

ISF FULL PENALTY ENFORCEMENT

Dear Customers,

we have been informed that US Customs will now begin the full penalty enforcement of ISF effective July 1st, 2016. For shipments that are on the water on or after June 30th, 2016, CBP ports will no longer be required to send requests for liquidated damages (LD) to Headquarters in Washington for review, and the "3 strikes" approach to LD claims against importers' bonds will also end.

There is no change to cargo holds for ISF non-compliance: ports may hold cargo instead of (or in addition to) initiating LD claims. Penalties could range from USD 5.000,00 to USD 10.000,00 per shipment.

This means that it will get more and more difficult to convince brokers to file late ISF. We strongly recommend that you do not ship any cargo unless ISF has been filed. We have heard some rumors that US Customs may actually fine the party who filed AMS and go after that bond.

Austromar

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