less** for the de minimis exemption are eligible for release under the same processes and with the same restrictions that previously applied to shipments valued at **\$200 or less**.

What Remains the Same?

All existing processes and restrictions for merchandise shipments remain the same with the exception of **increasing the de minimis value exemption**.

Processes:

- ◆ **Manual Processing (all modes):** Importer may provide oral declaration or evidence document of fair retail value of **\$800 or less**
- ◆ **Land Border Truck:** Low value shipments may be released off of the electronic truck manifest by accepting the release on the primary lane
- ◆ **Rail, Sea, and Air (standard and express air):** CBP may release low value shipments after electronic manifest is reviewed in the Automated Commercial Environment (ACE) by manual posting, as appropriate

Conditions and Exceptions:

- ◆ Shipment **must be** imported by one person on one day
- ◆ Consolidated shipments addressed to one ultimate consignee **are treated as one importation**
- ◆ **No alcoholic beverage, perfume containing alcohol** (except where the aggregate fair retail value in the country of shipment of all merchandise contained in the shipment does not exceed \$5), **cigars, or cigarettes will be exempted from duty and tax payment**
- ◆ **Exemption is not allowed** if CBP believes that the shipment is one of several lots covered by a single order or contract, and that it was sent separately for the express purpose of securing free entry or for the purpose of avoiding compliance with any pertinent law or regulation
- ◆ **Exemption is not allowed** in the case of any merchandise of a class or kind provided for in any tariff-rate quota
- ◆ **Exemption is not allowed** if one or more Partner Government Agencies require information to fulfill their regulatory requirements

CBP Authority:

As a reminder, even in the case of low value shipment, CBP has the right to require a formal entry on any shipment where additional information, bonding, or protection is required. The administrative exemption may be denied if CBP believes that the shipment was sent as a low value shipment for the purpose of avoiding compliance with any pertinent law or regulation.