



U.S. Customs and
Border Protection

APR 9 2009

MEMORANDUM FOR: Directors, Field Operations

FROM: Executive Director, Trade Policy and Programs
Office of International Trade

SUBJECT: Guidance: Section 301 on Softwood Lumber from Canada
Implementation Instructions

A Federal Register Notice (FRN) issued by the Office of the U.S. Trade Representative and published on April 10, 2009, advises that the United States Trade Representative is imposing 10 percent *ad valorem* duty on softwood lumber products that are subject to the United States – Canada Softwood Lumber Agreement (SLA) and whose region of origin is one of the four eastern provinces of Canada (Ontario, Quebec, Manitoba, and Saskatchewan). This duty will be imposed on goods entered for consumption or withdrawn from warehouse on or after April 15, 2009, until \$54.8 million is collected.

This action applies to importations of softwood lumber products, as noted in the Annex to the FRN and defined in Annex 1A of the SLA. Although specific Harmonized Tariff Schedule of the United States (HTS) numbers are listed in this Annex, for purposes of determining if a product is covered by this action, the article descriptions should be used. Importations from companies that are excluded from the SLA are also excluded from this *ad valorem* duty.

To collect these duties, a new HTS number, 9903.53.01, will be used. This HTS number must be included on the entry summary documentation in addition to the entered goods' proper HTS classification number. Additional requirements applicable to imports of softwood lumber from Canada are in the CBP Regulations at 19 CFR 12.140 and 19 CFR 12.142 (also see 73 Fed. Reg. 49,934). The procedures set forth in CBP's test program for post entry amendments may not be used by participants in that test to submit amendments regarding entries affected by this action.

The program updates to the Automated Commercial System (ACS) to allow for the electronic transmission of 9903.53.01 will be completed by April 15, 2009, at which time the collection of the 10 percent *ad valorem* duty on softwood lumber products will commence.

Copies of this memorandum should be made available to Port Directors, Assistant Port Directors, Supervisory Import Specialists, Import Specialists, Importers, Brokers and other interested parties.

Questions regarding this memorandum can be directed to Ms. Renee Chovanec at renee.chovanec@dhs.gov. Questions regarding the ABI system should be directed to Mr. Anthony Casucci at (anthony.casucci.cbp.dhs.gov). Questions regarding this memorandum can also be sent to SWL2008@dhs.gov

Brenda B Smith

Brenda B. Smith

cc: Trade Operations Division, Office of Field Operations