

**Mill Analysis or Mill Test Certificate Required for Imports of New and Used Steel  
Classified in HTS Chapter 72 and Headings 7301 through 7307**

U.S. Customs and Border Protection (CBP) recently issued a Port Information Notice at the Port of Pembina, ND that provided clarification on requirements for the importation of used and scrap iron or steel. CBP requires that the entry documentation for any import of new or used steel and iron products covered by the Custom Regulation 19 CFR 141.89 must include a statement of the percentages by weight or carbon and any metallic elements contained in the articles, in the form of a mill analysis or mill test certificate. 19 CFR 141.89 provides the following, in part:

**§ 141.89 Additional information for certain classes of merchandise**

(a) Invoices for the following classes of merchandise, classifiable under the Harmonized Tariff Schedule of the United States (HTSUS), shall set forth the additional information specified:

*Iron or steel* classifiable in Chapter 72 or headings 7301 to 7307, HTSUS (T.D. 53092, 55977)—Statement of the percentages by weight of carbon and any metallic elements contained in the articles, in the form of a mill analysis or mill test certificate.

We encourage importers of iron or steel classified under HTS chapter 72 or headings 7301 to 7307 to become familiar with the CBP Internal Advice ruling referenced in the Port Pipeline, which is reprinted below. The ruling can be viewed on the CBP website at:

<http://rulings.cbp.gov/index.asp?ru=h068635&qu=HQ+H068635&vw=detail>

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**U.S. CUSTOMS & BORDER PROTECTION  
AREA PORT OF PEMBINA, ND**

NUMBER: 10-03

ISSUE DATE: October 15, 2009

**INFORMATION NOTICE****SUBJECT: Mill Certificate Requirements**

The Pembina Service Office requested guidance from Headquarters via an Internal Advice on the mill certificate requirements for used steel products and scrap classified in chapter 72 and headings 7301 through 7307, HTSUS; 19 CFR 141.89.

The results of the Internal Advice ruling HQ H068635 state the requirements of 19 CFR 141.89 apply to both new and used merchandise. Importers of new and used steel and iron products covered by the regulation must provide a statement of the percentages by weight of carbon and any metallic elements contained in the articles, in the form of a mill analysis or mill test certificate, with the entry documentation.

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Visit our website at [www.ngjensen.com](http://www.ngjensen.com)

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The Harmonized Tariff Schedule of the United States provides a provision that can be utilized for importing metal articles free of duty without the presentation of a mill analysis or mill test certificate, if applicable (e.g. scrap steel imported for use in remanufacture by melting, or to be processed by shredding, shearing, compacting or similar processing which renders it fit only for the recovery of the metal content). This provision is under HTS Heading 9817, which can be viewed online (Page 64) at: <http://www.usitc.gov/publications/docs/tata/hts/bychapter/0911C98.pdf>.

Please note that this provision is limited in its applicability, and there are specific conditions that must be met in order to qualify for its use for importing metal articles free of duty into the United States. The conditions are described in 19 CFR Section 54.6, which can be viewed online at: <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr&sid=0847ecc5aceb101eadaa1758f06f4809&rqn=div8&view=text&node=19:1.0.1.1.11.0.224.2&idno=19>.

Specific to the remelt portion of the aforementioned provision, 19 CFR 54.6 provides, in part, that “within 3 years from the date of entry, or withdrawal from warehouse for consumption, the importer shall submit to the director of the port of entry, a statement from the superintendent or manager of the plant at which the articles were used in remanufacture by melting, or were processed by shredding, shearing, compacting, or similar processing which rendered them fit only for the recovery of the metal content.” A sample Remelt Certificate is provided in this NGJ International Trade Update for your convenience.

If you have any questions, please send an e-mail to [compliance.us@ngjensen.com](mailto:compliance.us@ngjensen.com).

**REMELT CERTIFICATE**

Entry/Reference Number: \_\_\_\_\_

Port of Entry: \_\_\_\_\_

We certify that the scrap material covered by entry  
\_\_\_\_\_, dated \_\_\_\_\_ was remelted  
Shredded, sheared, compacted, or otherwise prepared

For recovery of the metal content by:

\_\_\_\_\_  
(Name of remelter or processor)

On \_\_\_\_\_. The material was subject to the  
(Date)

Following processing: \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Company)