

Mandatory Filing of Export Information via AES

Effective July 2, 2008 U.S. Customs & Border Protection and the Census Bureau's Foreign Trade Division will no longer accept a paper Shipper's Export Declaration. The information – now know as Electronic Export Information (EEI) - previously entered onto an SED form must be conveyed to the government through the Automated Export System (AES). There is a transition period that will extend until September 30th after which no goods will be permitted to depart the U.S. unless an AES electronic record has been submitted and accepted.

Up to this point, the paper SED has been acceptable for certain exports. Generally speaking, exports of goods that were classified as EAR99 within the Commerce Control List and those not subject to the exclusive jurisdiction of another federal agency. After July 2nd ALL exports of ALL commodities, technologies or software exported from the U.S. will require EEI filing through the AES.

The exemptions for an AES filing remain the same. The principal exemption to the need for filing EEI is that, within an export shipment, no one single Schedule B line item exceeds \$2,500 in value. Other exemptions from the filing requirements will be found in the newly revised Foreign Trade Regulations, 15 CFR Part 30. Specifically, the exemptions are detailed in Subpart D.

Since there will no longer be a paper SED, the exporter or its authorized agent must present to the carrier taking the cargo from the U.S. an AES filing citation (ITN) or an exemption legend (why there is no ITN). For ocean cargo exports, the citation/exemption legend must be provided no less than 24 hours prior to cargo being loaded aboard the vessel; for air shipments, not less than 2 hours prior to aircraft departure; for truck shipments not less than 1 hour and rail not less than 2 hours to arrival at a U.S. border crossing point.

For users of UnzExport software who file EEI through the software's AES function, it is critical that you regularly download the table updates from the AES system.