



# A Guide for the Public: How CBP Sets Bond Amounts

Office of Trade, Trade Policy & Programs

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

## **FOREWORD**

Bonds are required for a wide range of transactions and activities, and are the primary tool used by U.S. Customs and Border Protection (CBP) to safeguard the revenue of the United States and ensure compliance with applicable laws and regulations. As such, it is imperative that the trading public have the information needed to properly submit those bonds to CBP.

The collaborative nature of this program presents the unique opportunity for CBP and the trade to continually maintain and advance the bond program in support of CBPs' priority to facilitate lawful trade and protect the revenue.

Should you have any questions regarding information contained in this guidance document, please reach out to the Office of Trade, Trade Policy and Programs at [otbond@cbp.dhs.gov](mailto:otbond@cbp.dhs.gov).

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## **1. PURPOSE**

**1.1.** U.S. Customs and Border Protection's (CBP) bonds are the primary tool used to safeguard the revenue of the United States and ensure compliance with applicable laws and regulations.

## **2. BACKGROUND**

**2.1.** On December 8, 1993, Title VI of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182, 107 Stat. 2057), also known as the Customs Modernization or "Mod" Act, became effective. These provisions amended many sections of the Tariff Act of 1930 and related laws.

**2.2.** Two concepts that emerged from the Mod Act were "informed compliance" and "shared responsibility," which are premised on the idea that in order to maximize voluntary compliance with laws and regulations of CBP, the trade community needs to be clearly and completely informed of its legal obligations. Accordingly, the Mod Act imposes a greater obligation on CBP to provide the public with improved information concerning the trade community's rights and responsibilities under customs regulations and related laws. In addition, both the trade and CBP share responsibility for carrying out these requirements. For example, under Section 484 of the Tariff Act, as amended (19 U.S.C. 1484), the importer of record is responsible for using reasonable care to enter, classify and determine the value of imported merchandise and to provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics, and determine whether other applicable legal requirements, if any, have been met. CBP is then responsible for fixing the final classification and value of the merchandise. An importer of record's failure to exercise reasonable care could delay release of the merchandise and, in some cases, could result in the imposition of penalties.

**2.3.** Title 19, Code of Federal Regulations (CFR), Part 113 addresses CBP Bonds, including requirements for setting the amount of a bond, determining bond sufficiency, and requiring additional security. This guidance provides information for the trade regarding the guidelines CBP personnel should use when setting bond amounts, determining bond sufficiency, and considering whether to require additional security. If CBP determines at any time that a bond is insufficient to protect the revenue and assure compliance with any law, regulation, or instruction, CBP may require additional security for the principal's transaction(s) or activity(ies). CBP should strive to gather, document, and maintain sufficient evidence to justify bond requirements and reasonably tailor the bond(s) required to that evidence of risk.

## **3. LEGAL AUTHORITIES/REFERENCES**

**3.1.** Title 19, United States Code (USC), Section 1623.

**3.2.** 19 CFR Parts 4, 10, 11, 12, 18, 19, 24, 54, 112, 113, 118, 122, 123, 125, 127, 128, 132, 133, 134, 141, 142, 143, 144, 146, 147, 148, 149, 151, 162, 163, 190, 191, and 192.

## 4. DEFINITIONS

**4.1. Bond:** A bond is a performance contract taken out by a party engaging in transactions or activities with CBP to adequately protect the revenue of the United States and to ensure compliance with any pertinent law, regulation, or instruction regarding the conduct of that business. The bond is a contract between the principal and the surety, or an agreement by a principal secured by cash in lieu of surety. CBP is the third-party beneficiary of most CBP bonds outlined in these Guidelines.

**4.2. Bond Sufficiency:** Refers to whether the bond covering the transaction is adequate to protect the revenue and ensure compliance with applicable laws, regulations, or instructions.

**4.3. Insufficient:** A bond that is not adequate to protect the revenue and ensure compliance with applicable laws, regulations, or instructions.

**4.4. Additional Security:** CBP may immediately require additional security, if CBP believes that acceptance of a transaction secured by a single transaction or continuous bond would place the revenue in jeopardy or otherwise hamper the enforcement of all applicable laws or regulations. Additional security may take the form of a single transaction bond or a larger continuous bond, including agreements by the principal secured by cash in lieu of surety.

**4.5. Sufficiency Review:** The Office of Finance – Revenue Division (OF-RD) conducts reviews on bonds to evaluate whether the bonds are in amounts sufficient to protect the revenue and ensure compliance with applicable laws, regulations, or instructions.

**4.6. Single Transaction Bond (STB):** A bond that secures a single transaction or activity.

**4.7. Continuous Bond:** A bond that secures one or more transactions or activities over a one-year period, is renewed automatically on the anniversary of the effective date of the bond, and remains in effect until terminated.

**4.8. Bond Exhaustion:** A bond is exhausted when the full amount of the bond, or in the case of a continuous bond the full amount of the bond for that annual period, has been paid by the principal or the surety as liquidated damages or the full amount of the bond has been paid by the surety under other terms of the bond, such as the payment of duties or penalties. A bond is not exhausted or reduced when duties or penalties have been paid by the principal.

**4.9. Bond Rider:** An amendment of the bond, used to add or delete trade names and unincorporated divisions of a principal to an active bond, change a principal's address, change a principal's name (if the legal designation is not changing), transact business in the territory of the United States Virgin Islands, or file reconciliation entries.

**4.10. Principal:** A person, business firm, Government agency, or other organization engaged in a transaction or activity for which CBP requires a bond and who has contracted for a bond with a surety or entered into an agreement secured by cash in lieu of surety. For CBP bond purposes, a



principal is identified by the 11-digit identification number (9-digit Internal Revenue Service employer identification number plus 2-digit suffix), social security number, or CBP assigned number, allowed on the CBP Form 5106, Create/Update Importer Identity Form, or its electronic equivalent, and CBP Form 7501, Entry Summary, or its electronic equivalent.

**4.11. Cancellation:** Formally and permanently giving up any claim CBP might make against the bond. This may also be referenced as “returning” or “releasing” a bond.

## **5. CBP RESPONSIBILITIES**

**5.1.** CBP offices and staff responsible for setting and maintaining sufficient bond coverage include Port of Entry personnel, Center of Excellence and Expertise (Center) personnel, the Office of Finance – Revenue Division (OF-RD), the Office of Trade – Trade Policy and Programs – Commercial Operations, Revenue and Entry (OT-CORE) Division, and the Office of Field Operations – Cargo and Conveyance Security (OFO-CCS).

**5.2.** The Director, OF-RD performs a periodic review of bond sufficiency. Sufficiency reviews may include, but are not limited to, an analysis of the most recent CBP activity (including the volume of activity) for all parties on the bond; liquidated damages history; the payment of all duties, taxes, and fees, including deposits of estimated duties, taxes, and fees; unpaid bills or other outstanding obligations; or the kind and character of the merchandise being imported, handled, carried, processed, or stored.

**5.3.** The Director, OF-RD is authorized to determine that a continuous bond increase is required based on the periodic review of continuous bond sufficiency and based on additional evidence gathered by other CBP personnel, such as Port or Center Directors. Therefore, notice of continuous bond insufficiency, requiring an increased continuous bond for a principal’s transaction(s) or activity(ies) will only be issued by the Director, OF-RD.

**5.4.** The Director, OF-RD is also authorized to determine that a single transaction bond increase<sup>1</sup> or additional coverage via a single transaction bond is required based on the periodic review of single transaction bond sufficiency and based on additional evidence gathered by other CBP personnel, such as Port or Center Directors. Notice of single transaction bond insufficiency, requiring an increased single transaction bond, or additional coverage via a single transaction bond for a principals’ transaction(s) or activity(ies) will be in writing to the principal and will contain the amount of the increased or additional bond required and information about the reason for the increased or additional bonding.

**5.5.** If a Port or Center Director believes that acceptance of a transaction secured by a continuous or single transaction bond would place the revenue in jeopardy or otherwise hamper the enforcement of applicable laws or regulations, and evidence of such risk to the revenue or risk

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<sup>1</sup> A single transaction bond amount may only be increased during the 10-day window between entry and entry summary.

of legal noncompliance has been gathered and documented, they may require additional security via a single transaction bond. Notice of the required additional single transaction bond will be in writing to the principal and will contain the amount of the additional bond required and information about the reason for the additional bonding. The form of such notice may include but is not limited to: an entry summary reject notice or a CBP Form 29 - Notice of Action.

**5.6.** OT-CORE is responsible for establishing, maintaining, amending, and communicating CBP bond policies, including but not limited to bond directives, guidance, memoranda, and the internal and external ACE Entry Summary Business Rules and Process Document (bond chapters/sections or bond references). In addition, OT-CORE is responsible for responding to bond policy questions and concerns from CBP personnel and the trading public submitted to [otbond@cbp.dhs.gov](mailto:otbond@cbp.dhs.gov).

**5.7.** Office of Field Operations – Trade Operations Division (OFO-TOD) is responsible for collaborating with Port of Entry personnel, Center personnel, the OF-RD, and OT-CORE Division to ensure that CBP field personnel are made aware of relevant bond policies and procedures for nationwide uniformity.

**5.8.** OFO-CCS is responsible for collaborating with Port of Entry personnel, Center personnel, the OF-RD, and OT-CORE Division to set and maintain sufficient bond coverage.

**5.9.** Directors, Field Operations are responsible for ensuring that CBP field personnel in their areas of responsibility are made aware of relevant bond policies and procedures for nationwide uniformity.

**5.10.** Port Directors and Center Directors are responsible for the implementation of CBP bond policies and procedures within their areas of responsibility and for ensuring that CBP field personnel in their areas of responsibility are made aware of relevant bond policies and procedures for nationwide uniformity.

## **6. PROCEDURES**

### **6.1. Bond Transmission**

**6.1.1.** The ACE eBond test<sup>2</sup> commenced on January 3, 2015, and is a voluntary program that allows approved sureties/surety agents to transmit certain single transaction or continuous bonds:

- Electronically to ACE, using the surety's software, via eBond or any other CBP-approved Electronic Data Interchange (EDI), or

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<sup>2</sup> See Federal Register notices [79 FR 70881 eBond Test](#), [80 FR 899 eBond Test Modifications and Clarifications](#), and [83 FR 12403 Extension of NCAP; eBond Test](#).

- Via email to the OF-RD at [bondquestions@cbp.dhs.gov](mailto:bondquestions@cbp.dhs.gov) for manual input.

**6.1.2.** The list of approved eBond test participants is maintained by the OF-RD.

**6.1.3.** Transmissions made by an eBond test participant only require a sub-set of information from the Office of Management and Budget (OMB) approved CBP Form 301 (Customs Bond), 301a (Addendum to Customs Bond), if applicable, or other CBP approved bond, as set forth in the [ACE CATAIR – Customs eBond Create/Update chapter](#).

**6.1.4.** All continuous bonds, single transaction bonds (except for the Activity Code 12 – International Trade Commission (ITC) Exclusion Bond, as addressed below), and riders that are not being transmitted to ACE through the eBond EDI must be transmitted by a surety, surety agent, broker, or principal in accordance with 19 CFR § 113.11, as follows:

- Continuous Bonds: Via fax or email to the OF-RD at [bondquestions@cbp.dhs.gov](mailto:bondquestions@cbp.dhs.gov), for manual input.
- Single Transaction Bonds: Via fax, email or hard copy to the OF-RD at [bondquestion@cbp.dhs.gov](mailto:bondquestion@cbp.dhs.gov), or Port Director.

**6.1.5.** Activity Code 12 – ITC Exclusion Bonds must be transmitted to the relevant Port of Entry or Center. This bond type cannot be transmitted to ACE via the eBond EDI or manually input into ACE by the OF-RD as some information required on the bond cannot currently be accepted by ACE. When filing with the relevant Port of Entry or Center, this bond may be transmitted via the Document Image System (DIS), email or fax to an appropriate CBP contact, or presented in paper form.

**6.1.6.** Per 19 CFR § 113.12(b), only one continuous bond for a particular activity will be authorized for each principal. Per 19 CFR § 24.5(d), CBP allows the submission of a 2-digit suffix to the 9-digit Internal Revenue Service employer identification number (11-digit) on a CBP Form 5106, Create/Update Importer Identity Form<sup>3</sup>, or its electronic equivalent, to identify business branch offices or a vessel-owners' specific vessels. Section 24.5(d) also allows transactions to be filed on CBP Form 7501, Entry Summary, or its electronic equivalent with this 11-digit identification number referenced. For CBP bond purposes, a principal is identified by the 11-digit identification number, social security number, or CBP assigned number. Only one continuous bond for a particular activity will be authorized for each 11-digit identification number<sup>4</sup>, social security number, or CBP assigned number. *See* 19 CFR § 113.12(b).

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<sup>3</sup> Any party that is required to have a bond must have an active ACE account prior to submission of any bond. An ACE account may be established through submission of a CBP Form 5106.

<sup>4</sup> Any unincorporated division or trade names listed on a bond must comply with CBP's ruling in [HQ 115193 dated February 1, 2001](#).

## **6.2. Record Retention (19 CFR § 113.15)**

**6.2.1.** CBP must maintain proper records of bonds to protect the revenue and ensure legal compliance, and as required by federal records law and applicable records retention schedules.

**6.2.2.** ACE is the system of record of all bonds transmitted to CBP via EDI.

**6.2.3.** Only the Commissioner may authorize cancellation of a bond pursuant to 19 CFR § 113.51. If a bond is cancelled CBP will keep the primary or only record of the bond in accordance with federal records retention schedules. Under no circumstance will CBP personnel give back a primary or only record of a bond to the originator of the bond.

## **6.3. Bond Amounts (19 CFR § 113.13)**

**6.3.1.** The minimum amount of a CBP bond must not be less than \$100, except when the law or regulation expressly provides that a lesser amount may be taken. Fractional parts of a dollar will be disregarded and the bond will always be stated as the next highest dollar.

**6.3.2.** CBP personnel will consider the guidelines outlined in 19 CFR § 113.13(b) when determining whether the amount of a bond is sufficient.

**6.3.3.** In addition, CBP will periodically review bonds to determine whether they are adequate to protect the revenue and ensure compliance with applicable law and regulations and take action as appropriate in accordance with 19 CFR §§ 113.13(c) and (d) to notify the principal and surety when CBP requires additional security.

## **6.4. Bond Types**

### **6.4.1. Activity Code 1 - Basic Importation and Entry - Continuous Bond (19 CFR § 113.62)**

**6.4.1.1.** The minimum Activity Code 1 continuous bond amount is \$50,000 or 10% of the total estimated duties, taxes, and fees in the previous 12-month period, whichever is greater, for all principals, co-principals, and users appearing on the bond, unless otherwise specified. All continuous bonds are set in increments of \$10,000 up to \$100,000 and then in increments of \$100,000 for larger bonds. This base formula is referred to as the “Reviewer formula.” Detailed formulas for calculating the Activity Code 1 continuous bond amount can be found in Appendix B to these Guidelines. (The formulas at Appendix B are also posted separately on CBP.gov).

**6.4.1.2.** The following entry types are NOT included in the continuous bond sufficiency computation:

- 05 – Vessel Repair
- 11 – Informal Free & Dutiable (under \$2500)
- 12 – Informal Quota (under \$2500)
- 26 – Warehouse Foreign Trade Zone Admission Entries
- 31 – Warehouse Withdrawal Consumption
- 32 – Warehouse Withdrawal Quota
- 34 – Warehouse Withdrawal Antidumping/Countervailing Duty (AD/CVD)
- 38 – Warehouse Withdrawal AD/CVD and Quota/Visa combo
- 47 – Drawback
- 51 – Defense Contract Management Agency (DCMA)
- 86 – Section 321 de minimis (under \$800)<sup>5</sup>

**6.4.1.3.** If no imports were made during the preceding year, the bond amount is set based on the duties, taxes, and fees which the principal, co-principal, or user estimates will accrue on imports during the next 12-month period. In no event can the bond amount be less than \$50,000.

**6.4.1.4.** The continuous bond amount calculated pursuant to the Reviewer formula, or any other applicable sections of these Guidelines will be increased as follows (these additions are referred to as the “Analytical formula”):

- By 10% of delinquent <sup>6</sup> bills (due from the principal(s), co-principal(s), or user(s) on the bond) that are (a) not protested and less than 210 days past due, or (b) protested;
- By 100% of the amount of all delinquent bills (due from the principal(s), co-principal(s), or user(s) on the bond) that are (a) not protested and over 210 days past due, or (b) associated with a denied protest; and

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<sup>5</sup> See [84 FR 40079](#), Test Concerning Entry of Section 321 Low-Valued Shipments Through Automated Commercial Environment (ACE).

<sup>6</sup> See 19 USC § 1505(d); bills that are not paid and more than 30 days has lapsed since bill issuance.

- By 100% of the amount of all unpaid debit vouchers (due from the principal(s), co-principal(s), or user(s) on the bond).

**6.4.1.5.** If the unpaid bills or debit vouchers are paid prior to the deadline to terminate and replace the continuous bond provided in the insufficiency notice, and the OF-RD is timely notified of the payment(s), OF-RD will recompute the continuous bond amount, and take appropriate action.

**6.4.1.6.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.2. Activity Code 1 - Basic Importation and Entry - Single Transaction Bond (19 CFR § 113.62)**

**6.4.2.1.** If an entry type requires a bond and a continuous bond is not on file, a single transaction bond is required. In addition, if a continuous bond is on file for an entry, but it is not sufficient to cover the risk to the revenue or to assure compliance with applicable laws, regulations, or instructions, Port Directors, Center Directors, or the OF-RD may require a single transaction bond as additional coverage.

**6.4.2.2.** A single transaction, Activity Code 1, basic importation and entry bond (for a consumption entry, immediate delivery, to cover articles entered or withdrawn from a warehouse, etc.), will be required in an amount using the following guidelines.

**6.4.2.3.** Generally, the amount will not be less than the total entered value, plus all duties, taxes, and fees that apply, unless the merchandise being imported falls into one of the following categories:

- **Unconditionally Duty-Free Merchandise.** For unconditionally duty-free merchandise that is not subject to the categories listed below, the bond may be in an amount equal to 10% of total entered value.
- **Restricted Merchandise.** For entries containing merchandise that is restricted, the bond amount must be equal to three times (3x) the value of the restricted merchandise, but not less than \$100.
- **Overtime Services.** When the bond is to secure the payment of overtime services requested by or on behalf of the parties-in-interest, the bond amount must be an amount necessary to secure the payment of the amount due to CBP for such overtime services, but not less than \$100.

- **Antidumping and Countervailing Duties (AD/CVD).** When CBP has determined there is sufficient evidence that acceptance of a transaction secured only by a continuous bond would threaten the revenue or the ability to enforce applicable laws or regulations because of issues associated with AD/CVD, CBP may require additional security, in the form of a single transaction bond in an amount that is reasonably tailored to the evidence of additional risk before CBP.
- **Temporary Importations under Bond (TIB).** Unless the merchandise falls into one of the categories below, the bond amount must be equal to two times (2x) the estimated duties, including merchandise processing fees (MPF), determined at the time of entry, per 19 CFR § 10.31(f), unless CBP determines a higher amount is necessary to protect the revenue, as supported by the record evidence.
  - For samples solely for use in taking orders entered under subheading 9813.00.20, HTSUS, motion-picture advertising films entered under subheading 9813.00.25, HTSUS, and professional equipment, tools of trade and repair components for such equipment or tools entered under subheading 9813.00.50, HTSUS, the bond amount must be equal to 110 percent of the estimated duties, including fees, determined at the time of entry per 19 CFR § 10.31(f).
  - For restricted or prohibited merchandise, the bond amount must be equal to the greater of two times (2x) the estimated duties, including fees, or three times (3x) the value of the merchandise (*See* 19 CFR §§ 113.62(n)(1) and 12.3(b)).

If a continuous bond is not sufficient to cover the TIB requirements for an entry, the OF-RD, Port of Entry, or Center may require an additional single transaction bond to protect the revenue. The additional single transaction bond will be in an amount equal to the difference between the continuous bond amount and the TIB bond amount required.

For example, if the continuous bond used to secure the TIB entry is for \$50,000 and the TIB bond required is \$150,000, an additional single transaction bond in the amount of \$100,000 may be required.

**Note:** If multiple TIB entries are secured by the continuous bond, and the continuous bond is not sufficient to cover the TIB

requirement for each entry, CBP may request an additional single transaction bond for each entry. For example, if 3 TIB entries are submitted on the same \$50,000 continuous bond and the TIB bond amount required for each TIB entry is \$100,000, the amount requested for the additional STB will be \$50,000 for each TIB entry.

- **Special Classes of Merchandise.** For merchandise falling into the categories in Appendix A, the bond amount must be equal to the amount specified in the table.

**Note:** When an entered line of merchandise falls under a Harmonized Tariff Schedule (HTS) number regulated by a partner government agency (PGA), but the merchandise qualifies for use of a disclaimer<sup>7</sup>, because it does not contain a PGA regulated product, that merchandise is not required to be secured by the associated PGA-specific bond noted in the table in Appendix A.

**6.4.2.4.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

### **6.4.3. Activity Code 1a - Drawback Payment Refunds - Continuous Bond (19 CFR § 113.65)**

**6.4.3.1.** Drawback bonds are only required when a party requests and is approved for accelerated payment (AP) of drawback. (*See* 19 CFR § 190.92(d)).

**6.4.3.2.** The continuous bond amount must equal 100% of the estimated accelerated drawback amount to be claimed during the term of the bond. The minimum amount acceptable for a continuous activity code 1A bond is \$50,000. All continuous bonds are set in increments of \$10,000 up to \$100,000 and then in increments of \$100,000 for larger bonds.

**6.4.3.3.** The bond must have an effective date that is on or before the AP request date. The bond is decremented at the time ACE accepts and pays the AP request in an amount equal to the accelerated payment.

**6.4.3.4.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

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<sup>7</sup> Disclaimer codes are used to indicate the reason the full PGA Message Set is not provided. Disclaim code A is used when a product is not regulated by an agency.



**6.4.4. Activity Code 1a - Drawback Payment Refunds - Single Transaction Bond (19 CFR § 113.65)**

**6.4.4.1.** If an active and sufficient continuous bond is not on file in ACE, a single transaction bond is required.

**6.4.4.2.** The bond amount for accelerated payment of drawback must be equal to 100% of the total amount of accelerated payment to be received on the entry covered. The minimum amount acceptable for a single transaction activity code 1a bond is \$100 (*See* 19 CFR § 113.13(a)). Fractional parts of a dollar will be disregarded in computing the amount of the bond. The bond will always be stated as the next highest dollar.

**6.4.4.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.5. Activity Code 2 - Basic Custodial - Continuous Bond Only (19 CFR § 113.63)**

**6.4.5.1.** Basic custodial bonds cover custodians of bonded merchandise, including bonded carriers, bonded warehouses (including duty-free stores and Customs approved store rooms (CASR), container freight stations, freight forwarders, cartman, lighterman, and Centralized Examination Stations (CES). *See* 19 CFR §§ 18.1(e), 19.2, 19.2(c), 19.2(e), 19.40(a), 112.2, and 118.11(e).

**6.4.5.2.** The minimum amount acceptable for a continuous Activity Code 2 bond is \$25,000, unless otherwise specified. All continuous bonds are set in increments of \$10,000 up to \$100,000 and then in increments of \$100,000 for larger bonds.

- **Bonded warehouse operator or express consignment carrier facility.** When the bond is for a bonded warehouse operator or express consignment carrier facility, the bond amount must be an amount the Director, OF-RD deems necessary with input from Port of Entry personnel, OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$25,000 for each building or area covered by the bond. For example, if five buildings are covered by the bond, the bond must be at least \$125,000 (5 x \$25,000).
- **Carriage of Merchandise.** When the bond is for carriage of merchandise by common carriers, contract carriers, express consignment carriers, and freight forwarders; a Container Station Operator; CES; a cartage or lighterage operation, or a private carrier operator; the bond amount must be an amount the Director, OF-RD deems necessary, with input from Port of Entry personnel,

OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$25,000.

- **Overtime Services.** When the bond is to secure the payment of overtime services requested by or on behalf of parties in interest, the bond amount must be an amount necessary to secure the payment of the amount due for such overtime services as determined by the Director, OF-RD in consultation with the applicable Port of Entry.
- **Multiple custodial operations.** When the continuous bond is intended to cover more than one kind of custodial operation cited in this section, the bond must be an amount large enough to cover the sum of the combined operations. For example, if a bonded warehouse and container station are covered under the same bond, the amount must be at least \$25,000 for the warehouse, plus an additional \$25,000 for the container station, i.e., \$50,000 for the combined operations.

**6.4.5.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

#### **6.4.6. Activity Code 3 - International Carrier - Continuous Bond (19 CFR § 113.64)**

**6.4.6.1.** When the bond is to secure activities, including requested overtime services, related to the entry or clearance of vessels, vehicles, or aircraft which arrive directly or indirectly from any place outside the customs territory of the United States, the bond amount must be at least \$50,000 unless otherwise stated, using the following guidelines:

- **Commercial Aircraft.** For commercial aircraft with 14 or more seats (including crew seats) that are engaged in international commerce, the bond amount must be at least \$75,000 or twice the average collection of passenger user fees (required to be paid to CBP pursuant to the terms set forth in 19 CFR § 24.22(g)(1)(i)), based on the previous four quarters, whichever is greater. This applies to any commercial flight (a flight for hire) engaged in international commerce.

If the commercial aircraft has fewer than 14 seats, the bond amount must be at least \$5,000 for each seat (including crew seats), plus \$5,000 for the aircraft.

- **Commercial Vessels.** For commercial vessels that are engaged in international commerce, the bond amount must be at least \$50,000 or twice the average collection of passenger user fees (required to

be paid to CBP pursuant to the terms set forth in 19 CFR § 24.22(g)(1)(i and ii)), based on the previous four quarters, whichever is greater.

- **Non-Vessel Operating Common Carrier (NVOCC).** For an NVOCC that is engaged in international commerce, the bond amount must be at least \$50,000.
- **Railroad Carriers.** For railroad carriers, the bond amount must be at least \$50,000 or five times the average monthly railroad car user fees over the previous 12-month period (required to be paid to CBP pursuant to the terms set forth in 19 CFR § 24.22(d)), whichever is greater.
- **Express Consignment Carrier Facilities.** For Express Consignment Carrier Facilities, the bond amount must be \$50,000 or twice the average collection of express consignment carrier facility fees (required to be paid to CBP pursuant to the terms set forth in 19 CFR § 24.23(b)(4)), based on the previous four quarters, whichever is greater.
- **Vessel Repairs.** For vessel repairs, when a continuous bond is submitted to cover vessel repairs pursuant to 19 CFR § 4.14, the amount of the bond must be at least \$50,000.

**6.4.6.2.** All continuous bonds are set in increments of \$10,000 up to \$100,000 and then in increments of \$100,000 for larger bonds.

**6.4.6.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.7. Activity Code 3 - International Carrier - Single Transaction Bond (19 CFR § 113.64)**

**6.4.7.1.** When the bond is to secure activities, including requested overtime services, related to the entry or clearance of a vessel, vehicle, or aircraft which arrives directly or indirectly from any place outside the customs territory of the United States, the bond amount must be at least \$25,000. (*See* 19 CFR § 113.64; also 19 CFR §§ 24.16(c) and 122.38(d)).

**6.4.7.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines except the section governing the Activity 3a3 bond.

**6.4.8. Activity Code 3a - Instruments of International Traffic - Continuous Bond Only (19 CFR § 113.66)**

**6.4.8.1.** When the bond is for the control of instruments of international traffic required by 19 CFR § 10.41a and/or clearance of serially numbered substantial holders or outer containers required by 19 CFR § 10.41b, the bond amount must be an amount which the Director, OF-RD deems necessary, with input from Port of Entry personnel, OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$20,000.

**6.4.8.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines except the section governing the Activity 3a3 bond.

**6.4.9. Activity Code 3a3 - Carrier of International Traffic - Continuous Bond Only (19 CFR § 113.64 and 19 CFR § 113.66)**

**6.4.9.1.** When the bond is to secure activities under activity code 3 and activity code 3a simultaneously, the 3a3 bond can be used. It combines the conditions of the international carrier bond and the instruments of international traffic bond into a single bond. A carrier of international traffic 3a3 bond must contain the conditions listed in 19 CFR §§ 113.64 and 113.66 and must be a continuous bond. *See* 19 CFR § 10.41b.

**6.4.9.2.** The bond amount must be an amount which the Director, OF-RD deems necessary, with input from Port of Entry personnel, OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$70,000, the sum of the Activity Code 3 – International Carrier Bond minimum of \$50,000 and the Activity Code 3a – Instruments of International Traffic bond minimum of \$20,000.

**6.4.9.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.10. Activity Code 4 - Foreign Trade Zone Operator - Continuous Bond Only (19 CFR § 113.73)**

**6.4.10.1.** When the bond is to secure activities within a Foreign Trade Zone (FTZ), 19 CFR § 146.6, the bond amount must be an amount which the Director, OF-RD deems necessary, with input from Port of Entry personnel, OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$50,000 per FTZ activated location.

**6.4.10.2.** An increase in the amount of the FTZ operator bond may be required under the following circumstances:

- 1) the activated zone area is substantially altered;
- 2) the character of merchandise admitted to the zone or operations performed in the zone are substantially changed;
- 3) the annual review reveals that growth in estimated liability exceeds 10%;
- 4) a zone violation(s) or potential violation(s) is deemed a threat to the revenue or proper law enforcement; or
- 5) any other reason substantially affecting liability of the Operator under the bond.

**6.4.10.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.11. Activity Code 5 - Commercial Gauger and Commercial Laboratory - Continuous Bond Only (19 CFR § 113.67)**

**6.4.11.1.** When the bond is to secure commercial gauger and commercial laboratory companies the bond amount must be an amount which the Director, OF-RD deems necessary, with input from CBP Laboratories and Scientific Services (LSS), Port of Entry personnel, OT-CORE Division, and OFO-CCS, to accomplish the purpose for which the bond is given, but not less than \$20,000. (*See* 19 CFR §§ 113.67, 151.12, and 151.13).

**6.4.11.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.12. Activity Code 6 - Wool and Fur Products Labeling Act and Fiber Products Identification Act Importations - Single Transaction Bond Only (19 CFR § 113.68)**

**6.4.12.1.** When the bond is necessary to comply with the Wool Products Labeling Act of 1939, the Fur Products Labeling Act, or the Textile Fiber Products Identification Act (*see* 19 CFR §§ 11.12, 11.12a, 11.12b, 141.113, and 145.14(b)), the bond amount must be not less than two times (2x) the value of the merchandise plus applicable duties.

**6.4.12.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.13. Activity Code 7 - Bill of Lading - Single Transaction Bond Only (19 CFR § 113.69)**

**6.4.13.1.** When the bond is for producing a bill of lading (19 CFR § 141.15), the bond amount must be not less than one and a half times (1.5x) the invoice value.

**6.4.13.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.14. Activity Code 8 - Detention of Copyrighted Material - Single Transaction Bond Only (19 CFR § 113.70)**

**6.4.14.1.** When the bond is for allegedly piratical articles detained by CBP (19 CFR § 133.43), the bond amount must be an amount appropriate to hold the United States and its employees, and the importer or owner, harmless from any material depreciation of articles detained as alleged to be infringing and from any loss caused by the detention of articles found not to be infringing. Generally, 120 percent of the value of the articles, as set forth in the entry, plus the estimated duties, taxes, and fees will be the required bond amount.

**6.4.14.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.15. Activity Code 9 - Neutrality - Single Transaction Bond Only (19 CFR § 113.71)**

**6.4.15.1.** When the bond is necessary to observe neutrality (19 CFR § 4.73), the bond amount must be not less than two times (2x) the value of both the vessel and cargo on board.

**6.4.15.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.16. Activity Code 10 - Court Costs for Condemned Goods - Single Transaction Bond Only (19 CFR § 113.72)**

**6.4.16.1.** When the bond is for costs for a claim for seized property subject to condemnation (19 CFR § 162.47), the bond amount must be \$5,000, or 10 percent of the value of the claimed property, whichever is lower, but not less than \$250.

**6.4.16.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.17. Activity Code 11 - Airport Customs Security Area - Continuous Bond Only (either 19 CFR § 113.62, § 113.63, § 113.64 or Appendix A)**

**6.4.17.1.** Per 19 CFR § 122.182(c), the application for access to customs security areas must be supported by the bond of the applicant’s employer or principal.

- If an activity code 1 – basic importation and entry bond (19 CFR § 113.62), activity code 2 – custodian of bonded merchandise bond (19 CFR § 113.63), or activity code 3 – international carrier bond (19 CFR § 113.64) is on file, the bond serves as agreement by the principal (including its employees, agents, and contractors) to comply with the CBP regulations applicable to customs security areas at airports.
- If the applicant's employer<sup>8</sup> is not the principal on a CBP Form 301 for one or more of the activities to which the bond conditions set forth in 19 CFR §§ 113.62, 113.63, or 113.64 relate, the application must be supported by an Airport Customs Security Area Bond, as set forth in 19 CFR Part 113 Appendix A.

**6.4.17.2.** The minimum continuous bond amount will be:

- Fewer than 15 employees requiring access - \$25,000.
- Between 15 and 25 employees requiring access - \$50,000.
- More than 25 employees requiring access - \$100,000.

**6.4.17.3.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.18. Activity Code 12 - International Trade Commission (ITC) Exclusion - Single Transaction Bond Only (19 CFR § 113.74 and Appendix B)**

**6.4.18.1.** When the bond is for the entry of merchandise subject to an exclusion order that the ITC has issued under 19 USC 1337, the bond must be set in an amount determined by the ITC. (*See* 19 CFR § 12.39).

**6.4.18.2.** The Port of Entry or Center will be notified by the Exclusion Order Enforcement Branch, Regulations and Rulings, about the issuance of a new

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<sup>8</sup> The Airport Customs Security Bond specifically includes “employees, agents, and contractors” within the meaning of “principal”. For example, if a general contractor is rebuilding the airport terminal and holds the Airport Customs Security Area Bond, and they hire a painting company as a subcontractor, the painters may use the general contractor’s bond for their applications for approved Customs access seals, but the painting company is still the employer of the painters under the regulations.

exclusion order through an exclusion order notice containing precise information about the amount of the bond to collect.

**6.4.18.3.** CBP Form 301 cannot be used to file this bond type. The bond language set forth at 19 CFR Part 113, Appendix B, Bond to Indemnify Complainant Under Section 337, Tariff Act of 1930, as Amended, must be used to file this bond type. (*See* 65 FR 77813 (Dec. 13, 2000)).

**6.4.18.4.** The bond must be transmitted to the relevant Port of Entry or Center. This bond type cannot be transmitted to ACE via the eBond EDI or manually input into ACE by the OF-RD as some information required on the bond cannot currently be accepted by ACE. When filing with the relevant Port of Entry or Center, this bond may be transmitted via the Document Image System (DIS), email or fax to an appropriate CBP contact, or presented in paper form.

**6.4.18.5.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.19. Activity Code 14 - In-Bond Export Consolidation (IBEC) - *Terminated***

**6.4.19.1.** This bond was only required in the South Florida Customs Management Center, per Information Bulletin No. 99-013.

**6.4.19.2.** CBP published the notice, “Termination of the In-Bond Export Consolidator Program and Associated Bond,” that established the phase out timeline and procedures for the IBEC bond (*See* 87 FR 8025 (Feb. 11, 2022)).

**6.4.19.3.** As of February 11, 2022, CBP stopped accepting applications for new IBEC bonds (previously designated as Activity Code 14 on the CBP form 301).

**6.4.20. Activity Code 15 - Intellectual Property Rights (IPR) ‘Sample’ - Continuous or Single Transaction Bond (19 CFR §§ 133.21(c)(2), 133.25(c), 133.42(e), and 133.43(c))**

**6.4.20.1.** For continuous bonds provided by ‘rights owners’ for the sole purpose of obtaining samples of merchandise suspected of bearing infringing trademarks, trade names, or copyrights, the minimum amount of the bond will be \$5,000. If during any 12-month period the total value of such samples provided to the ‘rights owner’ under the bond exceeds the liability amount of the bond, the bond may be rendered insufficient and a new bond required.

**6.4.20.2.** CBP Form 301 cannot be used to file this bond type.

**6.4.20.3.** Additional information can be found on CBP.gov at: [CBP Announces Continuous Bond Option for IPR Sample Bonds](#).



**6.4.20.4.** An [IPR Sample Bond template](#) is available on CBP.gov.

**6.4.20.5.** This bond cannot be transmitted to ACE through the eBond EDI and must be transmitted by a surety, surety agent, broker, or principal in accordance with 19 CFR § 113.11, as follows:

- Continuous Bonds: Via fax or email to the OF-RD at [bondquestions@cbp.dhs.gov](mailto:bondquestions@cbp.dhs.gov), for manual input.
- Single Transaction Bonds: Via fax, email or hard copy to the OF-RD at [bondquestions@cbp.dhs.gov](mailto:bondquestions@cbp.dhs.gov), or Port Director.

**6.4.20.6.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.21. Activity Code 16 - Importer Security Filing (ISF) - Continuous Bond (19 CFR Part 113 Appendix D)**

**6.4.21.1.** When a continuous bond is provided for the sole purpose of satisfying ISF bonding requirements, the bond must be for an amount not less than \$50,000. (See 19 CFR § 149.5).

**6.4.21.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.22. Activity Code 16 - Importer Security Filing (ISF) - Single Transaction Bond (19 CFR Part 113 Appendix D)**

**6.4.22.1.** When a single transaction bond is provided for the sole purpose of satisfying ISF bonding requirements, the bond amount must be at least \$10,000. (See 19 CFR § 149.5).

**6.4.22.2.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.23. Activity Code 17 - Marine Terminal Operator - Continuous Bond Only**

**6.4.23.1.** See the [Notice of Specific Instruction, Customs Bulletin and Decisions, Vol. 40, No. 52, December 20, 2006](#), at page 7 for the terms and conditions of the Marine Terminal Operator Bond.

**6.4.23.2.** “All marine terminal operators at ports of entry who engage in commerce with containers and cargo arriving from foreign, except those

operators who handle bulk cargo exclusively, are required to post a Marine Terminal Operator bond if they do not have a valid international carrier bond already in force...[The Marine Terminal Operator bond must be for an amount] not less than \$100,000. As deemed necessary, the port director may set a bond limit of up to \$250,000 for marine terminal operators who have incurred violations of allowing cargo to exit the terminal without CBP authorization. If a port director seeks to set a bond limit in excess of \$250,000 based upon the past performance of a terminal operator, this limit may only be set with the concurrence of the Office of Field Operations in CBP Headquarters.” Notice of Specific Instruction, Customs Bulletin and Decisions, Vol. 40, No. 52, December 20, 2006, at page 6.

**6.4.23.3.** CBP Form 301 cannot be used to file this bond type.

**6.4.23.4.** This bond cannot be transmitted to ACE through the eBond EDI and must be transmitted by a surety, surety agent, broker, or principal in accordance with 19 CFR § 113.11, via fax or email to the OF-RD at [bondquestions@cbp.dhs.gov](mailto:bondquestions@cbp.dhs.gov), for manual input.

**6.4.23.5.** The bond amount specified by this section is in addition to the bond amount specified by any other applicable section of these Guidelines.

**6.4.24. Deferral of Duty on Large Yachts Imported for Sale at United States Boat Shows - Single Transaction Bond Only (19 CFR § 113.75 and Appendix C to Part 113)**

**6.4.24.1.** This bond is required for the deferral of entry completion and duty deposit pursuant to 19 U.S.C. 1484b for a dutiable large yacht imported for sale at a United States boat show and must conform to the terms of appendix C to 19 CFR Part 113. The bond must be filed in accordance with the provisions set forth in 19 CFR § 4.94a.

**6.4.24.2.** This bond is not currently assigned an activity code and CBP Form 301 cannot be used to file this bond type. The bond must be submitted using the language provided in appendix C to 19 CFR Part 113.

**6.4.24.3.** The bond must be in an amount equal to two times (2x) the amount of duties, taxes, and fees on the large yacht that would otherwise be imposed under the appropriate Harmonized Tariff Schedule of the United States (HTSUS) classification.

**6.4.24.4.** This bond cannot be transmitted to ACE through the eBond EDI and must be transmitted by a surety, surety agent, broker, or principal in accordance with 19 CFR § 113.11, via fax, email or hard copy to the OF-RD or Port Director.

**6.4.24.5.** If the large yacht is exported or sold in accordance with 19 CFR §§ 4.94a(b) or (c), the bond will be returned<sup>9</sup> to the importer of record.

**6.4.24.6.** If the large yacht is not sold or exported within the 6-month bond period, in accordance with 19 CFR § 4.94a(d), the importer of record within 15 calendar days after expiration of that 6-month period must complete the entry by filing an Entry Summary (CBP Form 7501, or its electronic equivalent) and must deposit the appropriate duty. Upon entry completion and deposit of duty, the bond will be returned<sup>10</sup>, and a new bond on CBP Form 301, containing the bond conditions set forth in § 113.62 of this chapter, may be required by the Center director.

**6.4.24.7.** Under no circumstance will CBP personnel give back a primary or only record of a bond to the originator of the bond.

## **6.5. Cash in lieu of Surety - Continuous or Single Transaction Bond (19 CFR § 113.40)**

**6.5.1.** A principal's decision to elect to use cash in lieu of surety on a bond does not alter or impact the requirements described in these Guidelines. (*See* 19 CFR § 113.40)

**6.5.2.** In accordance with 19 CFR § 113.40, the Director, Revenue Division or, in the case of single transaction bonds, a Port Director or Center Director, may accept cash or U.S. obligations in lieu of sureties in an amount equal to the amount of the bond that would otherwise be required. In addition, a CBP Form 301, 301A (if applicable), or other CBP-approved bond, designating the appropriate activity for the cash or U.S. obligation being deposited in lieu of surety, must be filed<sup>11</sup>, and the cash or U.S. obligations being deposited in lieu of surety must be for a term of no more than one year.

**6.5.3.** When a U.S. obligation, other than cash, is deposited with the Office of Finance – Revenue Division, the obligor must also provide a duly executed power of attorney and agreement in the format provided in 19 CFR § 113.40(b) (modified as necessary).

**6.5.4.** CBP is authorized to apply the cash or money received from the deposited obligation to satisfy any damages, demand, or deficiency arising from a default under the bond.

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<sup>9</sup> *See* the definition for cancellation.

<sup>10</sup> *See* the definition for cancellation.

<sup>11</sup> If a completed CBP Form 301, 301A (if applicable), or other CBP-approved bond is not received by CBP, along with the cash or U.S. obligation, the submission is not considered cash in lieu of surety, but rather a cash deposit.

# Appendices

## Appendix A: Special Classes of Merchandise

### Special Classes of Merchandise (Health and Safety)

Government Agency	Merchandise Description	Bond Amount
<p>Consumer Product Safety Commission (CPSC)</p>	<p>Flammable fabrics or articles constructed with flammable fabrics subject to the Flammable Fabrics Act (15 USC 1192 and 15 USC 1198) via CPSC regulations in 16 CFR § 1610.39(c)(3).).</p> <p>Portable gasoline containers subject to the Consumer Product Safety Act (15 USC 2066 and 15 USC 2068), specifically the Children’s Gasoline Burn Prevention Act (15 USC 2056 note) via CPSC regulations in 16 CFR Part 1460.</p> <p>Swimming pool or spa drain covers subject to the Consumer Product Safety Act (15 USC 2066 and 15 USC 2068), specifically the Virginia Graeme Baker Pool and Spa Safety Act (15 USC 8003) via CPSC regulations in 16 CFR Part 1450.</p> <p>Other merchandise subject to the Consumer Product Safety Act (15 USC 2066 and 15 USC 2068) via CPSC regulations in 16 CFR Parts 1101-1420.</p>	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR § 113.62(n)(1)):</p> <p>1) equal to the total entered value of the merchandise, plus all duties, taxes, and fees,</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>

Government Agency	Merchandise Description	Bond Amount
	<p>Merchandise subject to the Child Nicotine Poisoning Prevention Act (15 USC 1472a) via CPSC regulations in 16 CFR § 1700.15.</p> <p>Merchandise subject to the Poison Prevention Packaging Act (15 USC 1471-1477 and 15 USC 2066) via CPSC regulations in 16 CFR Parts 1700-1702.</p> <p>Merchandise subject to the Refrigerator Safety Act (15 USC 1213) via CPSC regulations in 16 CFR Part 1750.</p>	
Consumer Product Safety Commission (CPSC)	<p>Toys and fireworks (only if sampled by CBP for Testing)<sup>12</sup> subject to the Federal Hazardous Substances Act (15 USC 1273) via CPSC regulations in 16 CFR § 1500.271.</p> <p>Other merchandise subject to the Federal Hazardous Substances Act, as amended (15 USC 1273) via CPSC regulations in 16 CFR § 1500.271.</p>	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR § 12.3):</p> <p>1) equal to the domestic value of the merchandise at the time of release as if it were admissible and otherwise in compliance (<i>see</i> 19 CFR § 162.43(a)),</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>

<sup>12</sup> May be classified in HTSUS Chapter 36 (Fireworks) or Chapter 95 (Toys).

Government Agency	Merchandise Description	Bond Amount
Food and Drug Administration (FDA)	Merchandise subject to the Federal Food, Drug, and Cosmetic Act, as amended, via FDA regulations in 21 CFR § 1.97.	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR § 12.3):</p> <p>1) equal to the domestic value of the merchandise at the time of release as if it were admissible and otherwise in compliance (<i>see</i> 19 CFR § 162.43(a)),</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>
Food and Drug Administration (FDA)	Electronic products subject to the Public Health Service Act (42 USC 201 et seq. 263f and 21 USC 360mm), as amended, via FDA regulations in 21 CFR § 1005.23.	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR §§ 12.91, 113.62(n)(1)):</p> <p>1) equal to the total entered value of the merchandise, plus all duties, taxes, and fees,</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>
Department of Transportation (DOT)	Motor vehicles and motor vehicle equipment subject to the National Traffic and Federal Motor Vehicle Safety Act of 1966, as amended, via DOT	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR §§ 12.80(e), 113.62(n)(1)):</p>

Government Agency	Merchandise Description	Bond Amount
	regulations in 49 CFR Parts 565, 567, 568, and 571.	1) equal to the total entered value of the merchandise, plus all duties, taxes, and fees,  <b>OR</b>  2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.

**Special Classes of Merchandise (Environmental Safety)**

Government Agency	Merchandise Description	Bond Amount
Environmental Protection Agency (EPA)	Merchandise subject to the Federal Insecticide, Fungicide, and Rodenticide Act <sup>13</sup> (7 USC 136o) via EPA regulations in 40 CFR Part 152.	The amount of the bond is based on the circumstances of the particular case that is either ( <i>see</i> 19 CFR §§ 12.3, 12.115, 113.62(n)(1)):  1) equal to the domestic value of the merchandise at the time of release as if it were admissible and otherwise in compliance ( <i>see</i> 19 CFR § 162.43(a)),  <b>OR</b>  2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.

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<sup>13</sup> May be determined based on the existence of an EPA Message set with Government Agency Program Codes of ‘PS1’, ‘PS2’ or ‘PS3’ on the PG01 record.



Government Agency	Merchandise Description	Bond Amount
Environmental Protection Agency (EPA)	Merchandise subject to the Toxic Substances Control Act (TSCA) <sup>14</sup> (15 USC 2612) via EPA regulation 40 CFR Part 707	<p>The amount of the bond is based on the circumstances of the particular case that is either (<i>see</i> 19 CFR §§ 12.123(b), 113.62(n)(1)):</p> <p>1) equal to the total entered value of the merchandise, plus all duties, taxes, and fees,</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>
Environmental Protection Agency (EPA)	Motor vehicles and engines subject to federal antipollution emission requirements under the Clean Air Act, as amended (42 USC 7401 et seq.7522) via EPA regulation 40 CFR § 85.1504(b).	<p>The amount of the bond is based on the circumstances of the particular case that is (<i>see</i> 19 CFR §§ 12.73(j), 113.62(n)(1)):</p> <p>1) equal to the total entered value of the merchandise, plus all duties, taxes, and fees,</p> <p><b>OR</b></p> <p>2) equal to 3 times the value of the merchandise if restricted or prohibited merchandise.</p>

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<sup>14</sup> May be determined based on the existence of an EPA Message set with Government Agency Program Code of 'TS1' on the PG01 record.

### Special Classes of Merchandise (Other)

Government Agency	Merchandise Description	Bond Amount
U.S. Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau (TTB)	Alcoholic Beverages and Distilled Spirits products <sup>15</sup>	3 times the value of the merchandise ( <i>see</i> 19 CFR § 113.62(n)(1)) as alcoholic beverages.
CBP	All Merchandise Subject to Quota and/or Visa Requirements	3 times the value of the merchandise ( <i>see</i> 19 CFR § 113.62(n)(1)) as restricted/prohibited merchandise.
Department of Agriculture, Agricultural Marketing Service (AMS)	Merchandise subject to marketing orders <sup>16</sup> .	3 times the value of the merchandise ( <i>see</i> 19 CFR § 113.62(n)(1)) as restricted/prohibited merchandise.

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<sup>15</sup> May be classified in HTSUS Chapter 22 and 24.

<sup>16</sup> May be determined by an ACE PGA filing for AMS Marketing Order Codes MO1-MO8 (except MO6 for exempt products).

**Appendix B: Activity Code 1 - Basic Importation and Entry Continuous Bond Formulas**

**Reviewers (1)**

$$\underbrace{(\text{Duties, Taxes \& Fees}) \times 10\%}_{\text{previous 12 months}} = \text{minimum bond amount or } \$50,000 \text{ (rounded up by increments of } \$10,000 \text{ up to } \$100,000 \text{ and then by increments of } \$100,000)$$

**Analytical (2)**

$$\underbrace{(\text{Duties, Taxes \& Fees}) \times 10\%}_{\text{previous 12 months}} = \text{minimum bond amount or } \$50,000 \text{ (rounded up by increments of } \$10,000 \text{ up to } \$100,000 \text{ and then by increments of } \$100,000) \quad \boxed{A}$$

+

10% - unpaid bills not protested  
and less than 210 days  
or  
protested

$$\longrightarrow = \text{exact amount} \quad \boxed{B}$$

+

\$ for \$ - delinquent bills not  
protested and over 210 days  
or  
denied protest

$$\longrightarrow = \text{exact amount} \quad \boxed{C}$$

+

\$ for \$ debit vouchers unpaid

$$\longrightarrow = \text{exact amount} \quad \boxed{D}$$

$$\text{total amount} \quad \boxed{A} + \boxed{B} + \boxed{C} + \boxed{D}$$

(rounded up by increments of \$10,000 up to \$100,000, and then by increments of \$100,000)