

CustomerInfo

USA – ISF-5 Enforcement by US Customs

March 27, 2019

Dear Customer,

On March 15, 2019, US Customs held a conference call regarding Import Security Filing (ISF5). It was confirmed that the ISF5 is required to be filed by the party who transmitted the lowest generated AMS Bill(s) of Lading for FROB, IE, TE, and FTZ (Foreign Trade Zone) cargo.

If the AMS NVOCC House bill is filed, then the automated NVOCC is solely responsible to file the ISF5, since they are the party filing the AMS BL, not the carrier. Only in case of non-self AMS filer, the House Bill or direct bill is filed by the carrier, it is the carrier's responsibility to file ISF5.

- If an ISF10 is filed by the AMS NVOCC, and the vessel is diverted resulting in the cargo now becoming FROB relevant, an ISF5 filing is not needed as US Customs will be satisfied with the ISF10.
- If the vessel is diverted and the cargo now becomes FROB relevant, then the parties who filed the lowest BL in AMS must also file the ISF5, and not the carrier.

Failure to file your ISF5, or a late ISF5 filing, can result in a US Customs penalty and delays to your cargo as this may trigger ISF “do not loads”, holds, Non-Intrusive Exams, full examinations, and enforcement with penalties.

In order to avoid delays to your cargo, we encourage you to comply with the above mentioned US Customs requirements.

For further information, please contact your local Hapag-Lloyd office.

Kind regards,

Hapag-Lloyd (America) LLC
As agent for Hapag-Lloyd AG