



U.S. Goods Returned

Do my U.S. origin articles qualify for duty free entry under HTSUS 9801.00.10\*\*?

- The following conditions must be met:
- The article was not advanced in value or improved in condition while abroad
- Drawback was not claimed upon original export from U.S.
- The article was NOT manufactured or produced in a Foreign Trade Zone
- The article was NOT exported from a bonded warehouse
- The article was NOT entered under a Temporary Import Bond (T.I.B.)
Documentary requirements for shipments valued over \$2000:
- Foreign Shippers Declaration-certifies the goods were not advanced in value while abroad
- Declaration by Owner, Importer, Consignee or Agent-certifies the validity of the Foreign Shippers Declaration, names the actual manufacturer, and certifies that no drawback was claimed and it was not produced under a TIB
- The Port Director may waive these documentary requirements if he is reasonably satisfied that the articles meet the requirements of 19CFR10.1
OR
- The Port Director may request additional evidence of U.S. origin in the form of a Manufacturer's Affidavit to further substantiate the claim for duty free treatment
- Typically, the request for additional evidence comes on a CBP Form 28-Request for Information
- If the Importer of Record is unable to support their claim, USCBP will deny duty free treatment under 9801.00.10. The goods will be re-classified as dutiable in chapters 1-97 of the HTSUS
If you are unable to satisfy the documentary requirements to support your duty free claim, it is recommended that you do not classify your goods under 9801.00.10 because Customs may request an additional 5 Year review of entries that may have been filed incorrectly. In addition, failure to meet the documentary requirements may result in the assessment of Penalties pursuant to 19USC1508 / 1509 or 19CFR163.

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As an Importer of Record on transactions that involve U.S. Origin product, we have reviewed the above regulatory requirements. Based upon these requirements, we intend for our broker, Russell A. Farrow (U.S.) Inc. to proceed in the following manner as it pertains to the entry of merchandise identified as U.S. Origin:

[ ] We will be UNABLE to meet the documentary requirements to substantiate a claim for duty free entry under HTSUS 9801.00.10. Therefore, please enter our goods dutiable in Chapters 1-97, and tender the applicable duties on our behalf.\*\*

[ ] Please enter goods duty free under 9801.00.10. I have read the above regulatory requirements and our goods do qualify to be classified under this provision. The required documentation to substantiate this classification will be attached to entry documents, or will be supplied to USCBP upon request.

[ ] Please enter goods using the 10-digit tariff number provided on the proforma invoice. We acknowledge the requirements for use of 9801 and or chapters 1-97 as noted above.

\*\*Please note: If you choose to pay the applicable duties on US origin goods, but you are able to provide the required documentation to substantiate duty free under 9801.00.10 at a later date, you may wish to pursue the filing of a Post Entry Amendment claim for a refund of duties/MPF paid. An additional Post Entry handling fee in the amount of \$75.00 for filing that claim will apply. Please contact our Trade Compliance Group at tradecomplianceusa@farrow.com should you wish to exercise this option.

Company Name: Authorized Individual Name:

Date: Signature: