PUBLIC INFORMATION NOTICE

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<th>DATE:</th>
<th>NUMBER:</th>
<th>FOR FURTHER INFORMATION CALL:</th>
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<td>03/03/2008</td>
<td>DFW 08-010</td>
<td>Supervisory CBP Officer Teresa Willis at (972) 870-7535 or Entry Branch Chief Patricia Tankerson at (972) 870-7537</td>
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SUBJECT: Correction/Deletion/Cancellation of CBP Form 3461/7501 Data

This Public Information Notice supersedes Trade Bulletins 02-12, 05-14 and 07-016.

Purpose

To provide uniform procedures for entry correction, entry deletion and entry summary cancellation that will ensure financial responsibility, integrity of the Automated Commercial System (ACS) data, and provide for self inspection.

Background

Filers are filing duplicate or replacement entries to correct errors that should have been handled through “correction” of the original entry.

Filers are reminded that in these instances, a penalty may be issued for failing to exercise responsible supervision and control of your business matters with CBP.

Action

Requests for entry deletion/cancellation to correct data elements correctable via ABI will be returned to the filer unless the entry at issue contains merchandise requiring FDA Prior Notice data submission. The following correction types are allowed through ABI by the filer.

The ABI Bill of Lading Transaction Update Function (LN function) allows filers to correct bill of lading or air waybill information without needing CBP to delete the cargo release information. The LN function can be used for any ABI entry regardless of its cargo selectivity result; it cannot be used for non-ABI entries. In fact if the shipment has already been released or there is a “paperless” release, the LN function is the most expeditious method for correcting bill of lading or air waybill information originally transmitted for cargo release via ABI.

DISCLAIMER: This information has been prepared for your convenience by the CBP officers at the Port of Dallas/Fort Worth. This material is intended to provide guidance. Recognizing that many complicated factors are involved in CBP matters, importers may wish to obtain a binding ruling under 19CFR Part 177. Reliance solely on this information may not be considered reasonable care. Importers are referred to Treasury Decision 97-96, which was published in the Federal Register of December 4, 1997, and in the Customs Bulletin of December 17, 1997, for in-depth information on the concept of reasonable care. Please visit our website at www.cbp.gov
The LN function can be used to make corrections up to 15 days after the first date below, as applicable:

- Release Date;
- Actual Date of Arrival;
- Estimated Date of Arrival Reported with the Original Release Transaction.

**Corrections for AMS Shipments Only**

The LN function can be used to correct the following elements:

- Carrier Codes;
- Bills of Lading – master, house and sub-house bills can be changed;
- Paperless master in-bond numbers (i.e. only in-bonds starting with a “V” can be transmitted on a LN);
- Quantities and Units;
- Voyage or Flight Number;
- FIRMS Code – filers cannot change from AMS FIRMS code to non-AMS FIRMS code;
- Estimated Date of Arrival – no date changes can be made if the AMS module has posted the actual date of arrival to the entry. There are restrictions to updating the Estimated Date of Arrival on a LN (listed below); consequently, the LN can be transmitted without an Estimated Date of Arrival to update the other fields.
  - Restrictions to updating Estimated Date of Arrival
    - The carrier code or FIRMS code and the port of unlading (DDPP) must be linked in AMS.
    - The new date cannot be greater than 60 days in the future or 30 days in the past.
    - For air shipments, the new date cannot exceed the date of provisional selectivity processing.
    - For vessel shipments, the new date cannot exceed the date of selectivity processing by more than 5 days.
    - The new date cannot exceed a release date that was established by CBP closing out an “intensive” examination.

**Corrections for Non-AMS Shipments Only**

The following is a list of fields for which corrections can be made:

- Carrier Code;
- Bill of lading – master, house or sub-house bills can be changed;
- Quantity and Units;
- Voyage or Flight Number;
- FIRMS Code.
The filer must attach the corrected CBP form 3461 to the copy bearing the CBP release signature (or perforation) and present both copies to the carrier or CFS facility. The corrected copy must indicate the following statement certifying that the ABI filer has transmitted the correction:

“BROKER CERTIFIES THAT ALL CHANGES HAVE BEEN TRANSMITTED THROUGH ABI”

____________________________________  ________________________
John J. Broker       Date

NOTE: The LN function can be used only for direct arrival non-AMS shipments. If the shipment shows either a 9-digit in-bond number or an air waybill number used as the in-bond number, the LN function cannot be used.

Error Discovery

Before presenting the entry to the Cargo selectivity site for processing, the filer will correct the error using the LN function and present only the corrected CBP form 3461 for processing and release.

After on line selectivity processing and release by a CBP officer, the filer must correct the data using the LN function.

Entries Certified as “Paperless”

Filers who discover a CBP form 3461 error after receiving a paperless release must correct the data using the LN function. AMS carriers will receive an electronic release.

If the cargo is at a non-AMS facility, the broker must:

- Print a corrected CBP form 3461;
- Affix the “electronic entry” release stamp to the corrected CBP form 3461;
- Present the corrected document to the carrier facility or CFS.

An Entry Correction Process Flowchart is provided. (See Attachment 1).

 Corrections in Lieu of Deletion

Filers must always attempt to correct entries prior to initiating any other action. If the filer is unable to correct the entry, CBP is able to make additional corrections without the need to delete the entry.
In cases where the filer is unable to make a correction using the LN function, please use an ACS Selectivity Correction Request sheet (Attachment 2) to request a pen and ink correction by CBP.

**Duplicate Entry**

The CBP cargo supervisor should always be consulted before a duplicate entry is filed to correct errors on the original entry.

**ENTRY DELETION/CANCELLATION PAPERWORK**

All requests for entry deletion/cancellation must be submitted using the attached format. (See Attachment 3) Entry deletion requests will be submitted to the Cargo Supervisor on company letterhead, in duplicate, stating the reason for the request. Entry cancellation requests will be submitted to the assigned Entry Specialist on company letterhead, in duplicate, stating the reason for the request. The importer of record or an agent authorized to act on the importer’s behalf (i.e. licensed Customs broker with a valid power of attorney) are the only authorized signatures.

**DELETIONS**

An entry deletion request must be submitted to the CBP office where the merchandise was entered/released, or scheduled to be entered/released as soon as the filer becomes aware of the need for the deletion.

Requests for deletion will be considered if received by CBP in a timely manner (i.e. prior to the 10th working day after release of the merchandise, upon receipt of proof of exportation, receipt of a duplicate or replacement entry, etc.)

Requests for deletion that fall outside the scope of this Public Information Notice will be evaluated on a case-by-case basis.

The duplicate copy of the deletion request will be returned to the filer upon completion of the request.

Examples in which an entry can be deleted include:

- Non-arrival of shipment;
- Duplicate entry;
- Freight was exported;
- Other reasons as warranted.
The original CBP Form 3461/7501 release and any additional supporting documentation that clarifies the final disposition of the merchandise must accompany the deletion request letter from the filer. This additional supporting documentation is to include, but is not limited to:

- Copy of the CBP Form 3461/7501 actually used to enter and release the merchandise;
- Copy of the in-bond exportation documentation, outbound bill of lading and bill of lading proof of payment;
- CBP Form 214;
- Certification by the carrier that the merchandise was lost, short-shipped or otherwise mishandled.

Supporting documentation is required for both paper-required and paperless releases.

An Entry Selectivity Deletion Process Flowchart is provided. (See Attachment 4) This flowchart does not cover all possible situations and is intended only as a general guide.

**For duplicate entries, the replacement entry summary must be in summary accepted status and fully paid.**

Filers are reminded that they are **not to delete the entry data in their system** until they receive confirmation from CBP verifying that the deletion has been approved and processed.

Filers will be monitored for patterns of excessive or unnecessary deletion requests. When applicable, filers should use either ABI to correct errors in entry transmission or submit an entry correction request to CBP to correct ACS data, as outlined above.

Filing duplicate or replacement entries to correct errors that should have been handled through “correction” of the original entry may result in penalties for failing to exercise responsible supervision and control of your business matters with CBP.

**CANCELLATIONS**

Valid reasons for entry summary cancellation include, but are not limited to the following:

- An entry was filed on merchandise denied admission into the United States by any Government agency after its release from CBP custody that is subsequently destroyed under government supervision or exported under CBP supervision; (19 CFR 142.18, 158.41)
- An entry was ABI certified and/or ACS accepted for release but the merchandise is seized by CBP. This type entry will be cancelled but NOT DELETED.
- An entry was ABI certified and/or ACS accepted for release for formal entry but the merchandise will be entered into a Foreign Trade Zone.
- An entry was ABI certified and/or ACS accepted for release but the merchandise moved in-bond on an I.T. for release of the goods, or was exported via a T&E; **documented proof of exportation must be attached.**
- An entry was ABI certified and/or ACS accepted for release but the shipment never arrived and is released at another port. A copy of the replacement CF-7501 entry summary must be attached.

- An entry was ABI certified and/or ACS accepted for release but a duplicate entry has been filed by another filer. A written explanation must be provided along with a copy of the replacement CF-7501 entry summary.

All cancellation requests must be signed and the required contact information on the form provided. Filers will be monitored for patterns of excessive cancellation requests.

**RLF ENTRY DELETION/CANCELLATION REQUESTS**

All remote location filed entry documents (RLF) submitted for deletion/cancellation MUST adhere to the following:

- Filed on company letterhead and signed by the authorized company officer;
- Filed in duplicate;
- Provide a contact name, address, telephone number, and FAX number.

RLF filers will be monitored for patterns of excessive deletion/cancellation requests and disregarding the above requirements.

It is the responsibility of the filer to timely request deletion and cancellation. The filer should NOT wait until CBP provides notification of outstanding entry summaries or the issuance of liquidated damages.

If you have any questions regarding Entry Correction or Deletion procedures, please contact Supervisory CBP Officer Teresa Willis at (972) 870-7535.

If you have any questions regarding Entry Summary Cancellation procedures, please contact Entry Branch Chief Pat Tankerson at (972) 870-7537.
Attachment 2

ACS SELECTIVITY CORRECTION REQUEST

TO: CBP Cargo Branch

FROM: ________________________  ________________________
     Broker/Filer     Signature of Authorized Agent

REFERENCE: _______________________  ________________________
            Entry Number    Date

The original CBP Form 3461 attached contains errors in the indicated blocks and it is requested that CBP amend this entry’s ACS Selectivity input by replacing the error(s) with the following correct information as shown on the corrected CBP Form 3461.

<table>
<thead>
<tr>
<th>Block No. to be Corrected</th>
<th>Original Error Input or Input Not Made</th>
<th>Corrections to be Made or New Information to be Added</th>
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Correction: Accepted ( )  Request Denied ( )

Denial reason: _________________________________________________________________

Corrected by CBP Officer: ___________________________  Date: ____________________
We respectfully request deletion or cancellation of the above referenced entry as indicated below.

ENTRY DELETION:

_____ An entry was ABI certified and/or ACS accepted for release but the shipment never arrived and/or is released at another port. A copy of the replacement entry, number ____________________________, is attached.

_____ An entry is ABI certified and/or ACS accepted for release but a duplicate entry has been filed in error or by another filer. A written explanation is provided: ________________________________

_____ An entry is ABI certified and/or ACS accepted for release but the merchandise moved in-bond on an Immediate Transportation (I.T.) and was released at other port under entry number ____________________________ OR the merchandise was immediately exported (I.E.) or was transported in-bond to another port for export (T&E) and was never unloaded at the port into CBP custody. A copy of documented proof of export is attached.

_____ ABI data transmission errors cannot be corrected through ABI or by corrective measures with CBP. Type of error and explanation provided: __________________________________________

_____ An entry is ABI certified and/or ACS accepted for release but the merchandise has been entered into a Foreign Trade Zone. A copy of the CBP Form 214 is attached.

_____ A remote location file (RLF) entry is not permitted because ____________________________.

A locally filed entry, number ____________________________ replaces it.

_____ Other ________________________________________________________________________.
ENTRY SUMMARY CANCELLATION:

_____ An entry was filed on merchandise denied admission into the United States by any Government agency after its release from CBP custody that is subsequently destroyed under government supervision or exported under CBP supervision; (19 CFR 142.18, 158.41)

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_____ An entry was ABI certified and/or ACS accepted for release but the shipment never arrived and is released at another port. A copy of the replacement CF-7501 entry summary must be attached.

_____ An entry was ABI certified and/or ACS accepted for release but a duplicate entry has been filed by another filer. A written explanation must be provided along with a copy of the replacement CF-7501 entry summary.

_____ Other________________________________________________________________.

We understand that all requests should be submitted to your office within five working days from the date of ABI invalid or erroneous transmission certification, ABI paperless release or CBP ACS acceptance for release.

Appropriate documentation and/or backup for the requested action are attached. Should you have any question, please feel free to call _____________________________(Name) at ______________________ (telephone number). My facsimile number is ________________.

Sincerely,

(Signature)
Broker’s Name
This ENTRY SELECTIVITY DELETION PROCESS flowchart does not cover all possible situations and is intended only as a general guide.