



**U S CUSTOMS AND
BORDER PROTECTION
JACKSONVILLE, FLORIDA
PUBLIC BULLETIN**

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SUBJECT: Federal Register Notice Requiring Sealing Maritime Containers With a Seal That Meets the ISO/PAS 17712 Standard

Purpose:

To advise the trade of the new sealing requirements for sea containers transiting to the United States.

Background/Action:

On August 7, 2008, a statute was published in the Federal Register requiring all loaded containers transiting to the United States to be sealed with a seal meeting the International Organization for Standardization Publicly Available Specification 17712 (ISO/PAS 17712), Freight Containers – Mechanical Seals. This specification addresses seal strength and durability so as to prevent accidental breakage, early deterioration, detect tampering, as well as advises each seal be clearly and legibly marked with a unique identification number.

The Federal Register Notice simply serves to bring attention to the existing statutory requirement, its effective date, and that no additional requirements beyond those detailed in 6 U.S.C. § 944 are contemplated. This requirement will be effective October 15, 2008 and applies to loaded containers, including freight remaining on board, arriving by vessel at U.S. ports of entry. Exceptions, however, include tanks, non-standard containers (such as open top containers), and those containers incapable of being affixed with such a seal. U.S. Customs and Border Protection (CBP) will ensure compliance with this new requirement as part of normal seaport container inspection activities and does not envision new activities aimed simply at seal verification.

Trade Act Requirements:

Vessel carriers are reminded that pursuant to 19 CFR 4.7(b)(2) and 4.7a(c)(4)(xiv), they must transmit, via the Vessel Automated Manifest System, all seal numbers to CBP 24 hours before cargo is laden aboard a vessel at a foreign port. Carriers are also reminded as that enforcement action, pursuant to 19 C.F.R. § 4.7 Advance Filing of Cargo Declaration Requirements, for failure to transmit accurate information, remains in effect.

Enforcement of the 6 U.S.C. § 944 Sealing Requirement:

CBP will phase in the following penalty assessments for violation of the container sealing requirements in order to balance the needs of the business community with the government's interest in ensuring this additional level in container protection.

- CBP will consider 6 U.S.C. 944 to be violated if a loaded container that is subject to the sealing requirements arrives by vessel at a port of entry in the United States on or after October 15, 2008, either (i) with no seal or (ii) with a seal that does not meet the ISO/PAS 17712 standard.
- CBP may assess a civil penalty against the party responsible for the violation of 6 U.S.C. § 944 under 19 U.S.C. § 1595a(b) for the attempted introduction of merchandise into the United States contrary to law.

Thank you for your attention to this matter. If you have questions or concerns, please contact Douglas Straatsma, Assistant Area Port Director for Trade, at (904) 360-5029.

/s/Richard F. Quinn
Area Port Director, Jacksonville