

Appendix C –ISF Letter

Dear Supplier:

Effective January 26th 2009, U.S. Customs and Border Protection (CBP) implemented new security regulations on importers. This new rule, Importer Security Filing (ISF), also known as 10+2, requires importers to provide CBP with additional advance data elements for all ocean vessel shipments inbound to the United States. With these filing requirements, importers and their supply chain partners have new data gathering and reporting responsibilities. These filings are required to take place not less than 24 hours prior to cargo loading on vessel. In order for our broker to meet this required filing deadline, we will need the required information 72 hours prior to vessel loading.

All the information we need from you should be on your commercial invoice to NMHG. The next two pages clearly specify the exact information that must be included on your invoices.

If you ship full container loads direct from your location to ours, we request that you email your commercial invoices, packing lists, and booking confirmations from the steamship line to nmhgdocuments@hipage.com & carolyn.lee@nmhg.com at least 72 hours prior to vessel loading. In the subject line of the email please put: **ISF: Bill of lading number and or Booking number along with the sail date of the vessel.**


For shipments that are picked up at your location by our consolidators, the consolidator will supply us with the required documents. Your responsibility is to provide the consolidator with the commercial invoices in the format outlined in this document and packing list when they pick up the shipment from you.

CBP will issue penalties and not allow the steamship lines to load containers on board vessels that have not filed the ISF. We cannot file the ISF without the information outlined in this document.

If you have any questions or issues with these requirements, please contact Carolyn Lee at the above email address.

Thank you for your support in this most urgent matter.

Yours truly,
NACCO Materials Handling Group



Steve J. Karas
Director of Americas Supply Chain

SUPPLIER REQUIREMENTS FOR COMMERCIAL INVOICES

This document lists compliance requirements necessary to support NACCO Materials Handling Group, Inc. and US Custom's initiatives for Commercial Invoices, ISF (Importer Security filing), and Country of Origin Markings.

US Customs has requirements detailing what information needs to be on a commercial invoice. Customs contends that it is the importer's responsibility to ensure that this information is enumerated on the invoice.

Why does Customs need a detailed invoice?

- To ensure proper valuation.
- To ensure proper classification.
- To ensure proper duty collection.
- To facilitate release of goods.
- To obtain quality trade statistics.
- To fulfill the Importer Security Filing Requirements.

Items Required on a Commercial Invoice

1. The date of the invoice.
2. The port of entry to which the merchandise is destined.
3. The name and address of the manufacturer or supplier. ***(Defined as the name and address of the party who last manufactured/assembled/grew/produced the goods or the name and address of the supplier of the finished merchandise in the country from which the goods are exiting.)***
4. The name and address of the seller. ***(Defined as the name and address of the last known entity by whom the merchandise is sold or is agreed to be sold.)***
5. The name and address of the buyer. ***(Defined as the name and address of the last known entity to whom the merchandise is sold or is agreed to be sold.) NMGH TPC, PO Box 12010, Greenville, NC 27834-2010***
6. The name and address of the ship to party. ***(Defined as the name and address of the first party scheduled to receive the merchandise, once released by CBP (Customs & Boarder Protection). Note: Customs requires the actual deliver to name and address – not a corporate location.)***
7. The name and address where the container is stuffed. ***(Defined as the name and address of the location where the goods are stuffed into the container. Scheduled stuffing location is acceptable and may be the same name and address as the manufacturer or supplier, depending.)***
8. The name and address of the consolidator. ***(Defined as the name and address of the party who either stuffed the container or who arranged for the stuffing of the container.)***
9. The name and address of the consignee. ***(Defined as the party in the U.S. on whose account the goods are shipped.)***
10. A detailed description of the merchandise, which includes:
 - The common name of the merchandise.
 - The NMGH part number with matching purchase order number and line number.
 - The marks, numbers and symbols under which each item is sold and packaged.
11. The quantities being imported in appropriate weights.

12. The purchase price of each item.
13. The currency of the transaction.
14. All relevant charges (such as freight and insurance) to bring the merchandise from alongside the carrier at the port of export to alongside the carrier at the first US port of entry.
15. All relevant discounts.
16. The country of origin of each item.
17. The terms of sale of the transaction.
18. The entire invoice must be in English, or translated into English.
19. Goods or services furnished for production of merchandise not included in the invoice price. (i.e. assists)
20. The name and signature of a responsible individual who can readily obtain knowledge of the transaction.

Country of Origin Markings:

As a general rule, every article of foreign origin entering the United States must be legibly and permanently marked with the English name of the country of origin unless an exception from marking is provided for in the law. The country of origin marking should be as permanent and indelible as the nature of the product will permit. The marking must be conspicuous and the best method of marking is one which becomes a part of the article itself, such as stenciling, stamping, printing, molding or similar methods. The purpose of this rule is to ensure that the "Ultimate Purchaser" in the US can decipher in which country an article is made.

Penalties for not Marking Correctly:

Articles that are not marked with the English name of their country of origin at the time of importation into the US are subject to 10% additional marking duties unless properly marked, exported or destroyed under Customs supervision prior to liquidation of the entry. Customs may demand redelivery of the items not properly marked. If the redelivery demand is not complied with, customs can access Liquidate Damages up to 3 times the value of the shipment – all for failure to properly mark imported goods.

Supplier Name:		
Supplier Acknowledgment: I hereby acknowledge receipt of NMHG's expectation for compliance to US Customs concerning "Commercial Invoice Requirements" and our company agrees to meet this requirement immediately.		
Name	Signature	Date

***Note: Signed form to be returned to fax number 252-752-1739, Attention Carol Lacks, Customs Compliance Officer, NMHG Logistics, and Americas Division.**