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## What You Need to Know to Successfully Import to the USA: Shipper responsibilities

### **AAMS Quantity Reporting (Air Automated Manifest System)**

U.S. Customs & Border Protection requires key data elements to be declared prior to loading on a vessel or aircraft for all cargo going to, or through, the U.S. The system used to file cargo manifests is the Automated Manifest System, referred to as AMS. The key data elements according to 19 CFR Section 4.7a(c)(4)(v) of Customs and Border Protection (CBP) Regulations are:

- Full shipper name and address of the party initiating the shipment.
- Full name and address of the Consignee to whom the cargo will be delivered. They do not need to be located in the arrival or destination port.
- The precise nature of the goods: for example, “caps” or “metals parts” is not acceptable. A more appropriate description could be “baseball caps”, “blasting caps”, “bottle caps”, or “hub caps”. Vague cargo descriptions usually lead to examinations by Customs.
- Shipper’s Load and Count (SLAC): SLAC refers to the “smallest external packaging unit”, defined as a crate or box not accessible from the outside so that one cannot extract or add anything to the shipment. A shrink-wrapped pallet or a pallet with security bands is not an acceptable reporting quantity in AAMS. Shrink-wrap does not qualify as outer packaging. The exporting party must inform the forwarder about the number of cartons, boxes, packages or other similar units on the pallet. It is mandatory that SLAC is reported in AMS.

### **Commercial documentation requirements/INCOTERMS**

19 CFR 141.86(a)(8) of the Customs Regulations requires certain criteria to be included on the commercial invoice (or as an attachment to the invoice, such as a packing list). Each invoice of imported merchandise, must set forth the following information, at a minimum:

- The party by whom and the party to whom the merchandise is sold or agreed to be sold, or if to be imported otherwise than in pursuance of a purchase. While it is not an invoice requirement, your broker must be aware if the seller is related to the buyer.
- A detailed description of the merchandise, including the name by which each item is known
- Quantities in the weights and measures of the country or place from which the merchandise is shipped, or in the weights and measures of the United States;
- The purchase price of each item in the currency of the purchase if the merchandise is shipped in pursuance of a purchase or an agreement to purchase; OR a “Value for Customs Purposes” for items which are provided free of charge or on consignment
- Freight, insurance, and packing charges as well as any assists (such as dies, molds, tools, engineering work) or dutiable selling commissions. In order for eligible charges to be deducted from the dutiable value, the invoice must clearly identify the Incoterms and the charges included in the selling price, or the FOB value of the merchandise.
- The country of origin of the merchandise

Responsibility to provide correct data falls with the exporting company. Additional charges due to non-compliance delays, as well as fines and penalties, or seizures, are the responsibility of the shipper. For more detailed information on AMS requirements:

<https://www.gpo.gov/fdsys/pkg/CFR-2012-title19-vol1/pdf/CFR-2012-title19-vol1-sec4-7a.pdf>

For import documentation requirements:

<https://www.gpo.gov/fdsys/pkg/CFR-2012-title19-vol2/pdf/CFR-2012-title19-vol2-sec141-86.pdf>

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