



## Claims Corner: Regulatory Defense

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Entry documents can be complex and meticulous attention is needed. One clerical mistake or oversight can cause an expensive penalty or fine by the government. A Regulatory Defense Contract can help in these situations. It provides access to expert advice, including legal, that can assist with filing petition and mitigation. Below are two examples of how a costly penalty was successfully mitigated.

### Late Filing

An NVOCC was assessed a penalty of \$5,000 for failure to file a cargo declaration 24 hours before lading at a foreign port. The carrier had filed within the required time frame, but there was a mistake causing a "Container Mismatched" error on AMS. It was, therefore, not accepted by CBP. When they resubmitted with the correct information, it was too late and a penalty was assessed. The assigned attorney petitioned on behalf of the carrier and mitigated the penalty to \$1,000.

### Documentation Error

A Freight Forwarder filed the Electronic Export Information (EEI) in AES on behalf of their exporter. When the personnel was entering the EEI, their software automatically populated the port code of Dallas/Fort Worth since they had previously booked cargo from there. However, Los Angeles was the correct port of export for these goods and this was not corrected prior to submission. CBP assessed a penalty of \$10,000 for the documentation error. The assigned attorney petitioned this penalty and mitigated it to \$750.

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