

BRASS and ALR Participants Must Declare Intent to Stay in Program by May 15th

The government will begin a pilot program on May 1, 2009, initially open to those entities currently participating in one of CBP's expedited border release programs, Automated Line Release (ALR) or Border Release Advance Screening and Selectivity (BRASS), and whose products require a Lacey Act declaration during the current phase of enforcement. This pilot program will test the feasibility of collecting the information required through the use of a periodic "blanket" declaration, with subsequent reconciliation reports. Entities currently participating in ALR or BRASS must choose whether to remain active in the expedited program and participate in this pilot program or be removed from the expedited program.

We suggest that you stay on ALR or BRASS. If the participant's choice is to remain on the expedited release program and participate in the blanket declaration pilot program, the participant must notify APHIS and agree to provide information as required by the pilot program (see Step 1 below). This step must be done prior to May 15, 2009. If NGJ is **NOT** advised by May 14, 2009, we will submit a list of C-4 codes to APHIS to advise of your intent to stay on BRASS/ALR.

Step 1

The participant must file with APHIS an advance estimated PPQ 505. Initially, and for purposes of this pilot, the estimated PPQ 505 must be filed on a monthly basis. It must include all data elements required on the PPQ 505. Genus, species, value, and quantity fields should be an estimation of the participant's planned imports during the next calendar month. The estimated PPQ 505 must be filed on or before the 15th day of the month prior to the reporting period. The deadline for the first estimated PPQ 505 is May 15, 2009, covering expedited release shipments planned for the month of June 2009. We have included at the bottom of this page the C4 code, Manufacturer Identification Number (MID) and tariff range that applies to this specific estimated PPQ 505 form that must be filed.

If the participant's choice is to be removed from the expedited program, you must either contact your local NGJ representative or send an e-mail to compliance.us@ngjensen.com to instruct us of your intention to be removed from the application list. Effective June 1, 2009, the participant's C4 code will be inactivated by CBP and your firm would then be required to file either paper or electronic PPQ 505 forms for each shipment prior to the release of your product at the border. Again, it is our suggestion that you remain on BRASS, as Norman G. Jensen, Inc. and the railroads feel it is in your best interest to participate in this program during its pilot stage.

The *NGJ International Trade Update* provides information obtained from third parties, primarily government, and advice based on that information. Norman G. Jensen Inc. (NGJ) has not verified the accuracy of the information nor is it capable of verifying the accuracy of the information. As a consequence, NGJ will not be liable for injury suffered as a result of reliance on the information or the recommendations provided in the *NGJ International Trade Update*.

If you have questions, no longer wish to receive these notices via fax, or wish to receive these notices via e-mail, contact NGJ's Trade/Compliance Services Department at: compliance.us@ngjensen.com

Visit our website at www.ngjensen.com

Norman G. Jensen, Inc. is a validated participant in the Customs-Trade Partnership Against Terrorism (C-TPAT).

Instructions for Participants in the Blanket Declaration Pilot Program:

Blanket Declaration

1. The blanket declaration will serve as an estimate of all the shipments to be made during the declared month.
2. A blanket declaration (also known as an estimated PPQ 505) must cover a one- (1-) month period of time, beginning on the first day of the month to be declared until the last day of the month.
3. The blanket declaration must be received by APHIS officials before the first day of the month to be declared.
4. The blanket declaration is to be submitted using the PPQ 505 form which can be found on the APHIS website. http://www.aphis.usda.gov/plant_health/lacey_act/downloads/declarationform.pdf
5. In Box #2 "Entry Number," enter "Estimated 505" followed by the normal description data required by the form.
6. Complete all information in the PPQ 505 form, including article, scientific name, and country of harvest categories. Estimate the quantity and value of the products that will be imported.
7. To ensure compliance, the quantity and value declared should be an overestimate of the expected amount; however estimations should be reasonable and not gross exaggerations. Estimations will be analyzed and membership in this pilot program may be revoked for those who repeatedly submit grossly inaccurate estimates.
8. The blanket declaration must be submitted in paper form and mailed to:

Lacey Act
c/o U.S. Department of Agriculture
Box 10
4700 River Road
Riverdale, MD 20737

Declaration Reconciliation

1. Once the blanket declaration has been filed, importers have until the 15th day of the month following the declared month to submit a reconciliation. The reconciliation includes the actual data from the shipments during the time period covered by the estimated PPQ 505.
2. The reconciliation is in Excel format and is supplied on the APHIS website along with a sample form. http://www.aphis.usda.gov/plant_health/lacey_act/downloads/BlanketDeclarationReconciliation.xls
3. The importer is required to fill out each line of the declaration reconciliation. Specific field instructions can be found below.
4. Each line in the reconciliation Excel worksheet represents a maximum of one shipment. Leave no blank fields. If a field is not-applicable to the line being entered, enter "N/A".
5. A single shipment may require several lines to report if the shipment includes multiple products or plant types.
6. If multiple products are in one shipment, enter one product per line. All of the related shipment information must be entered in each line.
7. If a product contains multiple types of plant material, each type must be listed on a separate line. All of the related shipment and product information must be entered in each line.
8. Save the Excel file in the following format:
Date of Blanket Declaration (YYYY-MM-DD) dash e505 dash c4 code dot xls
(e.g., "2009-04-29-e505-0123.xls")
9. Email Blanket Declarations to the following address:
declaration.reconciliation@aphis.usda.gov