



THE AREA PORT OF CHAMPLAIN, NY

INFORMATION

NOTICE

Number: 12-FO-53

Date: June 13, 2012

Subject: Single Transaction Bond – When Additional Security Is Merited

Distribution: Filers, importers, carriers and other interested parties

On May 1, 2012 the Office of International Trade (OT) issued a memorandum to provide guidance to the field on how to protect the revenue when the port has developed a reasonable belief that acceptance of a transaction secured by a continuous bond would place the revenue in jeopardy because of Anti-dumping/Countervailing Duty (AD/CVD) concerns. This may be done through cash payment with live entry, or obtaining additional security in the form of a Single Transaction Bond (STB).

These guidelines provide for the appropriate use of the port's authority to require additional bonding in a uniform manner. Each import transaction will be judged on its own merits. Only on a case-by-case basis will the STB be required.

The guidelines address the following areas:

- Making determinations that there is a reasonable belief of possible revenue risk.
- STB use in conjunction with a continuing review or investigation risk pertaining to AD/CVD orders.
- How to determine the amount of the STB. The amount, in general, will be based on the value of the merchandise times the AD/CVD rate that would apply if the goods were subject to AD/CVD. Should that rate not be known, the highest AD/CVD rate for that commodity will be used. The amount of the continuous bond will always be considered before requiring the STB.
- Importers/brokers will be provided written notice of the STB requirement. The notice will include:
 - The amount of the STB.
 - The general reason why the STB is being required.
 - When to discontinue the requirement of STBs and how to return the STB if no revenue risk is determined to exist.
 - The STB requirement will be discontinued when the review is completed and compliance is determined.
 - When the review concludes that there was no revenue risk, the STB will be returned.
 - The importer will be given written notice when the requirement for the STB is discontinued.
- All of the ports will be made aware when one port requests an STB to address possible placement of the revenue in jeopardy involving AD/CVD so that it will be required uniformly at each port.

Note: This Notice is provided for the convenience of the public, but due to the nature of this medium, only the latest printed version of a law, regulation or *Federal Register* notice should be considered official. Reliance on this information may *not* be considered exercise of reasonable care.

Questions from the importing community regarding this message should be referred to the local CBP port. Questions at the Port of Champlain should be directed to Assistant Port Director Don Yando at Don.Yando@dhs.gov.

Don Yando
Assistant Port Director
Trade Operations

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