

CBP's 7th Update of its FAQ on APHIS' Sept 16th WPM Treatment And Marking Regulations

U.S. Customs and Border Protection (CBP) has updated its set of Frequently Asked Questions (FAQ) regarding the Animal and Plant Health Inspection Service's (APHIS) wood packaging material (WPM) regulations that took effect September 16, 2005.

New FAQ Added on Canadian Exception to WPM Treatment/Marking

CBP has added a new FAQ to clarify the application of the Canadian exception for WPM made entirely of Canadian origin wood or U.S. origin wood that comes directly to the U.S. from Canada or directly to Canada from the U.S.

In response to the question, "I still don't understand the Canada rule – am I required to have a statement or not?," CBP answers as follows:

CBP has decided for operational purposes that the country of origin of the associated merchandise is the country of origin of the WPM absent indication to the contrary. Therefore:

- If the country of origin of the goods is Canada, and the goods are coming directly from Canada into the U.S., we will hold that the country of origin of the WPM is also Canada absent an indication to the contrary. Canada origin WPM is exempt from the regulation, so nothing more is required.
- If the country of origin of the goods is, say, China, and the goods are coming directly from Canada into the U.S. we will hold that the country of origin of the WPM is also China absent an indication to the contrary; China origin WPM needs to be treated and marked.
- If the country of origin of the merchandise, to follow through on this example, is China, but it has been repackaged in Canada on Canada WPM, and the shipment is coming directly from Canada into the U.S., we will still hold that the country of origin of the WPM is China absent an indication to the contrary. A statement is the simplest way to provide CBP with an indication to the contrary.

In a nutshell, then, if other-than-Canada origin merchandise is coming directly from Canada into the U.S. with Canada origin WPM, CBP needs some way to

know that the WPM is Canada origin. This can most simply be a statement that the officer will see when the load arrives.

Revised FAQ on Formerly Required ABI Field

In response to the question "What about ABI requirements?," CBP's response has been revised to be more informative, as follows:

The formerly required ABI field on SWPM from China and Hong Kong is now an optional field. An administrative message was posted on October 5, 2005, under the title, "Solid Wood Packing Material System Changes for CN/HK Completed." This administrative message explains that the SWPM field was made an optional field to give the trade time to make necessary changes. It also contains contact information should ABI participants have systems or operational questions on this change.

(See ITT's Online Archives or 10/07/05 news, (Ref: 05100715) for BP summary of this administrative message.)

USDA Toll-Free Contact Information Revised

The USDA contact information at the end of the FAQ document has been revised so that it no longer states that the USDA's toll-free number, 1-866-738-8197 is only for the months of September and October. Instead the toll-free number is simply listed.

(See ITT's Online Archives or 10/20/05 news, (Ref: 05102010) for BP summary of CBP's 6th update of the FAQ. See ITT's Online Archives or 10/13/05 news, (Ref: 05101310), for BP summary of CBP's 5th update of FAQ. See ITT's Online Archives or 09/19/05 news, (Ref: 05091910), for BP summary of CBP's 4th update of FAQ. See ITT's Online Archives or 09/15/05 news, (Ref: 05091510), for BP summary of CBP's 3rd update of FAQ. See ITT's Online Archives or 09/12/05 news, (Ref: 05091210), for BP summary of CBP's 2nd update of the FAQ. See ITT's Online Archives or 08/24/05 news, (Ref: 05082405), for BP summary of CBP's 1st update to the FAQ. See ITT's Online Archives or 08/09/05 news, (Ref: 05080905), for BP summary of CBP's initial FAQ.)

October 21, 2005 version of WPM FAQ available at http://www.cbp.gov/linkhandler/cgov/import/commercial_enforcement/wpm/wpm_faq.ctt/wpm_faq.doc

[Ref: 05102605]