



# **USA Customs and Border Protection Trade Act 2002**

**September 07<sup>th</sup> 2004**

## US Customs (CBP) Advance Reporting Rule

The rule requires Air New Zealand Cargo to report detailed cargo information for flights to or through the USA (including transit cargo). Data must be submitted to the CBP System via the Air AMS (Automated Manifest System) interface, at least 4 hours prior to arrival of the aircraft, at the first port of entry in the USA.

### Effective From

**13<sup>th</sup> October 2004 for the following ports ;**

Alabama, Arkansas, **Illinois**, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin.

**Note: Air New Zealand Cargo Freighter services from Frankfurt through Chicago, will comply with the new CBP requirements from 13<sup>th</sup> October.**

### New Zealand

**Effective from 13<sup>th</sup> December 2004 for the following ports ;**

Alaska, Arizona, **California**, Colorado, **Hawaii**, Idaho, Montana, Nevada, North Dakota, Oregon, Utah, Washington.

**Note: All Air New Zealand services ex NZL, into Los Angeles, San Francisco and Honolulu will comply with the new CBP requirements from 13<sup>th</sup> December.**

**NB: Forwarder participation is required prior to October 1<sup>st</sup>, 2004.**

For all **NZ flights** ex New Zealand, to or through the USA, Air New Zealand Cargo request the Forwarder in all cases, to electronically transmit **FWB** (Master Air Waybill) and **FHL2** (House Air Waybill) messages to the Air New Zealand Cargo operational system, prior to cargo presentation and closeout. Effective from October 01, 2004.

Electronic message transmission to the Air New Zealand Cargo operational system may be facilitated:

- 1) via your software host system. Contact your software provider for details.
- 2) via a Cargo Community System (CCS). Ask your CCS provider to submit all 086 messages to the Air New Zealand message gateway, **CCN Singapore** - email - [info@ezycargo.co.nz](mailto:info@ezycargo.co.nz)
- 3) via the Air New Zealand Cargo website. To be launched shortly.  
<http://www.airnewzealand.co.nz/aboutus/cargo/default.htm>

## Charges

IATA has developed a surcharge code related to the transmission of electronic information to regulatory bodies. Below is the code and the NZ charge.

- **CC \$15.00** - in the case of manual capture of house and or master information by Air New Zealand Cargo. The charge is levied per document e.g. 1 MAWB + 1 HAWB = \$30.00. (The CC Charge is zero rated for gst.)

The charge CC, will be placed on the master air waybill in the *Other Charges* box. Air waybills received without the Air AMS CC charge shown, shall have the charge added by Air New Zealand Cargo.

Please note that there is **no** charge where the Forwarder supplies electronic FHL2 and FWB6 messages to Air New Zealand Cargo, for US Customs compliance.

From October 1, electronic messaging is required for all NZ flights to or through the USA.

## Self Reporting Forwarders

US Customs authorise other parties to send the House Air Waybill data, direct to the US Customs system. We require all self-reporters to report HAWB data both to the Air New Zealand Cargo and US Customs systems, unless an alternative process has been agreed in writing.

## Liability

If the advance cargo information is not timely, accurately and completely presented to CBP, cargo delivery in the USA may be denied or delayed. CBP may also deny landing rights for the incoming aircraft.

The Forwarder must present complete and accurate HAWB information as required by CBP, to ensure compliance with the advanced reporting rule. Please note the following amended clause 6.1.1 of the Air New Zealand Cargo “Conditions of Carriage”.

*“6.1.1 The Shipper shall comply with all applicable laws, customs and other government regulations of any country to, from, through or over which Cargo may be carried, including those relating to the packing, carriage or delivery of Cargo, and shall, together with the shipment, furnish such information and deliver such documents as may be necessary to comply with such laws and regulations. Where such laws and regulations require the Shipper to, or allow the Shipper to elect to, provide information pertaining to the Cargo direct to any regulatory body, governmental body or other agency (a **Body**), that information will be provided by the Shipper in accordance with, and will comply with the requirements of the relevant Body and the applicable laws and regulations and will be complete and accurate in all respects. Carrier shall not be obliged to enquire into the correctness or sufficiency of such information or documents. Carrier shall not be liable to the Shipper or any other person for loss or expense due to Shipper's failure to comply with this provision. The Shipper shall indemnify*

*Carrier against any damage occasioned by the failure of the Shipper to comply with this provision.”*

## **Cargo presentation**

For **all** cargo to or through the USA inclusive of shipments presented by US Customs approved, self-reporting Forwarders, or where electronic data has already been submitted to the Air NZ Cargo Terminal, we require:

- Presentation of 2 legible copies of the House Manifest with the mandatory CBP data elements, (see below). If your House Manifest doesn't contain all required CBP data elements, an envelope with HAWB copies must be provided. Information must be complete and accurate.
- Stowage details, if a consolidation is loaded over multiple ULDs or bags. The house manifest must show; a) the ULD/bag number each house air waybill is loaded in, (shown against the house air waybill number), b) the number of pieces of a house air waybill loaded in multiple ULDs/bags. The ULD/bag numbers may be hand written. These details are only used in the event of an offload.
- The total piece count of the shipment for shipper built ULDs. For example, 2 pallets built up by the Forwarder, containing 50 pieces each, is considered as 100 pieces, not as 2. In this case the *number of pieces* box on the air waybill may contain '2', but the *Nature and Quantity of Goods* box should indicate SLAC 100 pieces. Air NZ will report 100 pieces to US Customs.
- The House manifest to be attached to the front of the master air waybill, with the NZ Customs export clearance document, when presented at the Air New Zealand Cargo Terminal.

### **Mandatory fields required for House manifest:**

- Master air waybill number
- House air waybill number
- Total quantity based on the smallest external packing unit (e.g. 2 pallets containing 50 pieces each, is considered as 100 pieces, not as 2)
- Total weight
- Cargo description - precise description\*
- Origin airport code (3 letter code)
- Destination airport code (3 letter code)
- Consignee name / address / city , **state + zip code** / country / country-code - except foreign cargo remaining on board (FROB/Transit)
- Shipper name / address / city + zip code / country / country code

\*Cargo description – generic descriptions e.g. “*freight all kinds, general cargo, said to contain*” are not acceptable. A precise narrative description is a description that is specific enough for CBP to be able to identify the shapes, physical characteristics, and likely packaging of the manifested cargo so that CBP can identify any anomalies in the cargo when a container is run through imaging equipment. The description must also be precise enough to identify any goods, which may emit radiation. How specific that information must be depends on the nature of the commodity. For example, "electronics" is not a precise description, but "CD players" or "computer monitors" would be.

## House Air Waybill

The Forwarder is requested to message the full house air waybill identifier as printed on the hard copy document. This includes alpha characters preceding or contained within the house-level shipment identification.

Sub consolidations. A sub-house air waybill refers to multiple house air waybills that are consolidated into a single (consolidated) house air waybill. The sub-house air waybill contains the identity of the shipper and consignee while the consolidated (master) house air waybill may only list the consolidator/forwarding agent as the shipper and consignee. The US Customs System can only accommodate one level of house air waybill data. If possible, the consolidated house air waybill (master house) should not be messaged to the Air New Zealand system.

## Data Integrity

The Air NZ Cargo system has a validation process for consolidations. **Therefore the sum of the piece count for all HAWBs must tally with the MAWB piece count or SLAC total, for all consolidations.** Otherwise manifesting can not occur. Flight routing must also be accurate. Master air waybills and hence the FWB message must contain accurate routing information. Incomplete or corrupt messages will be rejected. Acknowledgment messages (FMAs) will be sent to Forwarders to confirm acceptance of the messages into the NZ system.