



**U.S. Customs and
Border Protection**

Director Trade Compliance

Subject: Distribution of Informed Compliance Publications and Other Informative Documents

Dear

Our analysis of _____ importations under the Importer of Record
Number (IOR) _____ during the period January 1, 2015 through December 31, 2015
show that the top imported commodities fall under Harmonized Tariff Schedule (HTS)
_____ with an entered values of _____
_____ respectively representing _____ percent
of the total entered value of \$ _____ for calendar year 2015.

As part of Customs and Border Protection's (CBP) responsibility for informed compliance under the Customs Modernization Act, under Title VI of the North American Free Trade Agreement Implementation Act (Public Law 103-182) the MOD Act, we are providing information to assist _____ in taking steps to ensure future compliance.

Additionally, we are enclosing a DVD of selected CBP informed compliance publications to assist _____ in understanding CBP's laws and regulations. These and other informed compliance publications may be found on CBP's web site <http://www.cbp.gov/trade/rulings/informed-compliance-publications>.

Informed Compliance Publications:

- Customs Value
- Tariff Classification
- Reasonable Care
- Recordkeeping
- Entry
- Bona Fide Sales & Sales for Exportation to the United States
- U.S. Customs and Border Protection Rulings Program
- ABC's of Prior Disclosure
- Customs Administrative Enforcement Process: Fines, Penalties, Forfeitures and Liquidated Damages
- Mitigation Guidelines: Fines, Penalties, Forfeitures and Liquidated Damages
- Customs Valuation Encyclopedia (1980 – 2010)
- Proper Deductions for Freight and Other Costs

- Buying and Selling Commissions
- Rules of Origin
- Terminology and Methods for Marking of Country of Origin on U.S. Imports

United States Code and/or Code of Federal Regulations:

- Title 19 United States Code (U.S.C.) § 1592(c)(4)
- Title 19 Code of Federal Regulations (C.F.R.) § 162.74 - Prior Disclosure

Be advised that 19 U.S.C. § 1592(c)(4) does not require a party (e.g., importer) to make a prior disclosure. Rather, importers may *elect* to submit a disclosure. When a complete disclosure of a violation is presented to CBP before or without knowledge of a formal CBP investigation of the violation, there may be reduced penalties.

For instance, the penalty may be zero if the importations involve unliquidated (i.e., open) CBP entries and no fraud is involved. If the entries are liquidated (i.e., closed or finalized) and no fraud is involved, the penalty may be the interest accrued on the loss of duties. Additional information on prior disclosure is available under 19 C.F.R. § 162.74 and the ABC's of Prior Disclosure which have been provided.

We strongly encourage _____ to proactively monitor its transactional data in the ACE Secure Data Portal and evaluate whether there are any significant errors/discrepancies that should be voluntarily reported to CBP. Additionally, we encourage companies to conduct self-reviews of their systems used to make declarations to CBP, and take appropriate action to correct the issues and submit loss of revenue (duties, fees, taxes, etc.) in accordance with the appropriate laws and regulations, based on the liquidation status of the entries/transactions at issue.

ACE portal account users have access to view their account information and transactional data, which can be used to identify and evaluate compliance issues and monitor daily operations. For further information about ACE please visit CBP's website:
<http://www.cbp.gov/trade/automated>."

Because _____ has been provided this information, violations that may occur in the future could result in seizure and forfeiture of imported merchandise and/or the assessment of monetary penalties.

We request that you acknowledge receipt of the information listed above by signing in the signature block below and returning the signed letter to our office by one of these means: 1) in the form of a pdf file via email to _____ ; 2) by facsimile to _____ ; or 3) by mail to the following address:

U.S. Customs and Border Protection
Office of Regulatory Audit
Office of Trade

If there are any questions or _____ representatives would like to schedule a meeting with us,
please contact _____ by telephone at _____
or by email to _____

Sincerely,

Office of Regulatory Audit
Office of Trade

Enclosures:
As described above

Signature of Responsible Official Acknowledging Receipt of the Items Listed Above:

Signature Printed Name Title Date