

ORIGINATING OFFICE: Port of Baltimore

## INFORMATION NOTICE

NUMBER:  
2013-16

ISSUE DATE:  
8-5-2013

EXPIRES:  
Indefinite

SUBJECT: Importer Security Filing (ISF) Enforcement Procedures

### PURPOSE:

The purpose of this Information Notice is to notify Baltimore's Trade Community of the commencement date for enhanced enforcement for non-compliance of the Importer Security Filing (ISF or 10+2) requirements.

### BACKGROUND:

As previously posted on the CBP website on June 7, 2013, U.S. Customs and Border Protection (CBP) has completed preparations to begin the next phase of the Importer Security Filing (ISF) enforcement process. The ISF rules require importers and vessel-operating carriers to provide additional advance trade data on cargo shipments to CBP 24-hours prior to vessel lading, pursuant to Section 203 of the Security and Accountability for Every Port (SAFE Port Act) of 2006.

The Interim Final Ruling (IFR) was officially published in the Federal Register with an effective date of January 26, 2009. The IFR included a 1-year delayed enforcement (informed compliance) period which concluded on January 25, 2010. Due to the continued non-compliance of the ISF requirements, the Port of Baltimore will now apply enhanced enforcement measures to improve ISF compliance.

### ACTION:

Beginning July 15, 2013, The Port of Baltimore will make use of the newly activated cargo holds in the Automated Cargo Environment (ACE) systems to address non-compliance with the ISF rule. CBP will hold all non-compliant ISF shipments at the terminal until the required ISF is filed. Once the ISF data is received and a security assessment is made, additional enforcement actions including Non-Intrusive Inspection (NII) and/or intrusive exams may be initiated. CBP may also assess liquidated damages of up to \$5000 per violation as warranted. Costly and untimely delays in cargo processing can be avoided through compliance with the ISF rule.

The chart below explains the updated codes.

Code	Name/Disposition	Action
2O	ISF Hold for no ISF on file	Informs the carrier that this shipment has a manifest hold.
2P	ISF Hold- ISF Compliance Issue	Informs the carrier that this shipment has a manifest hold.
4O	ISF Hold Removed for no ISF on file	Generated to remove the ISF Hold identified in 2O
4P	ISF Hold Removed for ISF Compliance Issue	Generated to remove the ISF Hold identified in 2P

If you have any questions, please contact Chief Jonathan Mobley at 410-962-8179

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Port of Baltimore