

## Automated Commercial Environment (ACE) Cargo Release/PGA Message Set Glossary

The terms below serve as status notifications and processing results of ACE Cargo Release transactions with PGA (Partner Government Agency) Message Set data. Below, detailed definitions are provided for reference. Please note, this glossary does **not apply** to merchandise entered under any expedited release program.

**May Proceed.** A “may proceed” message indicates that a particular PGA has determined that, for its purposes and based on the information provided through ACE, the merchandise may proceed into the commerce of the United States, possibly subject to certain PGA restrictions, e.g., to be shipped to an exempted outlet. When the admission of merchandise is determined by more than one PGA, that shipment will require a separate “may proceed” message from each PGA that regulates the merchandise before the merchandise may proceed into the commerce. Merchandise that has received a “may proceed” message from each PGA regulating the merchandise cannot proceed into the commerce until CBP releases the merchandise. Thus, before merchandise is released into the commerce, a CBP release and all required PGA “may proceed” messages must be received. Once CBP has released the merchandise and all required PGA “may proceed” messages have been received, a One USG message will be sent to the trade indicating the merchandise may be introduced into the commerce. Note, however, that even after the One USG message has been issued the merchandise is still subject to a Notice of Redelivery.

**Partial Refusal.** A “partial refusal” message indicates that a particular PGA has determined that a portion of the merchandise may proceed into the commerce of the United States, and that the other portion may not proceed into the commerce.

**CBP Release.** A “CBP Release” message indicates that CBP has determined that the merchandise may be released from CBP custody. All merchandise released by CBP is released conditionally, as it is subject to recall through the issuance of a Notice of Redelivery. Merchandise that is regulated by one or more PGAs may not proceed into the commerce until CBP releases the merchandise and all PGAs that regulate the merchandise have issued a may proceed message.

**CBP Conditional Release.** A recognition that all merchandise that is released by CBP is released conditionally and is subject to recall through the issuance of a CBP Notice of Redelivery.

**CBP Conditional Release Period.** The CBP “Conditional Release Period” is the 30-day period from the time of CBP release or the presentation of required samples, whichever is later. CBP may recall the shipment to CBP custody during the conditional release period. When the importer is directed to deliver a sample to CBP or a PGA, the conditional release period will not begin until the time the sample is received at the proper location. The 30-day period may be extended by the issuance of a FDA Notice of Action.

**Hold Intact.** A “Hold Intact” message indicates that a particular PGA has requested an examination of the merchandise. Hold intact is independent of a CBP Release message and may be issued by a PGA regardless of the CBP Release message. Merchandise subject to a Hold Intact message must be held intact, unaltered and complete and be sent to a designated location pending the PGA’s determination on whether the merchandise may proceed into the commerce of the United States. Merchandise that is not sent to the designated location may be subject to a CBP Notice of Redelivery. After the merchandise reaches the designated location the PGA will determine whether to issue a may proceed message, a partial refusal message, or a refusal message.

**One USG.** A “One USG” message indicates that the merchandise has arrived, that all data required for entry has been submitted to the U.S. Government, that all PGAs that regulate the merchandise have issued a may proceed and that CBP has conditionally released the merchandise from its custody. This message is based on the data received from the trade and premised on that data being true, accurate and correct. A “One US” message is always sent, even if the merchandise is not regulated by any PGA.

**Under Review.** An “Under Review” message indicates that one or more PGAs are reviewing the applicable data to determine whether to issue a may proceed message or a Hold Intact message. An “Under Review” message has a direct bearing on a One USG message. A One USG message will not be issued until the review is completed and the merchandise is determined to be admissible into the commerce, i.e., may proceed. Any introduction of the merchandise into the commerce without a resolution of the under review by means of a may proceed message may result in a notice of redelivery, and/or enforcement action by CBP or a PGA. Merchandise subject to an under review message may be released by CBP if it not held for examination, presentation of required data, or held for PGA or other purposes.

**Rejected.** A “Rejected” message indicates that the entry has been rejected and returned to the filer for correction and/or the inclusion of required data and information.

**Refused.** A “Refused” message indicates that CBP or a PGA have determined that merchandise may not be admitted into the commerce of the United States for consumption. In some cases, the merchandise will have to be destroyed or exported. In other cases, the merchandise may be moved in-bond or warehoused until the ultimate disposition.

**Documents Required.** A “Documents Required” message indicates that CBP and/or a PGA is requesting the production of certain documents or data needed before a CBP Release or PGA may proceed decision can be made.

**Intensive Exam.** An “Intensive Exam” message from CBP directs the merchandise to be delivered to a designated examination facility or site for actual physical examination. Merchandise so directed remains in CBP custody and may only be moved under bond. The CBP conditional release period will not begin until CBP releases the merchandise.

**Sample Required.** A “Sample Required” message indicates that CBP and/or a PGA has directed that a sample of the merchandise be sent to a particular examination facility or laboratory site for inspection or examination. The CBP conditional release period will not begin until the sample is received at the proper location. Note that the conditional release period may be extended if FDA issues a Notice of Action.