
❖ SPC&B Update ❖

A Newsletter for Clients of Sharretts, Paley, Carter & Blauvelt, P.C.

June 7, 2013

Final Stage of ISF Enforcement Starts July 9, 2013



Although the 10+2 Importer Security Filing (ISF) requirement has been in effect since the beginning of 2009, enforcement of the rule did not commence until January 2010. Since that time, Customs has been taking a graduated, escalated approach to enforcement, starting with warnings and graduating to non-intrusive inspections or physical examinations through the past two years.

Today, Customs announced that the final phase of enforcement will go into effect on July 9, 2013, and the agency will start issuing liquidated damages claims against ISF importers and carriers for noncompliance; including late files or inaccurate reports. Liquidated damages claims start at \$5,000 per violation, with a single late file or a single inaccurate ISF filing constituting one violation.

Companies that have exhibited good faith efforts to comply with the requirement and have experienced a good track record should be granted a certain amount of lenience in the event of a violation. Now is a good time to review your company's ISF history for accuracy and timeliness and to tighten up procedures if needed.

If you have any questions or concerns about your company's ISF filings, please contact Gail Cumins at gcumins@spcblaw.com or Donna Shira at dshira@spcblaw.com or call us at 212-425-0055.

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