2023 International Trade Month

MAMI MACHINERY TEAM JBH

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U.S. Customs and Border Protection

Our Mission

We are the guardians of our Nation's borders.

We are America's frontline.

We safeguard the American homeland at and beyond our borders.

We protect the American public against terrorists and the instruments of terror.

We steadfastly enforce the laws of the United States while fostering our nation's economic security through lawful international trade and travel.

We serve the American public with vigilance, integrity and professionalism.



Centers of Excellence and Expertise





Centers of Excellence and Expertise





Center Staff

- Centers staffed with existing trade and revenue positions
 - Assistant Center Directors
 - National Account Managers
 - Import Specialists
 - Entry Specialists
- Employees remain in their physical location at the Ports of Entry and work for a Center
 - Center chain of command
 - Multi-disciplinary teams across the nation



Regulatory Trade Authorities

Ports

- Cargo Release
- Manifest Processing
- Cargo Holds and Examinations
- Cargo Movement (permit to transfer, inbond)
- Export Compliance
- Seizures and Penalties
- Agriculture Exams
- Bonded Movements, Bonded
 Warehouses, and Foreign Trade Zones
- Narcotics, Anti-Terrorism and Security Risks
- Importer Security Filing Review

Centers

- Trade Admissibility Advice
- Entry Summary Reviews
- Free Trade Agreement Eligibility Review
- ADCVD
- Protests and Petitions
- Appraisals
- Post Summary Correction and Post Entry Adjustment
- CEAR Process
- Prior Disclosure Review
- Internal Advice
- Quota Processing

Centers and Ports collaborate on trade admissibility, decisions and determinations



Machinery Center of Excellence and Expertise





The Machinery Center of Excellence and Expertise is the central point of contact for inquiries and resolutions on issues regarding machinery industry imports. The Center serves as a single point of processing for Machinery Industries such as heavy construction, domestic appliances, bearings, tools, measuring devices, filtering equipment, printer devices, firearms and ammunition.

The Machinery Center of Excellence and Expertise strengthens America's economic competitiveness and security through integrated industry knowledge and expertise, innovative trade processing procedures and trend analysis, global collaboration, and strategic and impactful trade enforcement actions.

Industry Based Knowledge and Expertise

Innovative Trade Processing

Trend Analysis

Global Collaboration

Strategic and Impactful Trade Actions

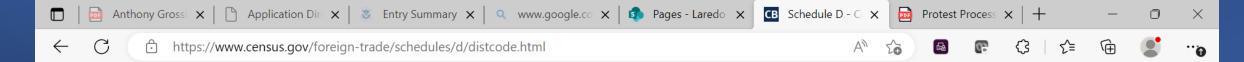
CENTER CALL LINE: 1-866-295-7624 CODE 10

CEE-Machinery@ cbp.dhs.gov



Machinery CEE/Team JBH

- Supervisory Import Specialist: magdamari.rodriquez@cbp.dhs.gov
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Name	Code (NOTE: Table is sorted on this field)	District/Port
TAMPA, FL	18	DISTRICT
TAMPA, FL	1801	Port
JACKSONVILLE, FL	1803	Port
FERNANDINA BEACH, FL	1805	Port
BOCA GRANDE, FL	1807	Port
ORLANDO, FL	1808	Port
ORLANDO-SANFORD AIRPORT, FL	1809	Port
ST. PETERSBURG, FL	1814	Port
PORT CANAVERAL, FL	1816	Port
PANAMA CITY, FL	1818	Port
PENSACOLA, FL	1819	Port
PORT MANATEE, FL	1821	Port
FORT MYERS AIRPORT, FL	1822	Port
NAPLES MUNICIPAL USER FEE AIRP, FL	1880	Port
SARASOTA BRADENTON ARPT, FL	1883	Port
DAYTONA BEACH INT'L ARPT, FL	1884	Port
MELBOURNE REGIONAL AIRPORT, FL	1885	Port
LEESBURG REGIONAL AIRP, LEESBURG, FL	1887	Port
ORLANDO EXECUTIVE AIRPORT, FL	1888	Port
ST. AUGUSTINE AIRPORT, FL	1889	Port















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Name	Code (NOTE: Table is sorted on this field)	District/Port
MIAMI, FL	52	DISTRICT
MIAMI, FL	5201	Port
KEY WEST, FL	5202	Port
PORT EVERGLADES, FL	5203	Port
WEST PALM BEACH, FL	5204	Port
FORT PIERCE, FL	5205	Port
MIAMI INTL AIRPORT	5206	Port
FT. LAUDERDALE-HOLLYWOOD INTL AIRP	5210	Port
UPS COURIER HUB, MIAMI, FL	5295	Port
DHL WORLDWIDE EXPRESS, MIAMI, FL	5296	Port
FEDEX COURIER HUB, MIAMI, FL	5297	Port
IBC COURIER HUB, FL	5298	Port

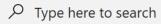
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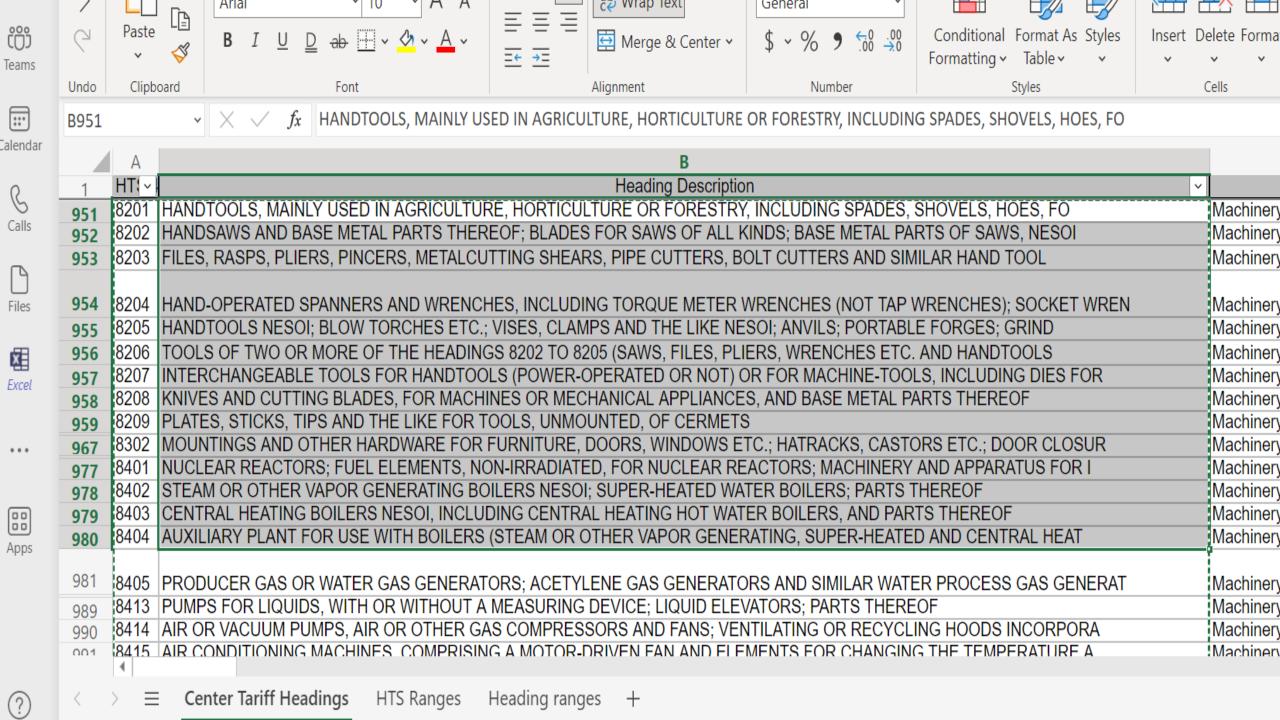


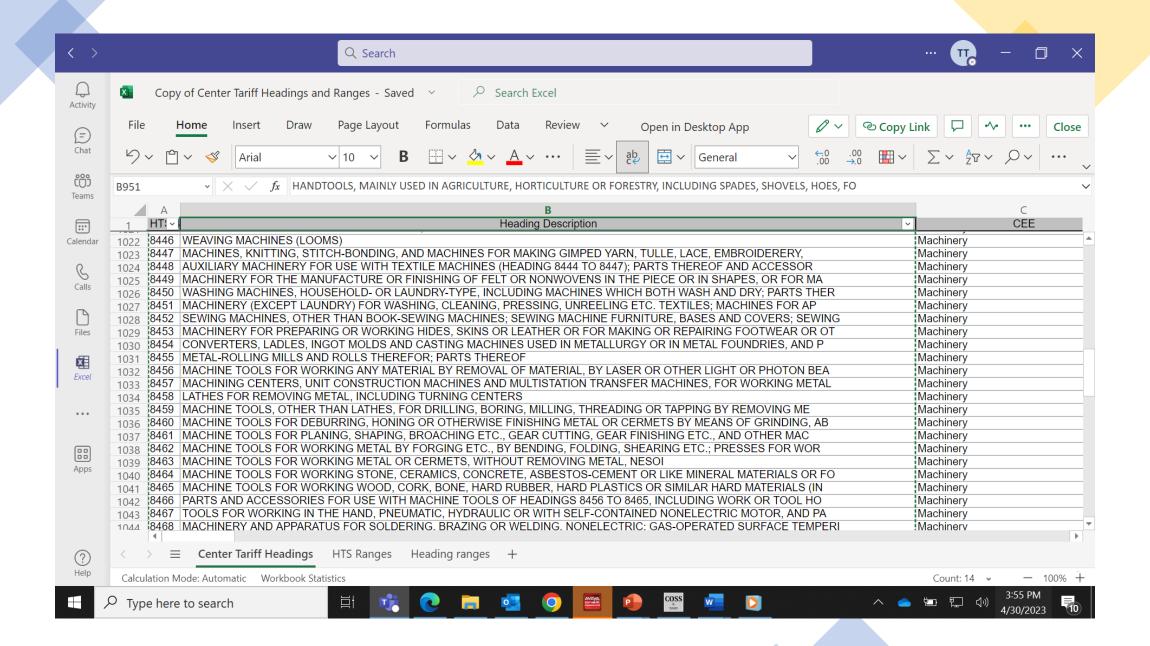


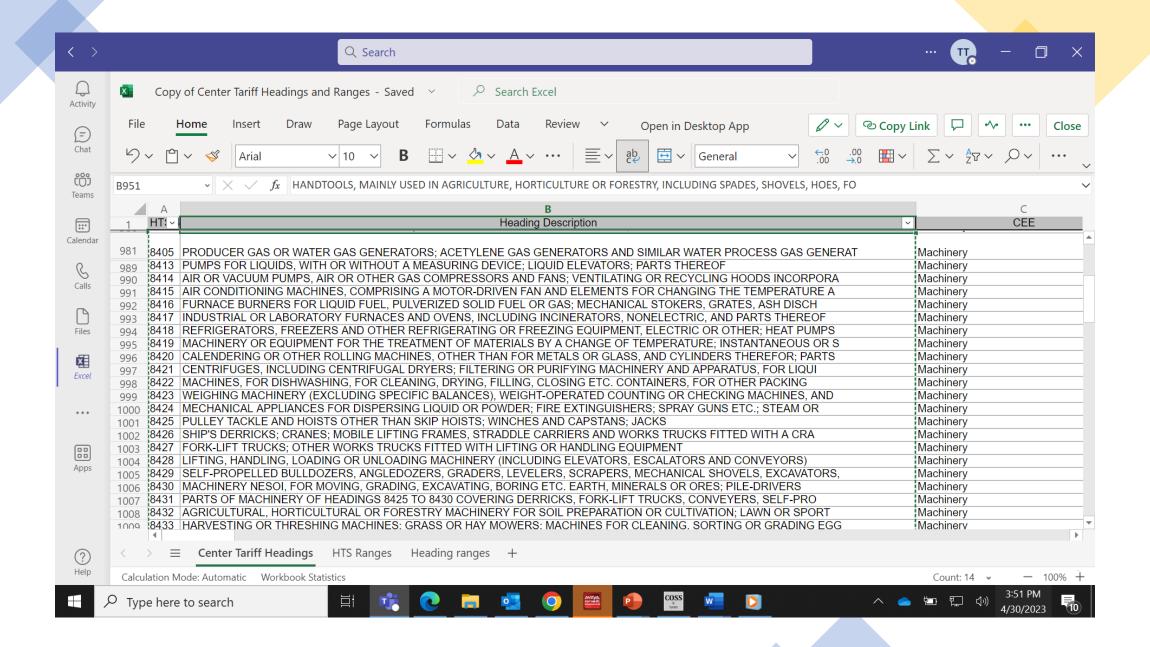


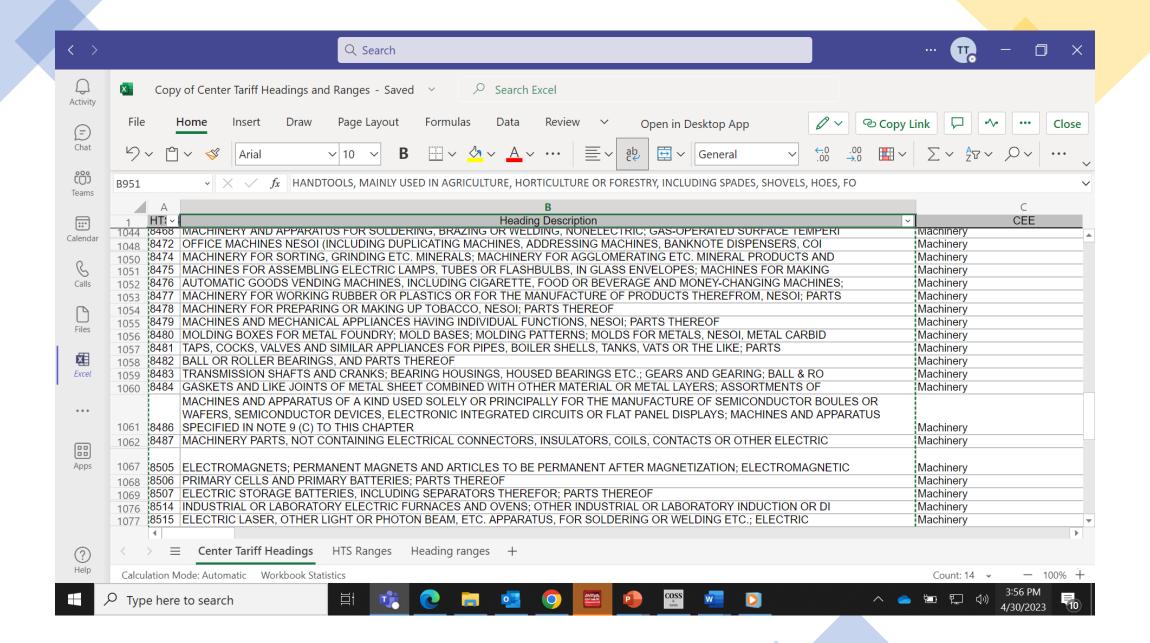
From Tariff	To Tariff	CEE
8201	8209	MACH
8401	8405	MACH
8413	8468	MACH
8472		MACH
8474	8487	MACH
8505	8507	MACH
8514	8515	MACH
9007	9012	MACH
9014	9017	MACH
9020		MACH
9023	9033	MACH
9301	9307	MACH

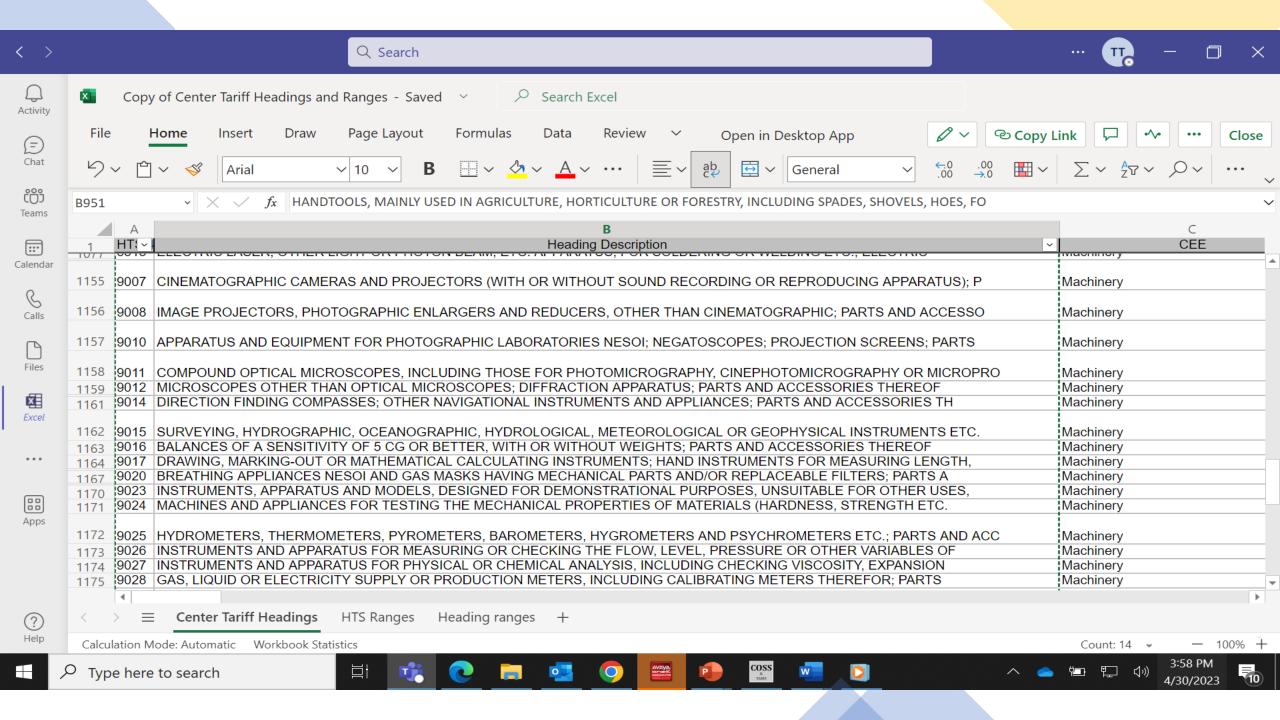
MACHINERY CEE HEADING RANGES (HTS)

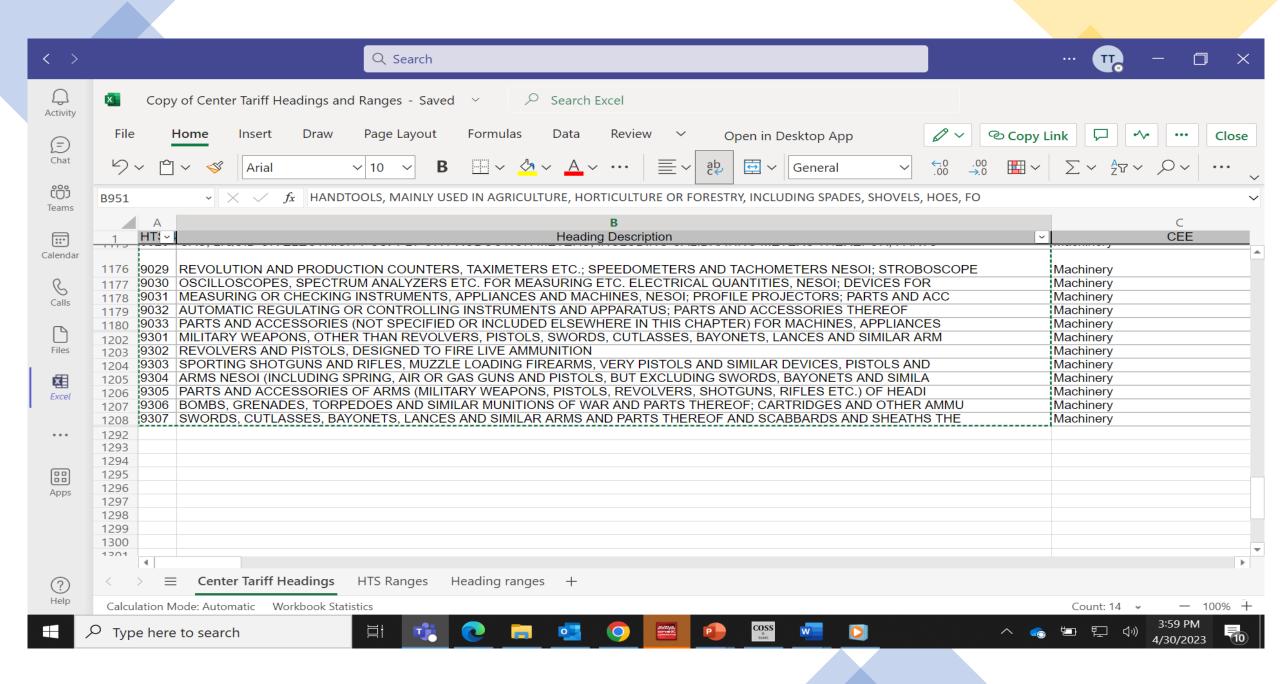












FY22 (10/01/21-09/30/22) Imports (MIAMI INTERNATIONAL AIRPORT & ECCF) - Top 10 Countries (by Volume)

COUNTRY	COUNTRY NAME	LINES	VALUE
CO	COLOMBIA	1,704,234	\$3,191,645,469
EC	ECUADOR	1,357,834	\$1,001,409,105
CN	CHINA	195,876	\$2,288,437,665
US	UNITED STATES	136,549	\$6,779,600,098
IT	ITALY	115,807	\$605,488,961
BR	BRAZIL	103,059	\$577,220,313
TR	TURKEY	93,230	\$267,211,618
DE	GERMANY	79,422	\$1,200,455,799
FR	FRANCE	65,614	\$2,172,233,628
MA	MOROCCO	61,035	\$30,369,656

FY22 (10/01/21-09/30/22) Imports (MIAMI INTERNATIONAL AIRPORT & ECCF) - Top 10 Countries (by Value)

COUNTRY	COUNTRY NAME	LINES	VALUE
CH	CHINA	27,269	\$9,686,955,441
US	UNITED STATES	136,549	\$6,779,600,098
CO	COLOMBIA	1,704,234	\$3,191,645,469
CN	CHINA	195,876	\$2,288,437,665
FR	FRANCE	65,614	\$2,172,233,628
CL	CHILE	56,156	\$1,874,615,430
GB	UNITED KINGDOM	58,153	\$1,453,991,418
DE	GERMANY	79,422	1,200,455,799
EC	ECUADOR	1,357,834	\$1,001,409,105
NI	NICARAGUA	13,668	\$905,045,347

Priority Trade Issues (PTI)

PTIs represent
high-risk areas that can cause significant revenue loss, harm the
U.S. economy, or threaten the health
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Priority Trade Issues (PTI)

The Office of Trade focuses its activity and efforts on seven Priority Trade Issues (PTI). PTIs represent high-risk areas that can cause significant revenue loss, harm the U.S. economy, or threaten the health and safety of the American people.

- Agriculture and Quota
- Antidumping and Countervailing Duties (AD/CVD)
- Free Trade Agreements (FTA)
- Import Safety
- Intellectual Property Rights (IPR)
- Revenue
- Textiles and Wearing Apparel

PGA (Partner Government Agency)

Government agencies that works alongside the Customs and Border Protection (CBP) that regulate commodities entering the U.S.

Some PGAs include:

- Animal and Plant Health Inspection Service (APHIS)
- Federal Drug Administration (FDA)
- Environmental Protection Agency (EPA)
- Bureau of Alcohol, Tobacco, and Firearms (ATF)

PGA

 Products that are regulated by PGAs often require permits or other additional documentation, so many PGAs have their <u>own import</u> <u>guides</u>. It is the importer's responsibility to be aware of what they need to import a product into the U.S.

• If a PGA refuses an import shipment, CBP will consequently not allow the goods to enter U.S. commerce.

Customs Trade Partnership Against Terrorism (CTPAT) Trade Compliance Program

The Customs Trade Partnership Against Terrorism (CTPAT) Trade Compliance program is built on the knowledge, trust, and willingness to maintain an ongoing relationship between Customs and Border Protection (CBP) and importers that is mutually beneficial. CTPAT's goal of the Trade Compliance program is to partner with importers who can demonstrate their readiness to assume the responsibility of managing and monitoring their compliance through self-assessment. Importers accepted into the CTPAT Trade Compliance program receive tangible benefits and their participation allows CBP to redirect resources and focus on higher risk and unknown importers.

CTPAT BENEFITS

- Reduced Examination Rates: Reduced examination rates leading to decreased importation times and reduced costs
- Free and Secure Trade (FAST) Lanes: Shorter wait times at the border and access to the FAST Lanes
- Penalty Mitigation: CBP's Fines Penalties & Forfeitures (FPFD) will ensure that the company's partnership status is taken into consideration and that any penalties will be offset by the measure/level of the corrective actions taken to prevent future occurrences. Correspondence from partnersto FPFD should indicate their trusted trader status and other pertinent information. Trusted traders requesting a penalty offset will ensure that the cover letter to FPFD copies their NAM

CTPAT BENEFITS

- Expedited Rulings: Rulings and Internal Requests that are being adjudicated by the National Commodities Division will have priority and be placed at the front of the queue for processing within 20 days.
- National Account Manager (NAM): Access to an assigned NAM, who acts as an advisor and liaison among CBP Headquarters and the CTPAT Trade Compliance partner.
- Prior Disclosures: If CBP becomes aware of errors in which there is an indication of a violation of 19U.S.C.1592 or 1593a, CBP will provide a written notice to the account of such errors and allow 30 days from the date of the notification for the account to file a prior disclosure pursuant to 19CFR162.74. Note: This benefit does not apply if the matter is subject of an ongoing CBP investigation or fraud is involved
- Front of the Line Benefits: When feasible, CTPAT shipments are moved ahead of nonCTPAT shipments for exams. Front of the Line inspection privileges apply to screening by non-intrusive inspection (NII) equipment, examinations conducted dockside or at a centralized examination station, and all other inspections conducted for security, trade and/or agriculture purposes

What Every Member of the Trade Community Should Know About: Machine Tools

<u>Informed Compliance Publication - Machine Tools (cbp.gov)</u>



Items Often Misclassified as Parts or Accessories of Machine Tools



Many machine tool components are classified elsewhere throughout the HTS:

- Interchangeable tools of heading 8207 drill bits, milling cutters, dies, etc.
- Knives and blades of heading 8208.
- Grinding wheels and other abrasive products of heading 6804; CNC's (computer numerical controls) of subheading 8537.10.
- Spindle shafts of heading 8483 note NY H87835 of February 22, 2002.



Many machine tool components are classified elsewhere throughout the HTS:

- Jigs and fixtures not principally used with machine tools such as welding jigs and checking jigs;
- Broken Tool Sensor Kit subheading 9031.80, see NY ruling K87908 of August
 2, 2004. Dust collection systems subheading 8421.39.8005.
- Tool presetters of subheading 9031.40, note HQ 087699 of November 26, 1990; and Parts of general use as defined in note 2 to section XV – nuts, bolts, screws, springs, etc.



PART VS. ACCESSORY



What Criteria Should be Used to Determine Whether an Item is a Part or an Accessory or is Neither a Part nor an Accessory.

Factors that have been considered in determining that an item is a part include:

- Dedicated for use, even if optional, and the article will function without it.
- If once installed, the article won't operate without it.
- Essential to the machine's operation, necessary to the completion of the article without which the article could not function.



Continue

- Essential for the safe operation
- Standard equipment, i.e., not essential but always sold with the machine.

Accessories are generally not essential and often described as options. They enhance the operation of the machine but play a subordinate role.



UNASSEMBLED PARTS

The second part of GRI 2(a) deals with "articles" presented unassembled or disassembled. They are to be classified in the same heading as the assembled article.



Examples of Parts

Structural Elements

- Beams
- Struts
- Bearings
- Fasteners
- Keys, Splines and Cotter pin
- Seals
- Machine Guardings



Mechanical Elements <u>Control Movement</u>

- Engine, Electric motor, Actuator
- Shafts
- Couplings
- Belt, Chain, Cable drives
- Gear train
- Clutch
- Brake
- Flywheel
- Cam and <u>follower</u>systems
- Linkage
- Simple machine



Control Components

- Buttons
- Switches,
- Indicators,
- Sensors,
- Actuators
- Computer controllers



Accessory

 A nonexpendable item of equipment which has been fixed in place or attached to a craft, vehicle or other equipment, but which may be severed or removed without impairing the item removed or affecting the basic function of the object to which it is fastened.



Informed Compliance Publications (ICPs) Machinery

- Ball Bearings
- Classification of Molds and Their Parts
- Hand Tool Sets Classified Within Subheadings 8205.90.00 and 8206.00.00
- Locks of Base Metal
- Machine Tools
- Soldering and Welding Machines and Apparatus
- Vending Machines and Parts Thereof



ANTIDUMPING/CONTERVAILING DUTIES AD/CVD

Governments subsidize enterprises or industries when they
provide financial assistance to benefit the production, or
exportation of goods through, e.g., direct cash payments,
credits against taxes, and loans at terms that do not reflect
market conditions.

 The anti-dumping duty can be anywhere from 0% up to 550% of the invoice value of the goods.



Common AD/CVD Machinery Imports Type 03 Entries

- Diamond Sawblades and Parts
- Large Residential Washers
- Taperer Roller Bearings and Parts
- Raw Flexible Magnets



FREE TRADE AGREEMENTS

- Currently, the United States has 15 FTAs with 21 countries.
- FTAs can help your company to enter and compete more easily in the global marketplace through zero or reduced tariffs and other provisions.
- It may not be worthwhile for you to perform a free trade agreement (FTA) origination analysis and adhere to the sourcing and recordkeeping requirements necessary to make an FTA claim.
- Even if your good is unconditionally free, you may want to make an FTA claim to obtain the merchandise processing fee (MPF) exemption



SECTION 301

• The United States imposed additional tariffs, of up to 25%, on certain U.S. imports from China in four separate lists (Lists 1-4A). Which is still in effect.

Exclusions for certain merchandise extended until September 2023.



Useful Web Sites

https://rulings.cbp.gov/help

Customs Rulings Online Search System (CROSS)

https://www.cbp.gov/trade/automated/ace-faq

ACE Frequently Asked Questions

<u>Directives and Handbooks | U.S. Customs and Border Protection</u> (cbp.gov)

Directives and Handbooks



Requirements for Electronic Ruling Request

https://erulings.cbp.gov/s/

Electronic Ruling (eRuling) Template

Welcome to the Electronic Ruling (eRuling)
Template, which allows you to transmit electronic binding ruling requests directly to the National Commodity Specialist Division (NCSD) in New York.

2023 International Trade Month Machinery Center Presentation

QUESTIONS?



