

ROGERS & BROWN

SPECIAL NOTICE

SPECIAL NOTICE JUNE 2008

U.S. MANDATES AUTOMATED EXPORT FILING

The U.S. Census Bureau has issued its final rule implementing provisions requiring mandatory filing of export information through the Automated Export System (AES).

Effective **July 2, 2008**, the Census Bureau is requiring mandatory filing of export information through the Automated Export System (AES) or through the AES Direct for all shipments where a Shipper's Export Declaration (SED) is required. However, Census is providing an additional 90 days to allow Companies to have time and implement these new requirements. After the 90-day implementation period, which ends **September 30, 2008**, exporters must file their export information electronically through AES or AES Direct.

The primary responsibility of compliance falls on the U.S. Principal Party in Interest (USPPI), which normally is the exporter. So in order to comply with the new AES regulations where Rogers and Brown is acting on behalf of the USPPI we are kindly requesting the following. Please provide necessary documentation we need such as the commercial invoice, commodity description along with the qty and weights **2 business days prior** to the departure of the vessel from the U.S. port of laden. This will allow us to have ample time to transmit the data to AES **1 business day prior** to the vessel sailing. If we can follow this process it will help avoid steep Penalties. Also keep in mind that the carriers will not load any cargo that they have not received the AES information/ITN # as they will face the same Penalties.

Under these new regulations tougher penalties have been put into place that will affect everyone in the export process. Penalties may be imposed per violation of the Foreign Trade Regulations (FTR) from \$1,000 to \$10,000 both civil and criminal, for the delayed filing, failure to file, false filing of export information, and/or using the AES to further any illegal activity.

So mark you calendar's for July 2, 2008 which is the effective date for filing through AES, and September 30, 2008 as the final deadline as the Census Bureau is allowing and additional 90 days for everyone to prepare and implement the new requirements.

Rogers and Brown is available for any questions or concerns you may have on this matter. Through good communication together we can stay compliant, avoid delayed shipments and Fines. For further information regarding the new regulations go to <http://www.census.gov/foreign-trade/aes/mandatory/mandatoryaesnotice-english.html>.



We are a certified and validated member of Customs-Trade Partnership Against Terrorism.

ROGERS & BROWN

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